

**BRECKLAND COUNCIL**

**At a Meeting of the**

**POLICY DEVELOPMENT AND REVIEW PANEL 1**

**Held on Tuesday, 27 November 2007 at 5.30 pm in  
Norfolk & Dereham Rooms, The Conference Suite, Elizabeth House, Dereham**

**PRESENT**

Mr J.D. Rogers (Chairman)	Mr I.A.C. Monson
Mr R.P. Childerhouse	Mrs P. Quadling
Mr P.J. Duigan	Mrs P.A. Spencer
Mr A.P. Joel (Vice-Chairman)	Mrs L.S. Turner
Mr K. Martin	

**Also Present**

Mrs J. Ball	Mrs S.R. Howard-Alpe
Mr S.G. Bambridge	Mrs D.K.R. Irving
Mr W.P. Borrett	Mr M.A. Kiddle-Morris
Councillor Claire Bowes	Mr J.P. Labouchere
Mr M. Fanthorpe	Mr B. Rose
Mr P.S. Francis	Mrs A.L. Steward

**In Attendance**

John Chinnery	- Solicitor & Standards Consultant
Paul Harris	- Planning Policy Officer
Andrea Long	- Environmental Planning Manager
David Spencer	- Principal Planning Policy Officer
Elaine Wilkes	- Senior Committee Officer

**76/07 MINUTES**

The minutes of the meeting held on 8 November 2007 were confirmed as a correct record and signed by the Chairman.

**77/07 APOLOGIES**

Apologies for absence were received from Mrs. M. Chapman-Allen, Mr. A. Byrne, Mr. P. Cowen and Lady Fisher.

**78/07 NON-MEMBERS WISHING TO ADDRESS THE MEETING**

The following members were in attendance:

Mrs. J. Ball	Mr. S.G. Bambridge
Mr. G.P. Borrett	Councillor C. Bowes
Mr. M. Fanthorpe	Mr. P. Francis
Mrs. S.R. Howard-Alpe	Mrs. D. Irving
Mr. M. Kiddle-Morris	Mr. J.P. Labouchere
Mr. B. Rose	

Mrs. A. Steward, Executive Member for Planning & Housing.

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**79/07 LOCAL DEVELOPMENT FRAMEWORK (LDF): BRECKLAND CORE STRATEGY AND DEVELOPMENT CONTROL POLICIES DEVELOPMENT PLAN DOCUMENT (DPD) - PREFERRED POLICY OPTIONS (AGENDA ITEM 6)**

The Principal Planning Policy Officer presented a résumé of progress and consultations to date on the LDF, together with a summary of the resulting proposed changes to the Preferred Options which would be going forward for the Cabinet's consideration and an outline of the future LDF timetable.

Issues raised to date included:

- Concerns that the job figures along the A11 corridor were insufficient
- Concerns that there was an insufficient allowance for housing in the villages and the need for a more positive approach to creating jobs in the rural areas
- The need for greater protection from "infill" development within settlement boundaries
- The timing of infrastructure to serve new development
- The number and category of local service centre villages
- The need for greater emphasis on the 'green agenda'
- The need to recognise the car as a necessity in the face of limited public transport
- The need for greater emphasis on design to deliver the scale of growth in Breckland (size of properties, density)

Changes so far recommended by the Panel were summarised as follows:

1. Policy CP10 Design: Amend to include reference to traditional Norfolk roof
2. Policy DC3 Replacement Dwellings: Alternative option "allow for design to be the determinant factor rather than size"
3. Policy DC4 Affordable Housing: Concern that 40% on sites of three houses was unviable
4. Policy DC8 Tourist Development: Policy is too restrictive on new build tourist accommodation in the countryside.

Other proposed changes included:

5. Policy CP13: Amend to clarify the criteria for settlement boundaries
6. Factual amendments to retail floor space figures (Dereham Tesco)
7. Factual amendments to employment land figures (RAF Watton Technical Site, Carbrooke)
8. A number of minor wording changes

The Chairman expressed his thanks to the Cabinet for deferring its consideration of the matter to assist the Panel to conclude its deliberations.

The Environmental Planning Manager reminded members that the draft policies being put forward were professional recommendations based on the need to meet the tests of soundness on which they would be examined against the national and regional strategies and policies by which the authority had to abide. The Council would also have to demonstrate good evidence of public consultation and how the Council had responded to that consultation, as well as demonstrating good evidence to back-up its policies and to show they were deliverable.

