

AGENDA

NOTE

WARD REPRESENTATIVES WISHING TO SPEAK ON A PARTICULAR APPLICATION ARE ASKED TO INFORM THE PLANNING USHER WELL IN ADVANCE OF THE MEETING AND TO ARRIVE AT THE MEETING BY 9.30AM

- Committee** - **PLANNING COMMITTEE**
- Date & Time** - MONDAY, 17TH DECEMBER, 2018 AT 9.30 am
- Venue** - ANGLIA ROOM, THE CONFERENCE SUITE, ELIZABETH HOUSE, DEREHAM

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

THIS MEETING WILL BE RECORDED BY THE COUNCIL

Mobile phones and other equipment may also be used to audio record, film, tweet or blog from this meeting by an individual Council Member or a member of the public. No part of the meeting room is exempt from public filming etc unless the meeting resolves to go into private session. The use of images or recordings arising from this is not under the Council's control.

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, 6 December 2018

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 26 November 2018.	6 - 15
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>LOCAL PLAN UPDATE (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.	16
9. <u>SCHEDULE OF PLANNING APPLICATIONS</u> To consider the Schedule of Planning Applications:	
a) <u>Attleborough: Unit opposite MultiFab Bunns Bank: Reference: 3PL/2018/1206/F</u>	17 - 23
b) <u>Beeston: Land off The Street and Herne Lane: Reference: 3PL/2018/0472/F</u> This application was presented to Planning Committee at the meeting of 1st October 2018 where Members resolved to approve the	24 - 41

application as an overturn of the Officer's recommendation of refusal.

There has subsequently been submitted:

- (a) additional information in the form of dated photographs showing a hedge on the northern boundary of the site including from 1946. The additional information comes from an objector and from investigations by the Council's Tree Officer. The additional information indicates that the hedge on the northern boundary is a hedge which should be considered as an 'Important Hedge' and its value as such and the presumption to retain such a hedge.
- (b) a Pre-Action Letter regarding the intention to lodge a Judicial Review application in regard to the decision of the Council to approve the application, the details of which are set out below.

REASON:

This application is being re-presented to Planning Committee for re-consideration by Members. The reason that the application is being represented is due to the risk of a Judicial Review being lodged and the need for Members to be able to consider the additional information regarding the status of the hedge and to consider the issues raised in the Pre-Action letter.

- c) Foulden: Site at School Road: Reference: 3PL/2017/1603/O 42 - 73
 - d) Great Ellingham: Development Site at 601936 296991, Attleborough Road: Reference: 3PL/2018/0713/VAR 74 - 82
 - e) Ickburgh: Land adjacent to Manor Farm, 50 Ashburton Road: Reference: 3PL/2018/1061/F 83 - 94
 - f) Narborough: Pentney Leisure and Bowls Club, Narborough Road, Pentney, Kings Lynn: Reference: 3PL/2018/0154/F 95 - 101
 - g) Whissonsett: Land off Dereham Road: Reference: 3PL/2018/0333/F 102 - 112
- 10. APPLICATIONS DETERMINED BY THE EXECUTIVE DIRECTOR OF PLACE** 113 - 119
- 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.*
- 11. APPEALS SUMMARY (FOR INFO)** 120 - 121
- For information.