

AGENDA

NOTE: In the case of non-members, this agenda is for information only

- Committee** - **PLANNING COMMITTEE**
- Date & Time** - MONDAY, 20TH JANUARY, 2014 AT 9.30 am
- Venue** - ANGLIA ROOM, THE CONFERENCE SUITE,
 ELIZABETH HOUSE, DEREHAM

Members of the Committee requiring further information, or with specific questions, are asked to raise these with the appropriate officer at least two working days before the meeting. If the information requested is available, this will be provided, and reported to Committee.

NOTE

Ward Representatives wishing to speak on a particular application are asked to inform the Usher, Mrs H. Burlingham, well in advance and arrive at the meeting by **9.30am** as the items on which the public wish to speak will be taken first in order of the agenda.

<p>IN THE EVENT OF DEFERRED ITEMS APPEARING ON THE AGENDA, WARD REPRESENTATIVES WILL BE NOTIFIED ACCORDINGLY IN ADVANCE.</p>	<p>THE ORDER OF THE MEETING WILL VARY TO ALLOW FOR PUBLIC SPEAKING AND WILL NOT FOLLOW THAT OF THIS AGENDA</p>	<p>PERSONS ATTENDING THE MEETING ARE REQUESTED TO TURN OFF MOBILE PHONES</p>
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VOTING:

If the first vote is lost in considering an application, a new proposal will be requested (eg a vote for approval, if lost, does not automatically mean “refused”). On a tied vote, the Chairman has a casting vote, if he/she wishes to use it. It is necessary for summary reasons for approvals or refusals to be identified in each case.

Member Services
 Elizabeth House, Walpole Loke,
 Dereham Norfolk, NR19 1EE

Date: Thursday, 9 January 2014

PLANNING POLICY NOTE

THE STRENGTH OF PLANNING POLICY IN DETERMINING PLANNING APPLICATIONS

The Planning process is set up, **IN THE PUBLIC INTEREST**, to protect the public from the unacceptable planning activities of private individuals and development companies. Planning is primarily concerned to deal with issues of land use and the way they affect the environment.

The Council has a DUTY, through the Planning & Compulsory Purchase Act 2004, to prepare **Local Development Documents (DPDs)** to provide a statutory framework for planning decisions. The **Development Plan** for Breckland **currently** consists of a suite of documents. The primary document which sets out the overarching planning strategy for the District and the local planning policies is the Core Strategy and Development Control Policies document. This was adopted by Breckland Council on 17th December 2009 and is the local starting point in the determination of planning applications. Breckland Council has also adopted its Site Specific Policies and Proposals DPD, on 19th January 2012. The document allocates specific areas of land for development and revised settlement boundaries.

Breckland's Plan contains the Council's planning policies, which must be consistent with Government policy which is currently the National Planning Policy Framework (NPPF) and accompanying technical guidance.

The full public scrutiny of the Council's proposals will give the Plan an exceptional weight when dealing with planning applications.

This shift towards a "Plan-led" planning system is a major feature of planning legislation. The Planning & Compulsory Purchase Act 2004, states that ***planning applications should be determined in accordance with the policies of the Plan, unless material considerations which are relevant to planning indicate otherwise.***

The NPPF states that the purpose of the planning system is to achieve sustainable development. The core planning principles contained within the NPPF are summarised as:

- To be genuinely plan led
- To drive and support sustainable economic development
- Seek high quality design
- Conserve and enhance the natural environment
- Encourage the effective use of land
- Conserve heritage assets

Unless there are special reasons to do otherwise, planning permissions "run with the land", and are NOT personal licences.

The factors to be used in determining applications will relate to the effect on the "public at large" and will NOT be those that refer to private interests.

Personal circumstances of applicants "will rarely" be an influencing factor, **and then, only** when the planning issues are "finely balanced".

