

BRECKLAND COUNCIL

At a Meeting of the

DEVELOPMENT CONTROL COMMITTEE

**Held on Monday, 11 October 2010 at 9.30 am in
Anglia Room, The Conference Suite, Elizabeth House, Dereham**

PRESENT

Councillor E. Gould (Chairman)	Mr J.P. Labouchere
Councillor Claire Bowes	Mr T.J. Lamb
Mrs M.P. Chapman-Allen	Mr S. J. F. Rogers
Mr P.S. Francis	Mr F.J. Sharpe
Mr M. Fanthorpe	Mrs P.A. Spencer
Mrs D.K.R. Irving	Mr N.C. Wilkin (Vice-Chairman)

Also Present

Mr M.A. Kiddle-Morris	Mr A.C. Stasiak
Mr J.W. Nunn	

In Attendance

Mike Brennan	- Principal Planning Officer (Capita Symonds for Breckland Council)
Heather Burlingham	- Assistant Development Control Officer (Capita Symonds for Breckland Council)
John Chinnery	- Solicitor & Standards Consultant
Phil Daines	- Development Services Manager (Capita Symonds for Breckland Council)
Helen McAleer	- Senior Committee Officer
Nick Moys	- Principal Planning Officer (Major Projects) (Capita Symonds for Breckland Council)
David Spencer	- Principal Planning Policy Officer (Capita Symonds for Breckland)

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176/10 MINUTES (AGENDA ITEM 1)

Councillor Stasiak made a statement concerning remarks he had made at the previous meeting, as Ward Representative, on an application for residential development in Attleborough by Mr Foulger and others (3PL/2010/0427/O).

At that meeting he had stated that the applicant had committed to provide Open Space with a previous application and should not renege on that undertaking. He now understood that was not the case and he had been wrong to suggest that they would renege on any agreement. He apologised and wished to put the record straight.

Other Members confirmed that they had also been under the same impression.

Mr Stasiak then left the meeting.

The Minutes of the meeting held on 20 September 2010 were confirmed as a correct record and signed by the Chairman.

177/10 APOLOGIES & SUBSTITUTES (AGENDA ITEM 2)

There were no apologies or substitutions.

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178/10 DECLARATION OF INTEREST AND OF REPRESENTATIONS RECEIVED (AGENDA ITEM 3)

Councillor Bowes and Mrs Spencer noted that they had visited the site of Schedule Item 6 (Cranworth).

Agenda Items 10 and 11 (Schedule Items 1 and 2) Necton:

- Mr Labouchere declared a personal interest by virtue of knowing some of the objectors present in the room
- Mr Kiddle-Morris declared a personal and prejudicial interest by virtue of the site landowner being a close friend. He exercised his right to speak on the application before leaving the room
- Mr Wilkin advised that he had attended presentations by both the action group and the applicants
- All Members of the Committee had received direct representation on this application.

179/10 CHAIRMAN'S ANNOUNCEMENTS (AGENDA ITEM 4)

The Chairman made her usual announcements regarding the fire exits, mobile phones, etc. She then advised everyone that there would be a display, in the Norfolk Room, open to the public from 11am -12.30pm regarding the Necton applications (Agenda Items 10 and 11). At 12.30pm the room would be closed to the public to allow the Members of the Committee to view the display during their lunch break.

180/10 REQUESTS TO DEFER APPLICATIONS INCLUDED IN THIS AGENDA (AGENDA ITEM 5)

Schedule Item 3 (Swaffham) had been withdrawn by the applicant.

181/10 URGENT BUSINESS (AGENDA ITEM 6)

There was none.

182/10 LOCAL DEVELOPMENT FRAMEWORK (AGENDA ITEM 7)

Nothing to report.

183/10 BRECKLAND WATER CYCLE STUDY: PHASE II (AGENDA ITEM 8)

The Principal Planning Policy Officer presented the report and explained the background and reasons for the Study which formed part of the evidence base for the Local Development Framework documents.

The detailed study had looked at Flood Risk Management, Water Supply, Drainage, Waste Water, Ecology and Sustainable Infrastructure and had been prepared by the Council working in partnership with NCC, Anglian Water, Natural England and the Environment Agency.