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In answer to questions, it was confirmed that the affordable housing target would be reviewed to apply to sites of five houses or more. It was also confirmed that it would apply to developments in both towns and rural areas.

So far as the issue of the jobs/housing balance was concerned, it was explained that this had been examined during the two year period of the draft LDF. The revised LDF now included housing and jobs figures for towns and Local Service Centre villages, the jobs figures in particular had been revised upwards for locations along the A11 corridor. These figures would be subject to the further consultation commencing in January.

With regard to site specifics, work on this would commence in the New Year as part of the issues and options stage of the consultation programme.

It was also confirmed that the final plan would be clearly cross-referenced to identify which of the existing local plan policies had been superseded.

The Panel then continued with its consideration of the remainder of the Preferred Options on Development Control Policies as follows:

**DC16 Renewable Energy**

The purpose of this policy was to set out the criteria under which proposals for commercial scale renewable energy generation would be considered acceptable.

The acceptability or otherwise of proposals would be assessed against their impact on three key local criteria:

- Sites of international, national or local nature and heritage conservation importance
- Local landscape or townscape
- Local amenities, including visual intrusion, dust, noise or odour

In answer to questions, it was confirmed that CP11 (Energy) gave scope for considering on-site renewable energy proposals by willing developers and for more stringent requirements to be attached to new developments.

So far as the cumulative effects of wind farm developments was concerned, the protection of visual amenity would be determined by assessment of all relevant factors and the impact of the existing wind farm. Under this policy, landscape would be a key matter for consideration, together with the existing landscape character assessment policy.

In response to the above concern, the Environmental Planning Manager agreed that the policy could be strengthened and the Panel accordingly

**RECOMMENDED** that policy DC16 be strengthened in regard to the cumulative effect of proposals by reference to the existing policy on landscape character assessment.

**DC17 Design**

This policy aimed to define a set of design principles that could be applied

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to all new developments to achieve high quality design throughout the District.

The following points were discussed:

- A member was concerned that there was no specific reference to the vernacular building tradition within the policy and that there was insufficient definition on the use of materials and design quality. Members were advised that this issue was covered by the Council's existing Design Principles booklet. The Environmental Planning Manager explained that policy DC17 attempted to set out those elements that needed to be addressed but without tying the Council down too much, since that could give rise to criticisms that the Council was not open to more modern and environmentally responsible designs. Design quality was covered under CP10. (The Environmental Planning Manager undertook to ensure new members of the Council received a copy of the Design Principles booklet.)
- A member questioned the practicality of the statement on adaptability within the policy (paragraph 5), as he felt it was not possible to foresee future needs, and suggested this paragraph should be deleted. However, the argument was put that there should be provision for buildings to be adaptable for the future, taking into account the need to conserve buildings and that the policy should allow developments to adapt as times changed. It was also pointed out that this was a requirement of PPS3. It was therefore concluded that no change should be made to this part of the policy.
- A member highlighted the importance of village design statements and also asked whether the 40% affordable housing target would apply to this policy. It was confirmed that the 40% affordable housing policy would apply to any type of development proposal and that village design statements would be a vital element of consideration at the site specifics stage of the LDF.

DC18 Historic Environment

Breckland contains a wealth of important Listed Buildings and the District has a high quality built environment. This policy sought to protect historic buildings and the built environment that contributes to the District's historic character.

- In paragraph 3.138, a member suggested that the second sentence could be worded more clearly as follows: "*This reflects the need to take note of the character and appearance of the area when we allow historic sites to react to the changing circumstances in which we live*". **The amendment was accepted by the Environmental Planning Manager.**
- The question of how historic buildings could be protected from the impact of modern additions or adjoining modern development was highlighted as a concern, as was protection of the setting of an historic building. **The Environmental Planning Manager acknowledged these points and agreed that suitable wording**

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**could be added to the policy to clarify the position in that regard.** It was noted that other policies would also be relevant (such as that on the green environment) and it was confirmed that the final document would contain clear cross-referencing.

- So far as specific conservation areas within and outside villages was concerned, these would be taken into account when looking at settlement boundaries.

