

**BRECKLAND COUNCIL**

**At a Meeting of the**

**PLANNING COMMITTEE**

**Held on Monday, 6 August 2012 at 9.30 am in  
Anglia Room, The Conference Suite, Elizabeth House, Dereham**

**PRESENT**

Mrs S Armes  
Mr S.G. Bambridge  
Councillor C Bowes  
Mr T R Carter  
Mr P.D. Claussen  
Mr T.J. Lamb

Mrs J A North (Vice-Chairman)  
Mr W. R. J. Richmond  
Mr M. S. Robinson  
Mr F.J. Sharpe  
Mrs P.A. Spencer  
Mr N.C. Wilkin (Chairman)

**Also Present**

Mrs S.M. Matthews (Ward  
Representative)  
Mrs E. M. Jolly (Ward  
Representative)

Mr C G Carter (Ward Representative)  
Mrs L.S. Turner (Ward Representative)

**In Attendance**

Paul Jackson  
John Chinnery  
Jane Osborne  
Chris Raine  
James Stone  
Mike Brennan  
Michael Horn  
Mr Davis

Planning Manager  
Solicitor & Standards Consultant  
Committee Officer  
Senior Planner\*  
Senior Planner\*  
Principal Planning Officer\*  
Solicitor to the Council  
Noise Consultant

\* Capita Symonds for Breckland Council

**74/12 MINUTES**

The Minutes of the meeting held on 9 July were confirmed as a correct record and signed by the Chairman.

**75/12 DECLARATIONS AND REPRESENTATIONS RECEIVED**

It was noted that Cllr Robinson had attended a meeting with the Executive Member for Localism, Community & Environmental Services with regard to Agenda Item 9, Schedule of Planning Applications Item 8, Yaxham.

Cllr C Bowes declared for the purposes of transparency, that she knew the applicant with regard to Agenda Item 9, Schedule of Planning Applications Item No. 2, Watton.

Cllr W Richmond declared a Disclosable Pecuniary Interest in Agenda Item 10, North Elmham (there were no discussions on the item).

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**76/12 DEFERRED APPLICATIONS**

76.1 Bradenham: Land at Wood Farm, Church Lane: Erect 2 100m wide turbines, access tracks, crane pad areas, electricity sub-station and temp construction compound: 3PL/2011/0854/F

Michael Horn, Solicitor to the Council was present for this Agenda item only.

The application had been deferred from the Planning Committee held on 9 July 2012 to allow Members to attend a site visit held on 27 July, 2012 where the area had been pegged out to show the site of both the old application and the new one. The Principal Planning Officer presented the report, which was for the erection of 2 x 100m wind turbines, access tracks, crane pad areas, electricity sub-station and temporary construction compound, outside the Settlement Boundary. A previous application (3PL/2002/004/F) was refused on 17 December, 2002, as was 3PL/2004/0313/F on 4 January 2005. The application was recommended for approval, subject to conditions.

Mr Reading, Bradenham Parish Council, stated that power lines were obscured from view from the brow of the hill. He read out the distances for 25 properties in Bradenham Parish that would encircle within 1500m of the turbines. The turbines would be audible in bedrooms at night. Wood Farm land was unsuitable for industrial wind turbines in any position.

Mr. Hinchliffe, Supporter, stated that the proposal had met concerns, with the imposition of conditions, and that CANAS would be delighted if the application was approved.

Mr. Hill, Objector, spoke as a farming neighbour to the west of the application site, and represented workforce and tenant families, all of whom were opposed to the application. Noise and shadow flicker would be a constant intrusion both at work and home. Environmentally, the area was very special, as it had been set aside in memory of his son and would be a haven for wildlife.

Dr Hoare, Objector, stated that the application failed to comply with Breckland's Windfarm Policy, and that Ecotricity were aware that problems would be caused due to the close proximity of houses.

Mr Kite, CATS, Objector (Campaign Against Turbines in Shipdham & Bradenham), confirmed that the blimp had been "inked in" onto photographs shown to Members during the presentation, and with regard to the detrimental effects the proposal would have, he made Members aware of a report produced by Dr Christopher Hanning on sleep disturbance and wind turbine noise.

Mr Muir, Applicant, stated to Members that the key consideration related to impact on the landscape and in this regard, any difference in the proposed scheme to the one that came before it previously.

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He believed the proposed development would not have an overbearing affect or harmful impact on the area and would comply with the ETSU noise limits. No further turbines could be located on the site.