THEREFORE we will:

- **acknowledge the strength of our policies,**
- **be consistent in the application of our policy, and**
- **if we need to adapt our policy, we should do it through the LDF process.**

Decisions which are finely balanced, and which contradict policy will be recorded in detail, to explain and justify the decision, and the strength of the material planning reasons for doing so.

LOCAL COUNCILS

OCCASIONALLY, THERE ARE CONFLICTS WITH THE VIEWS OF THE PARISH OR TOWN COUNCIL. WHY IS THIS?

We ask local parish and town councils to recognise that comments received are taken into account. Where we disagree with those comments it will be because:

- Districts look to "wider" policies, and national, regional and county planning strategy.
- Other consultation responses may have affected our recommendation.
- There is an honest difference of opinion.

PART A
ITEMS OPEN TO THE PUBLIC

	<u>Page(s)</u> <u>herewith</u>
1. <u>MINUTES</u> To confirm the minutes of the meeting held on 16 December 2013.	1 - 10
2. <u>APOLOGIES & SUBSTITUTES</u> To receive apologies for absence.	
3. <u>DECLARATION OF INTEREST AND OF REPRESENTATIONS RECEIVED</u> Members are reminded that under the Code of Conduct they are not to participate and must leave the room, for the whole of an agenda item to which they have a Disclosable Pecuniary Interest. In the interests of transparency, Members may also wish to declare any other interests they have in relation to an agenda item, that support the Nolan principles detailed within the Code of Conduct.	
4. <u>CHAIRMAN'S ANNOUNCEMENTS</u>	
5. <u>REQUESTS TO DEFER APPLICATIONS INCLUDED IN THIS AGENDA</u> To consider any requests from Ward Members, officers or applicants to defer an application included in this agenda, so as to save any unnecessary waiting by members of the public attending for such applications.	
6. <u>URGENT BUSINESS</u> To note whether the Chairman proposes to accept any item as urgent business, pursuant to Section 100(B)(4)(b) of the Local Government Act 1972.	
7. <u>LOCAL DEVELOPMENT FRAMEWORK (STANDING ITEM)</u> To receive an update.	
8. <u>DEFERRED APPLICATIONS</u> To consider applications deferred at previous meetings including some, but not all, of those shown on the attached Schedule of Deferred Applications.	11

9. **SCHEDULE OF PLANNING APPLICATIONS**

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To consider the Schedule of Planning Applications:

<u>Item</u> <u>No</u>	<u>Applicant</u>	<u>Parish</u>	<u>Page</u> <u>No</u>
1	Clayland Estates Ltd	Saham Toney	13-21
2	Breckland Council	Dereham	22-25
3	Mr Stuart Neal	Thetford	26-30
4	Mr H S Thompson	North Elmham	31-35
5	Mr Richard Bailey	Litcham	36-42

10. **APPLICATIONS DETERMINED BY THE DIRECTOR OF COMMISSIONING**

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Report of the Director of Commissioning

Members are requested to raise any questions at least two working days before the meeting to allow information to be provided to the Committee.

11. **APPEAL DECISIONS (FOR INFORMATION)**

APP/F2605/A/13/2203676: WEETING: Prospect Lodge, Fengate Drove: Appeal against a refusal to grant planning permission for development of land without complying with a condition by Mr. R. Betts

Reference: 3PL/2012/1026/F

Decision: Appeal dismissed

Summary: The Inspector considered that to vary the condition to allow occupation of the mobile home by the appellant's daughter and her dependants would be tantamount to allowing a new dwelling in the countryside. There is no essential need for the mobile home to become a permanent dwelling.

APP/F2605/A/13/2201259: NARBOROUGH: Beehive Fields, A47: Appeal against refusal of planning permission for the erection of a pig fattening unit by Mr. C. Durrance

Reference: 3PL/2013/0301/F

Decision: Appeal dismissed

Summary: The Inspector considered that the building would have an adverse effect on the character and appearance of the Brecks Landscape Character Area.