The five market towns had been assessed as they were the key areas identified for growth in the LDF Core Strategy. With the exception of Thetford, the towns were located in dry areas with limited waste water discharge provision.

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The key findings for each town were discussed briefly in terms of their ability to cope with future growth.

Thetford had:

- licensed water capacity for expected growth
- sufficient mains water to supply development areas
- no need for Waste Water Treatment Works upgrade
- capacity to accommodate town centre waste water from new development, but would need a new strategic sewer to serve development to the north of the town

Attleborough had:

- licensed water capacity up to 2018
- a requirement for new ground water resources from 2015 (a new bore hole at Carbrooke was proposed)
- a large enough water supply for new development
- requirement for new Waste Water Treatment Works (a new discharge pipeline was proposed)
- capacity for a further 1500 homes before mains sewer upgrade was required

An Attleborough Member asked why they had previously been told by Anglian Water that there was no capacity in the existing sewer system.

It was explained that the Study was based on a site-by-site analysis. Anglian Water had identified some localised pinch points. Overall there was capacity in the system but not at the Waste Water Treatment Works.

A Thetford Member was concerned at the low levels in the Little Thet. She understood that the Waste Water Treatment Works were not due for improvement and feared that this would have a huge impact on the river.

Another Thetford Member was surprised that the general assumption was that there was plenty of water as he did not believe that was the case.

The Principal Planning Policy Officer explained that the assumption was based on future, lower usage of water and that to meet commercial and residential requirements would be difficult if usage was not reduced.

Dereham had:

- licensed capacity up to 2022 when a new bore hole at Bradenham was proposed
- adequate mains supply to serve all proposed development sites
- sewage treatment capacity issues
- need for a main sewer trunk upgrade

A Member asked if the Norfolk Rivers Board had been consulted as the River Wensum already had problems accepting water from the Dereham Stream and if another bore was added it would cause problems. He asked how surface water and the lack of treatment plant capacity would be dealt with.

The Principal Planning Policy Officer advised that, in accordance with the Core Strategy, new sites would have to have surface water attenuation and run-off would be strictly controlled. Currently there were places where there was combined surface water and foul sewers. In future all new development would provide separate facilities and there was also a

programme of retrospective works proposed.

The possibility of discharging into the River Tudd from the treatment works in Dereham had been looked at, but the most cost effective solution was to upgrade the existing plant.

A Member asked if the upgrade would take place before further development was permitted and was advised that there would be no moratorium but that Anglian Water had a number of measures to put in place.

It was agreed that a copy of the Study would be sent to the Drainage Board for information.

Swaffham had:

- spare groundwater licence capacity for all proposed development
- adequate mains water supply
- insufficient Waste Water Treatment Works capacity – an additional consent was being applied for to provide additional waste water discharge capacity
- no strategic upgrade needed for the sewer network

A local Member pointed out that the scale of growth was incorrect and the Principal Planning Policy Officer agreed that it should refer to 600 not 1,000 and would be amended.

Watton had:

- sufficient ground water and
- an adequate supply of mains water to supply proposed development
- a requirement for some extension to the Waste Water Treatment Works (with room on site to accommodate this)
- proposals for a new sewer to serve the former RAF site

A local Member asked if there was a date for the new sewer works and was advised that the works would be triggered by planning applications which would provide financial contributions to Anglian Water to fund the works. The overall timeframe was expected to be in the next two to three years.

Conclusion

There would be significant costs for water infrastructure. Some would be funded by developer contributions.

The funding available to Anglian Water would influence the phasing and delivery of the works.

The Study put the Council and its partners in a good position by giving them the information to inform future investment requirements.

A Member asked how the developer contributions would be secured and the Development Services Manager advised that in future, developers would need to discuss schemes with Anglian Water and the Environment Agency to determine if major works would be needed and contributions required. If either of those agencies said that a scheme was unacceptable it could be refused on those grounds.

The Solicitor advised that each case would have to be looked at individually

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David
Spencer

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Spencer

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as contributions could only be required if they related directly to the site to be developed. There were a lot of factors involved.