Mrs Turner, Ward Representative, explained that the village had been under a cloud of uncertainty for 10 years. Two large turbines would physically and aesthetically affect Shipdham. Access, construction and ongoing maintenance movements would have a detrimental impact. However, from personal correspondence received and at Parish meetings, there were a number of residents who supported the application for alternative energy at this site. She spoke about the NPPF and that the tranquillity of the landscape, along with health and wellbeing which would be disrupted and disturbed. The proposal should be rejected for the wellbeing of the community, as nothing had changed in essence for 10 years. The village needed closure and should be left to be a united thriving community.

Mr Carter, Ward Representative was present to represent Members of Bradenham Parish Council and to express their continued opposition of the development.

The Principal Planning Officer clarified for Members' benefit that the document, Wind Energy Development – A Statement of Breckland Council Policy, was now not formally part of the Development Plan and therefore carried limited weight in the determination of the application. He also explained why blimps tended not to be used as a useful and realistic tool in the assessment of landscape impact in these types of applications.

In answer to a question raised about ETSU-R-097, the Breckland Council's Noise Consultant, Mr Davis, explained that it was the primary national guidance for noise levels. However a Member was concerned about a "one size fits all" policy with regard to noise.

The recommendation for approval was not supported.

Reasons given to refuse were on the grounds that it would adversely affect the landscape, that this was a very special tranquil area, the proximity of the dwellings was too close, and more account should be taken of local public opinion, the recent reports which spoke against the proximity of wind farms to residential dwellings, along with the comments made by CPRE Norfolk.

Members were then given advice by Michael Horn, Solicitor to the Council.

Extraordinary lengths had been taken to look at the noise issue and the Council's Noise Consultant did not support a refusal on noise grounds. At the site visit, the area had been pegged out to show the site of both the old application and the new one, and Members

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considered that the application would have an unacceptable adverse impact on the landscape.

As noted in the report, CPRE Norfolk concluded that the visual effects of the turbines proposed would be both significant and detrimental to the landscape of Shipdham and the surrounding countryside, near and far, and a Member stated those were the basis of objection.

A new proposal was made and seconded to refuse the application on landscape grounds only.

**RESOLVED that contrary to the recommendation of Officers, the application be refused on landscape impact grounds only.**

Michael Horn and Mr Davis, left the meeting.

**77/12 SCHEDULE OF PLANNING APPLICATIONS**

**RESOLVED** that the applications be determined as follows :

- (a) Item 1 : Roudham/Larling & Bridgham: Change of use of buildings 6 & 11 from agricultural use to B8 storage (retrospective) : Applicant : Paul Rackham Ltd : Reference : 3PL/2012/0450/CU

(Cllr Bambridge was not present for the item).

The application sought retrospective planning permission for the change of use of two units (units 6 and 11) from agriculture to B8 storage outside the Settlement Boundary and was recommended for approval.

Mr Cunnane, Agent, advised that the buildings were redundant for agricultural purposes, and were sustainable for reuse, have regard for sustainability principles and an economic resource. Employees on site were good for the local community. There was no environmental impact. The proposal complied with Breckland's Core Strategy and the NPPF. There was no proposal to store chicken litter.

Mr Germany, Foulger Transport, stated that only shop fittings were stored at Camp Farm.

Mrs Jolly, Ward Representative, stated that she owned land bordering the site. She said that there had been a long history of "creeping" development, and some buildings currently had unauthorised use. A farm was still there. She advised of up to 50 HGV deliveries daily. The exit/entrance was narrow. There were no road signs in place as per the routing agreement.

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One Member agreed with the comments made by Bridgham Parish Council, in that the area should not become an industrial estate by stealth. It had been the subject of enforcement for many years. He would not agree to any further erosion of the original granting of permission.

Members were advised by the Planning Manager as well as the Solicitor and Standards Consultant.

**RESOLVED**, that the application be deferred and the Officers be authorised to approve it as recommended, on completion of the legal agreement.

- (b) Item 2 : Watton : Erection of 33 new dwellings with associated roads, landscaping & infrastructure (second phase of Abel Homes 'Hus46') : Applicant : Abel Homes Ltd : Reference : 3PL/2012/0521/F

Cllr C Bowes declared for purposes of transparency, that she knew the applicant.

Full planning permission was sought to construct 33 new dwellings with associated roads, landscaping and infrastructure on land off Norwich Road, Watton. It included 5 affordable units which were single storey (and not as presented in the report) and constituted the second phase of the development. Approval was recommended subject to conditions and a Section 106 Agreement relating to the provision of open space, affordable housing and contributions to schools and library services.