APP/F2605/C/13/2194302: ATTLEBOROUGH: Land known as Fieldview, Leys Lane: Appeal against an enforcement notice: Breach of planning control: Material change of use of land from use for garden curtilage of the property known as Ten Oaks to use for stationing and occupation of a residential mobile home on the land by Mr. G. Hamer.

Reference: ENF/2012/0414/CAS

Decision: **Appeal A** by Mr. Hamer succeeds and planning permission is granted for a material change of use of the land to a mixed use of the stationing and occupation of a residential mobile home and the use of a building for motor repairs, salvage and sales on land known as Fieldview, Leys Lane, Attleborough subject to conditions .

Summary: The Inspector considered that the development is sustainable, it is not harmful to the character and appearance of the surrounding area and that dismissal of the appeals would have a disproportionate effect with regard to human rights

APP/F2605/C/13/2194304: ATTLEBOROUGH: Land known as Fieldview, Leys Lane:

Decision: **Appeal B** by Mrs. Hamer is dismissed.

Summary: The Inspector considered that a material change of use to a mixed use which includes the stationing of a mobile home has occurred and continuous use during the ten years prior to service of the enforcement notice has not been shown.

APP/F2605/A/13/220131: ATTLEBOROUGH: Fieldview, Leys Lane: Appeal against a refusal to grant planning permission for retention of a mobile home for residential purposes on part of lawful commercial site by Mr. G. Hamer and Mrs. M. Hamer

Reference: 3PL/2013/0209/F

Decision: Appeal succeeds and planning permission is granted for a material change of use of the land to a mixed use for the stationing and occupation of a residential mobile home and the use of a building for motor repairs, salvage and sales on land known as Fieldview, Leys Lane subject to conditions.

Summary: The Inspector considered that the development is sustainable, it is not harmful to the character and appearance of the surrounding area and that dismissal of the appeals would have a disproportionate effect with regard to human rights

APP/F2605/A/13/2195164 and APP/F/2605/A/13/2195207: OLD BUCKENHAM: Roughlands, Grove Road: Appeal against grants of planning permission subject to conditions in respect of use being restricted to occupants of Roughland Farm by Mr. & Mrs. Richards

References: 3PL/2012/0658 (Appeal A) and 3PL/2012/0614/F (Appeal B)

Decisions: Appeal dismissed

Summary: The Inspector considered that use beyond that in accordance with the conditions would result in significant increase in traffic using Grove Road where width and restricted forward visibility are hazards to safety and free flow of traffic. The risk to highway safety should weigh substantially against removing or varying the conditions. The extended use would not have a materially adverse effect on amenity or impact on the landscape. The use of facilities by friends and relatives could result in levels of activity similar to a commercial undertaking.

APP/F2605/A/13/2205007: ATTLEBOROUGH: Land rear of 1 Albermarle Terrace: Appeal against refusal of planning permission for the erection of a detached bungalow with garage by Mr. D. Aldous
Reference: 3PL/2013/0141/F

Decision: Appeal dismissed

Summary: The Inspector considered that whilst the scheme would be in keeping with the area and would not impact on residential amenity, the lack of a duly executed unilateral undertaking is a fundamental flaw in the proposal.

APP/F2605/A/13/2201606: RIDDLESWORTH: Stud Farm: Appeal against refusal of planning permission for the change of use of land for the siting of a temporary agricultural dwelling (mobile home) by Mr. & Mrs. R.W. Evans
Reference: 3PL/2013/0472/F

Decision: Appeal allowed and planning permission granted subject to conditions

Summary: The Inspector considered that, based on the number of livestock currently and proposed to be kept on the holding, the business requires a full time employee to be permanently located on the holding

APP/F2605/A/13/2203554: HOE: Woodgate House, Gorgate Road: Appeal against refusal of planning permission for a new build house and separation of existing garden to form a site for the house by Mr. Martyn
Reference: 3PL/2012/1293/F

Decision: Appeal dismissed

Summary: The Inspector considered that the proposal would be poorly related to services and facilities, in an area where occupiers would rely on private vehicles.

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