The report was noted.

184/10 DEFERRED APPLICATIONS (AGENDA ITEM 9)

None.

**185/10 COLKIRK/HORNINGTOFT/WHISSONSETT/STANFIELD/MILEHAM/BE
ESTON/GREAT DUNHAM/KEMPSTONE/LITTLE DUNHAM/NECTON:
PROPOSED UNDERGROUND ELECTRICITY CABLE SYSTEM FOR
DUDGEON OFFSHORE WIND LIMITED: REFERENCE:
3PL/2009/1189/F (AGENDA ITEM 10)**

Agenda Items 10 and 11 were discussed together (after all other business had been completed) following the lunch break when Members had been given the opportunity to view displays by both the applicants and the action group.

Mr Rogers and Mr Francis were no longer present.

The Chairman explained that the format would be slightly different to the usual process, due to the size of the applications and the amount of public interest. Instead of the usual three minutes allowed for public speaking, the Applicants, the Objectors and the Parish Councils would each receive 15 minutes to put forward their views.

The Chairman asked the audience not to wave their banners, heckle, cheer or boo during the discussion, so that Members would have the opportunity to hear all the information presented.

Mr Kiddle Morris – present as Ward Representative, declared a personal and prejudicial interest and exercised his right to remain in the room and present his views before leaving.

Mr Labouchere declared a personal interest.

All Members had received direct representation on this matter.

Mr Wilkin advised that he had attended presentations by both the applicants and the action group. He was also a Ward Member of one of the parishes affected by these applications.

The Principal Planning Officer (Major Projects) gave a brief overview of the two planning applications, describing the elements involved, before the other parties spoke.

Members were shown a map with the cable route from the off-shore windfarm to the sub-station at Little Dunham clearly marked. The proposed site had an existing overhead cable running through it, which would provide the link to the National Grid.

The full application for the cable route would provide a 40m corridor for installation. The corridor would cross two 'B' roads and one County Wildlife Site within Breckland.

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The substation application was in outline form with all matters reserved. A good deal of indicative information had been provided. The site was currently an agricultural field with an existing pylon which would be relocated and linked to the substation. The site would be terraced and landscaped with earth mounding and planting. The plans included proposals for either an AC or DC layout with the 'worst case/biggest' development being considered.

Photographs of the various components of the substation were shown. These included converter buildings, switch gear yards, transformers and cooling apparatus, all of which would be matters for future applications.

A few minor corrections to the report were pointed out including an amendment to the renewable energy targets referred to, which should be 15% by 2020 (not 2015).

Additional information was also provided:

Objections had been received from the CPRE and the Iceni Partnership on grounds of harm to character and appearance.

A letter of support had been received from Shaping Norfolk's Future on the grounds of the economic benefits and providing renewable energy.

A local resident had provided correspondence from the Crown Estate clarifying that the applicants had originally been awarded a 300MW project which had since been extended to a 560MW project. The Crown Estate was aware of the applicant's aspirations to expand, but this could only be achieved through the competitive tender process if further allocations were released.

Mr Petterson, representing the Applicants, said it was a thorough and accurate report. There had been extensive public consultation. Their aim was to move forward with little environmental impact and they regretted any disruption that the cable works would cause, but this would only be for a few months at each location and could not be avoided.

The Government's target was to provide 20% renewable energy. Offshore wind would play a big part and stage one of the proposals would provide power for 400,000 homes.

The cheapest way to link to the existing network would be to provide new overhead cables, but because of the environmental impact of such works they were proposing to bury the cable, at ten times the cost. They had identified the most suitable location on overall environmental grounds and had made every effort to provide a 'best fit' cable route avoiding towns, villages and established woodland.

The substation needed to connect directly to the high voltage network and had to be next to the existing lines to avoid the need for more pylons.

He sought to address widespread concerns, saying that the scale of the development extended to 23 acres (less than reported) and screening would be provided which would be effective in due course and would provide enhanced habitat. It was a sensitive landscape and they were willing to work with Officers to agree a final scheme. A double hedgerow

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would be planted before next spring giving it a three year head start before the main electrical equipment arrived and the short-term impact would be reduced by the introduction of a temporary conifer screen which would be removed when the permanent screening became effective.

