

BRECKLAND COUNCIL

Elizabeth House, Walpole Loke, Dereham, Norfolk, NR19 1EE. Tel. (01362) 656873

Planning Permission

Name and Address of Applicant

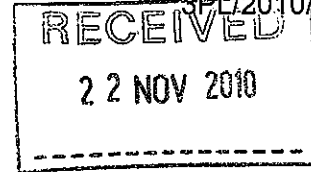
Abel Properties Ltd
c/o agent

Location of proposal

WATTON
South Block
Neaton Park
Norwich Road

Reference No.

SP/L/2010/0921/F



Name and Address of Agent

David Futter Associates Ltd
Arkitech House
35 Whiffler Road
Norwich
Norfolk
NR3 2AW

Description of Proposal

Change of use from B8 to B1,B2
and B8 to include additional parking

Date of decision

19 November 2010

This decision is made for the development described above, and in accordance with the application form, other details (as appropriate) and the following plans:-

Drawing Nos. SL01A received 4th October 2010 and drawing nos SO2, SO1, PO1, PO2, PO3 and PO4 received 26th August 2010.

This decision is made subject to the following CONDITIONS -

1. The development must be begun not later than the expiration of THREE YEARS beginning with the date of this permission.
Reason for condition:-
As required by section 91 of the Town & Country Planning Act 1990 (as amended).
2. The development must be carried out in strict accordance with the application form, details, other documents (as appropriate) and the above drawings, submitted or provided by the applicant.
Reason for condition:-
To ensure the satisfactory development of the site.
3. The units no's 1-14 on the submitted plans shall be used solely for B1(b) and (c), B2 and B8. and shall not be used for B1 (a) offices use of the Town & Country Planning (Use Classes) Order 2005 (as amended) other than as ancillary to an approved use hereby permitted, without the prior consent in writing, of the Local Planning Authority.
Reason for condition:-
In order that the Local Planning Authority may protect the vitality and viability of the town centre. This condition is imposed in accordance with PPS4 and policy DC6 of the Adopted Core Strategy and Development Control Policies.

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4. No machinery shall be operated, no process carried out from any business operating a B2 use from units 1-5 identified on the submitted plans, outside the following times.: 06:00 - 20:00 Monday to Friday , 06:00 - 18:00 on Saturday, nor at any time on Sundays, Bank Holidays or Public Holidays.
Reason for condition:-
In the interests of the amenities of adjoining residents.

5. No power tools or machinery shall be used in connection with units 1-5 on the submitted plans outside the units(s) nor operate within the confines of the unit(s) with the doors and windows open.
Reason for condition:-
In the interests of the amenities of the adjoining residents.
This condition is imposed in accordance with policy DC1 of the Adopted Core Strategy and Development Control Policies.

6. No loudspeaker, amplifier, relay or other audio equipment shall be installed or used outside the building nor installed or used inside the building in such a manner as to cause detriment to the amenity of the area by reason of noise.
Reason for condition:-
In the interests of amenity.

7. No fume extraction systems, extraction vents, compressors, chilling units, air conditioning units, cooling fan or similar plant shall be installed on the site without the prior written approval of the Local Planning Authority.
Reason for condition:-
In the interests of the amenities of the adjoining residents.
This condition is imposed in accordance with policy DC1 of the Adopted Core Strategy and Development Control Policies.

8. Before the commencement of the use hereby permitted, parking and turning space shall be laid out to the satisfaction of the Local Planning Authority in consultation with the Highway Authority. Any area so provided shall be maintained and made available permanently for that purpose to the satisfaction of the Local Planning Authority in consultation with the Highway Authority.
Reason for condition:-
(a) In the interests of highway safety.

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9. NOTES - This decision to grant planning permission has been taken having regard to Planning Policy Statement(s) and/or Planning Policy Guidance Notes and the adopted Core Strategy and Development Control Policies Development Plan Document summarised below, and to all relevant material considerations:
DC1: Protection of Amenity
DC6: General Employment Areas
PPS4: Planning for Sustainable Economical Growth

In reaching this decision the Council was particularly mindful of the following matters:

- acceptability of the proposed use
- residential amenity

The application involves the change of use of a warehouse to a B1 B2 and B8 use. The application site is within the settlement boundary and general employment area. Policies seek to protect such sites for employment uses. The external alterations are considered an improvement to the appearance of the building. The permission excludes the use of use of the warehouse to office use other than as ancillary as this is considered a town Centre Use.