**DC19 Conversion of buildings of particular historic or architectural merit**

The purpose of this policy was to ensure the retention of historically or architecturally important buildings in the countryside.

The following points were discussed:

- Attention was drawn to the question of buildings of historic or architectural merit in the towns and it was asked if this policy would apply equally to the towns. (An example was cited of the former Thetford Brewery which was a listed building and where there was a proposal to convert the premises into flats.) It was explained that this policy focused on buildings in the countryside. However, policy DC18 would apply to all buildings and therefore would apply to proposals for conversion of buildings in towns where protection was considered appropriate.
- It was suggested that it would be helpful to have a definition of the term “unacceptable” in line two of the policy. **The Environmental Planning Manager accepted the point and agreed a suitable cross-reference would be included.**
- A member expressed his view that an historic building should not be converted by exception if there was a possible traditional use for it. Nor, he felt, should it be demolished, even if it was not listed, just because it had not had a suitable application for conversion made for it (in policy terms), and further that it might be appropriate to list it at the time of application. While the point was noted, it was considered that it represented the alternative option and was not the preferred option.

**DC20 Provision of Community Facilities, Recreation and Leisure**

This policy aimed to set out the circumstances in which new community facilities would be permitted and the Council’s approach to the re-use of such facilities.

The following points were noted in response to questions:

- The reference to “isolated” proposals would allow for discretion in determining applications through the development control process.
- The policy covered private facilities but was not an “open door” policy as proposals would have to demonstrate need and sustainability.

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- Requirements for facilities in large estate developments would be dependent on size of the development and what other facilities were accessible and was something that should be picked up at the application stage of the development control process.
- So far as designing out crime was concerned, policy DC17 was relevant both to the Authority's responsibilities under Section 17 of the Crime and Disorder Act and through the development control and LDF processes, where the intention was to pick up any issues at an early point in the design stage to avoid problems later on. This was an approach the Council had been following over some years.

DC21 Protection of key services and facilities

The purpose of this policy was to protect the loss of key local services and facilities through re-development.

Members strongly supported a proposition to include a condition in this policy requiring key facilities or services to be advertised for a sufficient length of time in order to prove their un-viability before a change of use was permitted.

Other members, while supporting the policy, felt the Council should also examine in what other ways it could positively assist businesses in the villages to be sustainable, particularly shops and public houses.

Referring to concerns about the potential threat of shop closures from the loss of Post Offices, a member suggested consideration could be given to options for the larger supermarket developers, such as Sainsbury and Tesco, to require them to put in services to the villages as part of any planning application.

**RECOMMENDED** that policy DC 21 be amended to include a condition to require key facilities or services to be advertised for a sufficient length of time in order to prove their un-viability before a change of use was permitted.

DC22 Highways Safety

The aim of the policy was to ensure that new development did not have an unacceptable impact upon the highway network in terms of its operation or public safety.

The following points were noted in answer to questions:

- Speed limits and road safety was within the control of the County Council as Highway Authority and was not within the scope of the LDF. However, while the imposition of 20mph limits in new developments was within the control of the County Council, it was possible to provide for these through the use of Section 106 Agreements as part of the development control process. The best approach was often through the design and planning application stage.
- It was the Council's approach to put the onus on developers to demonstrate their proposals were not detrimental to road safety and

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the pre-application stage of the development control process would identify and resolve any issues before an application proceeded.

**DC23 Parking Provision**

This policy set out the car and cycle parking and related provision for development proposals.

In relation to parking provision for dwelling houses, members felt that Appendix 3 to the policy should be amended to provide for a minimum provision of two car parking spaces, instead of the maximum figures currently included.

The grounds in support of the proposal were that the current allowance of 1-1.5 spaces on a three-bedroom house was inadequate and that provision needed to take account of the necessity of the car in the rural areas and the lack of public transport and the fact that many households required two or more cars to meet family needs (older children often remained at home longer for economic reasons).

Also highlighted by a member was the need for garage size to be sufficient to accommodate the needs of disabled drivers, as modern garages appeared to have decreased in size.

Members also concurred that the same proposed minimum of two spaces should apply equally to dwelling houses in the towns, where the same needs applied. A member also commented that the reduction multiplier in the towns should not be as severe as 0.5.