**RESOLVED**, that the application be deferred and the Officers be authorised to approve it as recommended, on completion of the legal agreement.

- (c) Item 3 : Swaffham : Demolish buildings & erect 16 flats, works to boundary walls to widen/improve access and associated works : Applicant : Norfolk County Council : Reference : 3PL/2012/0527/F

(Cllr Bambridge was not present for the item).

The Principal Planning Officer (Major Projects) presented the report, which sought full planning permission to provide 16 flats (6 one bed flats and 10 two bed flats) in two storey buildings. Access to the site would be created off Lynn Street/Market Place whilst a pedestrian link would be provided from Whitsands Road. As the proposal accorded with relevant policies of the Development Plan it was recommended for approval.

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Mrs Matthews, Ward Representative, expanded on the comments made by Swaffham Town Council. The proposed access was in the wrong place, as it was a dangerous site with pedestrians. Whilst visibility was not a problem the position of access was, and she provided a plan of the area for the benefit of Members. She advised of the amount of traffic flow she had recently witnessed on the busy junction within a one hour period.

Cllr Sharpe who represented Swaffham along with Mrs Matthews, agreed that the proposed access entrance/exit was extremely dangerous, as confirmed by another Member of the Committee.

A Councillor was concerned that public car parks would be relied upon to support residential car parking with regard to any additional parking required, above the 16 parking spaces on site.

The Senior Planner advised Members of the highway conditions proposed.

Given the concerns expressed by Members and further clarification required with regard to access and pedestrians, it was proposed and seconded that NCC Highways re-visit the application and the comments of Swaffham Town Council be taken into account, along with the amount of vehicular movements witnessed by the Ward Representative.

**RESOLVED, to defer the application to allow NCC Highways to take a more detailed look at the proposal and to provide more defined reasons why they believed it was safe to have all accesses converging.**

- (d) Item 4 : Swaffham : Demolish buildings & erect 16 flats, works to boundary walls to widen/improve access & associated works : Applicant : Norfolk County Council : Reference : 3PL/2012/0528/CA

Conservation Area consent was sought to demolish two buildings on site and would also involve the removal of the temporary building close to the proposed accessway. Works would involve demolition of part of a wall close to Lynn Street/Market Place to provide adequate access. The wall was Listed and would also be regulated by a separate Listed Building Consent application. The application involved the removal of a small section of wall adjacent to Whitsands Road to provide a pedestrian link. Conservation Area Consent was recommended.

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**RESOLVED, to defer the application to allow NCC Highways to take a more detailed look at the proposal and to provide more defined reasons why they believed it was safe to have all accesses converging.**

- (e) Item 5 : Thompson : Construction of two bedroom bungalow including landscaping and parking : Applicant : Breckland District Council : Reference : 3PL/2012/0547/F

The proposal sought full planning permission for the erection of a two bedroom bungalow and new vehicular access off the existing cul de sac which would provide 2 spaces to the rear of the proposed property on land adjacent to Toms Haven (not Tom Haven as noted in the report). As the proposal was considered to accord with policy it was recommended for approval.

Thompson Parish Council had no objection in principle to building an affordable property on the site, but they did not support the project as presented.

Members did not like the design of the proposed bungalow both internally and externally, and given the site was quite a prominent position, it was proposed and seconded that the application be deferred. Members asked that any resubmission came through the Planning Committee for consideration.

**RESOLVED, to defer the application to allow the applicant to submit a proposal that was of better design.**

- (f) Item 6 : Whinburgh/Westfield : Erection of detached dwelling with garage & new access : Applicant : Mr & Mrs R W Key : Reference : 3PL/2012/0579/F

(Cllr Bambridge was not present for the item).

Members had received correspondence about the proposal.

The Principal Planning Officer presented the report which was for the erection of a detached, two-storey dwelling and detached garage and included the creation of a new access way to the site outside the Settlement Boundary. It was explained that since the previous application was presented to the Planning Committee on 8 August 2011 (Ref : 3PL/2011/0616/F) the Settlement Boundary for Whinburgh/Westfield had been removed as part of the adopted Site Specifics DPD process. The application was recommended for refusal because of the proposed location of the dwelling outside of the Settlement Boundary. A letter of support had been received from a neighbour.