It is considered that the proposed uses are acceptable, given the current use of the site and subject to conditions which are required to protect the amenities of the adjacent properties to the east of the site. The hours of operation have been restricted for units 1-5 if they are used as a B2 use

This informative is intended only as a summary of the reasons for the grant of planning permission. Further details on the decision and on how the policies referred to have been addressed may be obtained through inspection of the written report for this application, available at the Council Offices. Please telephone (01362) 656873 or e-mail planning@breckland.gov.uk to arrange to view the report at the Council Offices

10. Any variation from the approved plans following commencement of the development, irrespective of the degree of variation, will constitute unauthorised development and may be liable to enforcement action.
You or your agent or any person responsible for implementing this permission should inform the Development Control Section immediately of any proposed variation from the approved plans and ask to be advised to the best method to resolve the matter. Most proposals for variation to the approved plans will require the submission of a new planning application.
11. If the formal discharge of any condition is required, it will be necessary for you to submit to the Council all relevant details, together with a completed application for the "Discharge of Conditions" and the fee as appropriate.

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NOTES RELATING TO PLANNING DECISIONS

Appeals against planning decisions

If the applicant is aggrieved by the decision of the Local Planning Authority to refuse permission or approval for the proposed development, or to refuse in part an application for a Certificate of Lawful Use or Development or to refuse express consent to display an advertisement(s), or to grant permission, approval or consent subject to conditions, he or she may appeal to the Secretary of State for the Environment in accordance with Section 78 & 195 of the Town and Country Planning Act 1990 within six months (** see **Householder applications**) of the date of this notice, or within 8 weeks of the date of this notice for appeals relating to applications for advertisement consent, in accordance with Schedule 4 of the Town and Country Planning Control of Advertisements Regulations 1992. References to a "refusal of an application in part for a Certificate of Lawful Use or Development" include a modification or substitution of the description in the application of the use, operations or other matter in question. ** **Householder Applications** - If this is a decision to refuse planning permission for a householder and you wish to appeal against the local planning authority's decision then you must do so within 12 weeks of the date of this notice.

(Appeals must be made on a form which is obtainable from The Planning Inspectorate, Registry/Scanning, Room 3/05 Kite Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN, email - enquiries@planning-inspectorate.qsi.gov.uk, tel-0117 372 6372). The Secretary of State has power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Secretary of State is not required to entertain an appeal if it appears to him that permission for the proposed development could not have been granted by the Local Planning Authority, or could not have been so granted otherwise than subject to the conditions imposed by them, having regard to the statutory requirements set out in section 79(6) of the Town and Country Planning Act 1990 (namely sections 70,72(1), of the Act), to the provisions of the development order, and to any directions given under the order.

He does not in practice refuse to entertain appeals solely because the decision of the Local Planning Authority was based on a direction given by him.

Purchase Notices

If permission to develop land is refused or granted subject to conditions, whether by the Local Planning Authority or by the Secretary of State for the Environment, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the council of the county or borough or county district in which the land is situated a purchase notice requiring that council to purchase his interest in the land in accordance with the provisions of Part V1 of the Town and Country Planning Act 1990.

Compensation

In certain circumstances, a claim may be made against the Local Planning Authority for compensation, where permission is refused or granted subject to conditions by the Secretary of State on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in section 114 and related provisions of the Town and Country Planning Act 1990.

Disabled Persons

Your attention is drawn to the following provisions for disabled persons required under section 76 of the Town and Country Planning Act 1990.

In respect of new developments for buildings to which the public are to be admitted, and for developments relating to offices, shops, railway premises and factories, reference should be made to the provisions of Sections 4, 7 & 8a of the Chronically Sick and Disabled Persons Act 1970, and to the British Standards Institution Code of Practice BS 8300:2009 - Design of Buildings and their approaches to meet the needs of disabled people. Your attention is also drawn to the provisions of the Disability Discrimination Act 1995.

Buildings Regulations

There are many cases when approval under the BUILDING ACT and/or the BUILDING REGULATIONS may be required. If you have not already made the necessary applications, you are advised to check with my Building Control Section, to see if such an application is required.

Other Legislation

There may be other legal requirements with which you must comply before you start any construction, and I suggest that you take appropriate legal advice.

Michael A. Horn, Solicitor, Head of Legal Services - Breckland Council

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