

AGENDA

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

- Committee** - **PLANNING COMMITTEE**
- Date & Time** - MONDAY, 20TH NOVEMBER, 2017 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, Miss O Lockhurst, 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.

IN THE EVENT OF DEFERRED ITEMS APPEARING ON THE AGENDA, WARD REPRESENTATIVES WILL BE NOTIFIED ACCORDINGLY IN ADVANCE.

THE ORDER OF THE MEETING WILL VARY TO ALLOW FOR PUBLIC SPEAKING AND WILL NOT FOLLOW THAT OF THIS AGENDA

PERSONS ATTENDING THE MEETING ARE REQUESTED TO TURN OFF MOBILE PHONES

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.

Democratic Services
Elizabeth House, Walpole Loke,
Dereham Norfolk, NR19 1EE
Date: Thursday, 9 November 2017

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.

GLOSSARY OF TERMS AND ABBREVIATIONS

- AIM** Arboricultural Impact Assessment: Report in relation to trees
- AMS** Arboricultural Method Statement: How development can be carried out to protect trees.
- ANP** Area Neighbourhood Plan.
- AOD** Above Ordnance Datum: Height, in metres, above a fixed point. Used to assess matters of comparative heights in long distance views and flooding modelling.
- AQMA** Air Quality Management Area
- BCN** Breach of Condition Notice: Formal enforcement action to secure compliance with a valid condition
- BS** British Standard as in 78233:2014: in respect of trees
- Buffer zone** a 1500m buffer around areas supporting or capable of supporting nesting stone curlews
- CEMP** Construction Ecological Management Plan
- CHP** Combined Heat and Power
- CSH** Code for Sustainable Homes
- CIL** Community Infrastructure Levy: A national levy on development which will replace contributions under 'Planning Obligations' in the future
- CLEUD** Certificate of Lawful Existing Use or Development: Formal procedure to ascertain whether a development which does not have planning permission is immune from enforcement action
- CLOPUD** Certificate of Lawful Proposed Use or Development: Formal procedure to ascertain whether a development requires planning permission
- Conservation Area** An area of special architectural or historic interest designated due to factors such as the layout of buildings, boundaries, characteristic materials, vistas and open spaces
- DPD** Core Strategy and Development Control Policies Development Plan Document
- DM** Development Management: the area of planning service that processes planning applications, planning appeals and enforcement work
- D & A Design and Access Statement:** A Design and Access statement is submitted with a planning application and sets out the design principles that the applicant has adopted to make the proposal fit into its wider context
- Dph** dwellings per hectare
- DV** District Valuer
- EA** Environment Agency: Lead government agency advising on flooding and pollution control
- EHO** Environmental Health Officer
- EN** Enforcement Notice
- EIA** Environmental Impact Assessment: formal environmental assessment of specific categories of development proposals
- EPSL** European Protected Species Licence
- ES** Environmental Assessment under the Environmental Impact Assessment Regulations
- ETSU** Energy Technology Support Unit: in relation to noise
- EU** Existing Use
- Flood Zone** - defined by the Environment Agency to indicate level of risk in relation to flooding
- FRA** Flood Risk Assessment
- GCN** Great Crested Newts
- GI** Green Infrastructure
- GPDO** General Permitted Development Order: Document which sets out categories of permitted development (see 'PD')
- HES** Historic Environment Service
- HRA** Habitats Regulations Assessment
- HSE** Health and Safety Executive
- IDB** Internal Drainage Board
- IRZs** Impact Risk Assessment
- LAP** Local Area of Play
- LCA** Landscape Character Assessment
- LDF** Local Development Framework
- LEMP** Landscape Ecological Management Plan
- Listed building** An individual building or group of buildings which require a level of protection due to its architectural interest, historical interest, historical associations or group value
- LNR** Local Nature Reserve
- Local Plan** The current planning policy document

Local Service Centre Village defined as containing adequate services and facilities to meet the requirement of their existing residents.

LPA Local Planning Authority

LVIA Landscape and Visual Impact Assessment

Material Considerations Matters which are relevant in determining planning applications

MUGA Multi use games area

NCC Norfolk County Council

NCC Highways Responsible for offering advice on highways issues relating to planning applications as well as highways maintenance and improvement

NERC Natural Environment & Rural Communities Act

Net Density The density of a housing development excluding major distributor roads, primary schools, open spaces serving a wider area and significant landscape buffer strips

NPPF National Planning Policy Framework: This is Policy, hosted on a dedicated website, issued by the Secretary of State detailing national planning policy within existing legislation

NPPG National Planning Practice Guidance

NWT Norfolk Wildlife Trust

OAN Objectively Assessed Housing Need

PADHI Planning Advice for Development near Hazardous Installations

PCN Planning Contravention Notice: Formal notice, which requires information to be provided in connection with an enforcement investigation. It does not in itself constitute enforcement action

PD Permitted development: works which can be undertaken without the need to submit a planning application

PEA Preliminary Ecological Appraisal

PINS Planning Inspectorate

POS Public Open Space

PROW Public right of way

Ramsar Site A wetland of international importance

RP Registered Provider

RPA Root Protection Area

SAC Special Area of Conservation: an SSSI additionally designated as a Special Area of Conservation under the European Community's Habitats Directive 1992 in order to maintain or restore priority natural habitats and wild species