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Mrs Kingsland, Parish Council, gave a summary of the correspondence sent to Members. The application was the last in a series of similar applications by the developer. She questioned what the benefit would be to villagers by granting permission for the proposal which would be another dwelling in the countryside without significant justification. She asked that Members consider the impact the proposal would have on the small village and the criteria by which the application should be judged.

Mr Key, Applicant, gave a brief history of the land and stated that the gap had not been created, but was an obvious infill site. He had done as much as he could to help neighbours by clearing and improving ditches.

**Refused, as recommended.**

- (g) Item 7 : Dereham : Proposed alterations and extensions to cottage together with cart shed style garage : Applicant : Mr & Mrs D Smith : Reference : 3PL/2012/0623/F

An extension to form a lobby, utility, wc/shower room and conservatory at ground floor level with a bedroom/en-suite and bathroom above was proposed. A detached open fronted cart shed style garage was also proposed which would replace an existing garage constructed of corrugated sheeting. Given that the design and appearance of the extension and garage were considered to be acceptable and there would be no adverse impact upon residential amenity, the scheme was recommended for approval.

**Approved, as recommended.**

- (h) Item 8 : Yaxham : Change of use of office, laundry, store room and foyer into a 2 storey dwelling with ground floor extension : Applicant : Mr Ray Newton : Reference : 3PL/2012/0627/F

It was noted that Cllr Robinson had attended a meeting with the Executive Member for Localism, Community & Environmental Services.

The application sought full planning permission, outside the Settlement Boundary, for the change of use of an existing office, laundry room, storeroom and foyer into a two-storey dwelling, along with a two-storey extension to the existing accommodation block to provide a new dwelling for an employee's parents to help provide assistance with the running of the Yaxham Mill bed and breakfast operation. Reasons for refusal were as listed in the report.

Mr Newton, Applicant, explained that the business could not support external staffing costs, it required a family presence

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on site at all times, and could not be satisfied by family residing in the local village. He made reference to various paragraphs within the NPPF and for planners to be flexible in their decision making. He advised why the office, laundry and store room were no longer required. There were no plans for any further accommodation expansion on site.

Mrs Turner, Ward Representative, explained she was in attendance on behalf of Cllr C Jordan who supported the application which would help a local business thrive and made reference to a section within the NPPF which encouraged sustainable growth in rural areas. It was a re-use of an existing site and would sit on the same footprint with a small extension. Raising the roof would take it inline with the existing roof line. The Mill would not be altered or lose its visual impact. Car park spaces were already on site.

The recommendation for refusal was not supported.

The Planning Manager brought attention to the Planning Policy Note included in the Agenda and the Solicitor and Standards Consultant asked for clarification of the reasons why Members did not support refusal.

Reasons for approval were given that it was a small business within the area which should be supported. There were already vehicular movements on site, and the proposal would make minimal difference. It was a business and dwelling on a commercial site.

**RESOLVED, that contrary to the recommendation of Officers, the application be approved.**

**Notes To Schedule**

<b>Item No.</b>	<b>Speaker</b>
1	Mr Cunnane, Agent Mrs Jolly, Ward Representative
2	
3	Mr Green, Agent Mrs Matthews, Ward Representative
4	Mr Green, Agent Mrs Matthews, Ward Representative
5	
6	Mrs Kingsland, Parish Council Mr Key, Applicant
7	
8	Mr Newton, Applicant Mrs Turner, Ward Representative

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**Written Representations Taken Into Account**

<b>Reference No.</b>	<b>No. of Representations</b>
3PL/2012/0450/CU	2
3PL/2012/0521/F	1
3PL/2012/0527/F	1
3PL/2012/0528/CA	
3PL/2012/0547/F	1
3PL/2012/0579/F	3
3PL/2012/0623/F	
3PL/2012/0627/F	

**78/12 FOR INFORMATION : NORTH ELMHAM: PARK FARM, HEATH ROAD: AGRICULTURAL NOTIFICATION: 3AG/2012/0020/AG**

Noted.

**79/12 APPLICATIONS DETERMINED BY THE DIRECTOR OF COMMISSIONING**

Noted.

**80/12 APPLICATIONS DETERMINED BY NORFOLK COUNTY COUNCIL (FOR INFORMATION)**

Noted.

**81/12 ENFORCEMENT ITEMS (FOR INFORMATION)**

Noted.

**82/12 APPEAL DECISIONS (FOR INFORMATION)**

Noted.

The meeting closed at 12.55 pm

CHAIRMAN