A member queried how the differentials contained in the policy were derived and it was explained that they were a reflection of car owner levels taken from the last national census and related to public transport facilities. However, it was accepted that there was a need to look at these in more detail and this would be explored further through the consultation process.

In response to a further point, the Environmental Planning Manager agreed to include a cross-reference in the policy with PPS13, which was also relevant.

**RECOMMENDED** that Appendix 3: Parking Standards in relation to dwelling houses be amended to provide for a minimum provision of two car parking spaces.

**DC24 Corridors of Movement**

The purpose of this policy was to ensure that traffic generating uses in proximity to protected transport routes did not undermine the function of those routes and development proposals did not compromise possible future improvements to protected routes.

In answer to a question, it was confirmed that the reference to rail routes included unused routes, e.g. the Mid Norfolk Railway route.

It was also explained that the policy related to new developments directly accessing onto trunk roads and principal A roads.

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**DC25 Conversion of Buildings in the Countryside**

The aim of this policy was to ensure the conversion of buildings in the countryside were sustainable and supported the economic objectives of the Council.

There were some concerns from members that the limit to buildings within 400m of a village settlement boundary was too restrictive. However, it was explained that the policy was a considerable step change from existing policies, which did not allow for conversions unless the buildings had been marketed for a specific period. The policy recognised the need to protect buildings and provided for buildings worthy of retention in relation to other policies, for example DC19 Conversion of buildings of particular historic or architectural merit.

Furthermore, as explained in paragraph 3.179, the alternative option of allowing the conversion of buildings in the countryside to residential uses in any location provided that the economic re-use of the building was not viable would give rise to a significant conflict with sustainability objectives 3, 12 and 13, and could also make the policy less defensible on appeal. The preferred option aimed to avoid those situations.

There was scope through the development control process to take account of other considerations but any departure from policy would need to be supported by a clear planning justification.

The Panel concluded that no change should be made to the principle of the Preferred Option but recommended that Cabinet consider the merit of removing the reference to 400m as a reasonable distance for barn conversions away from settlement boundaries.

**RECOMMENDED** that no change be made to the principle of the Preferred Option but that Cabinet consider the merit of removing the reference to 400m as a reasonable distance for barn conversions away from settlement boundaries.

Note: Mr. I.A.C. Monson declared a personal interest in this item as the owner of properties of this type.

**DC26 Farm Diversification**

This policy set out the supporting policy mechanisms for the diversification of farming enterprises and the criteria under which such diversification would be acceptable.

There was discussion about the reasoning for the inclusion of criteria a), b) and c), as some members considered them to be irrelevant and contradictory and that they should be deleted.

However, it was explained that the deletion of paragraphs a), b) and c) would mean the policy fell outside the scope of farm diversification and risked the policy being removed by the Inspector as being covered by DC7 and therefore adding nothing to the Plan. The Council would therefore lose something which supported farm diversification.



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So far as members' concerns that the policy limited the scope of diversification, it was explained that farm diversification was intended to cover those cases where farmers were looking for other streams of income to support their business. Therefore, it seemed unlikely that a farmer would want to do something that was not compatible with that aim. The policy offered positive support to farm diversification.

Members were of the opinion that the policy should enable farm diversification in the wider sense and that paragraph b) was too restrictive in tying goods and products to the agricultural process.

For the above reason, a proposition that paragraph b) be amended by the deletion of the second sentence was supported and it was accordingly

**RECOMMENDED** that Policy DC26 be amended by the deletion of the second sentence from paragraph b), (i.e. delete the words "The sale of goods not produced on the site as part of its agricultural process will only be acceptable when it can be demonstrated that it is a sustainable solution to an identified need.").

Note: Mr. P.S. Francis declared a personal interest in this item as he owned a small farm and shop.

At the conclusion of the debate, the Environmental Planning Manager advised that a schedule of the comments and recommendations made by the Panel, plus any other potential changes, would be produced for the meeting of the Cabinet on 3<sup>rd</sup> December 2007.

The Panel accordingly

**RESOLVED** that the Panel's views and recommendations on the Breckland Core Strategy and Development Control Policies Development Plan Document Preferred Policy Options be submitted for the Cabinet's approval on 3<sup>rd</sup> December 2007.

**Env.  
Planning  
Manager**

The meeting closed at 8.05 pm

CHAIRMAN