SAP Standard Assessment Procedure: Energy calculations

SCI Statement of Community Involvement: The document and policies that indicate how the community will be engaged in the preparation of the new Local Plan

Section 38 agreement - NCC Highways legal agreement

S106 or Section 106: A legal agreement for the provision of facilities and/or infrastructure either directly by a developer or through a financial contribution, to meet the needs arising out of a development. Can also prevent certain matters

Settlement Boundary: identified in the proposals maps of the Breckland Core Strategy, land within which may be acceptable, in principle, for development

SHMA Strategic Housing Market Assessment

SHLAA Strategic Housing Land Availability Assessment

SOS Secretary of State

SPA Special Protection Area: An SSSI additionally designated a Special Protection Area under the European Community's Directive on the Conservation of Wild Birds 1979.

SS Spatial Strategy

SSSI Site of Special Scientific Interest

SuDS Sustainable Urban Drainage Systems: Providing urban drainage systems in a more environmentally sensitive way by systems designed to reduce the quantity of run-off, slow its velocity or provide for filtering, sedimentation and biological degradation of the water

SUE Sustainable Urban Extension

Sustainable Development. Sustainable development is the core principle underpinning planning. It is defined as "development that meets the needs of the present without compromising the ability of future generations to meet their own needs"

TA Transport Assessment or Transport Statement – assessment of the traffic and transportation implications of a development proposal

TEMPO – Tree Evaluation Method for Preservation Orders

TPO Tree Preservation Order – where a tree or trees are formally protected and prior consent is needed for pruning or felling

TPP Tree protection Plan

TRICS Trip Rate Computer Services: Computerised database and trip rate analysis used to estimate traffic flows to and from a variety of land uses, to assess transportation implications of new development in southern England

Unilateral undertaking - a form of legal agreement

Use Classes Order: Document which lists classes of use and permits certain changes between uses without the need for planning permission. Further definitions can be found in Annex 2 of the NPPF

VA Viability Assessment

Suffixes to reference numbers

A - Advertisement consent

AG - Agricultural Notification

BT - Telecommunications

CA - Conservation Area Consent

CM - County Matters

CU - Change of use

D - Reserved Matters (following outline approval)

DEM - Demolition

DOC - Discharge of conditions

EU - Certificate of Lawfulness of Existing Use

F - Full

H - Hybrid - an application which includes elements of outline and full applications

LB - Listed Building Consent

LU - Certificate of Lawfulness of Proposed Use

NMA - Non material minor amendment

O - Outline

OB - Planning Obligation

PNE - Prior approval

SCO - Scoping opinion - explain

SCR - Screening opinion - explain

SU - Statutory Undertaker

TL - Extend Time Limit - where planning permissions have not been implemented in the required time period

	<u>Page(s)</u> <u>herewith</u>
1. <u>MINUTES</u> To confirm the minutes of the meeting held on 23 October 2017.	8 - 14
2. <u>APOLOGIES & SUBSTITUTES</u> To receive apologies for absence.	
3. <u>DECLARATION OF INTEREST AND OF REPRESENTATIONS RECEIVED</u> The duties to register, disclose and not to participate for the entire consideration of the matter, in respect of any matter in which a Member has a disclosable pecuniary interest are set out in Chapter 7 of the Localism Act 2011. Members are also required to withdraw from the meeting room as stated in the Standing Orders of this Council.	
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>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.	15
a) <u>Proposed Residential Development - Land West of Etling View, Dereham: Reference 3PL/2015/1045/O</u>	16 - 48
8. <u>TREE PRESERVATION ORDER (TPO) REPORTS</u> Reports of the Tree & Countryside Officer, Hugh Coggles.	
a) <u>Land West of Etling View</u>	49 - 51
b) <u>North Pickenham Road, Necton</u>	52 - 53
9. <u>BROWNFIELD LAND REGISTER</u> Report by the Planning Policy Officer, James Mann.	54 - 87

10. SCHEDULE OF PLANNING APPLICATIONS

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To consider the Schedule of Planning Applications:

<u>Item No</u>	<u>Applicant</u>	<u>Parish</u>	<u>Page No</u>
1	Mr Christopher Stuart	Fransham	89 - 97
2	SH1 Consortium	Shipdham	98 - 106
3	Gressingham Foods	Little Ellingham	107 - 113
4	Mrs Lake	Fransham	114 - 120
5	Mr T Mason & Mrs M E Powles – Mason & Powles	Hockham	121 - 128
6	Mr T H Atkins	North Lopham	129 - 134
7	Housing Ladder (Breckland) Ltd	Yaxham	135 - 143
8	Arpels Development Ltd	Great Ellingham	144 - 158
9	Mr Adrien Annison	Rocklands	159 - 171
10	Mr & Mrs Chapman	Carbrooke	172 - 179

11. APPLICATIONS DETERMINED BY THE EXECUTIVE DIRECTOR OF PLACE

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Report of the Executive Director of Place.

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

12. APPEALS DECISIONS

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For information.