The maximum height of the gantries had already been reduced and they would work to reduce the height further.

Noise mapping showed that normal measures would be effective and they had agreed noise limits below the required levels.

Traffic movements during construction would be restricted and would be minimal post construction, limited to occasional maintenance visits.

The search for the site had been detailed and comprehensive with 100 sites considered over a 12 month period. Little Dunham had been chosen on environmental and not cost grounds. A team of experts had been employed to find the definitive site. Sites at Beeston and Necton had been considered but would have had higher environmental impact.

There had been an extensive consultation process and they had responded positively to reasonable suggestions. Objectors feared long-term impact, but the experts agreed that impact would be more modest and short-term. A much used quote used by the objectors was shown to have been taken from a longer statement and cropped to change its meaning.

In summary, this was a nationally important project; they had sought to minimise impact and avoid adding pylons; construction work would cause temporary inconvenience; and they were content to accept conditions suggested by the Officers and would work closely with them.

The following information was provided in response to questions from Members:

No other permissions had yet been granted for the cable route outside Breckland

With regard to Electro-Magnetic Fields (EMF) the nearest house would receive less than one microTeslas. The safe limit was 100 microTeslas. There would be no members of the public in the compound itself where levels would be higher. EMS signatures varied depending on the equipment used, but health and safety regulations would be complied with. Levels dissipated very quickly with distance.

There was no comparable substation in the UK, the one shown in the presentation was in Germany.

Details of the five shortlisted sites had been supplied in the applicant's Environmental Impact Statement (EIS).

The satellite unit at Stanfield (on the cable route) would consist of hardstanding and would provide storage for cable and equipment during construction. It would be returned to its original condition after use.

When the cable route crossed roads a mole method would be used

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for larger roads, smaller roads would be closed for up to five days (for daytime working only) or over a weekend (if 24 hour working applied). They would work with the Highway Authority to minimise impact.

The timescale from start to finish of the project would be about two years, including a slow start with site preparation and finishing with landscaping.

The Objectors were then invited to make their comments.

Mr Fowler, Chairman of Little Dunham Parish Council, said they relied on the integrity of the Committee. He invited Dr Dennis to speak.

Dr Dennis said he worked at the University of East Anglia as a lecturer in Geology and Geo-Chemistry. The Beeston Plateau was described in the Council's Landscape Character Assessment as a remote landscape. Little Dunham was on the plateau and was the highest village in Norfolk.

He showed a visualisation of a substation in Kent that was of similar size to the one proposed and then transposed that image onto the Little Dunham site saying it would be a major industrial site in a rural landscape. Each building would be twice as high as the Council offices – on flat terrain.

He spoke about heat dissipation and the large cooling fans that would be necessary and would generate noise. Little Dunham was very quiet and the substation would increase background noise volume by three times.

He concluded by saying that the proposal would have a devastating impact on the landscape and mitigating measures would be unsuccessful.

Mr Fowler then said that there should have been much more public consultation as this project fell into the Tier 3 category of the Council's Statement of Community Involvement and therefore due process had not been met. He listed a number of the Council's policies which he said it was important for the Committee to adhere to when considering the application. The existence of alternative sites was a material consideration.

He also said that the Highway Assessment was not correct and that no local employment would be provided.

George Freeman, MP, acknowledged that there was a difficult decision to be made and said there were two issues to be considered. Firstly, the application related to the nationally controversial issue of off-shore energy and secondly the fact that full consultation had not taken place.

He said clear guidance was needed which was not yet in place, but he had tabled Parliamentary questions and could confirm that advice would be provided in the next few months. He urged the Committee to wait for that.

On the subject of transparency he said there was wide media interest and people were watching and did not want the planning process to be undermined because of the fear of costs at appeal.

He accepted the need for renewable energy but said that the impact on the rural community should be carefully considered. He asked if an outline application was the right way forward and said that trust in the planning

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process might be damaged if people thought that due consideration had not been given to alternative sites, even if they cost more.

The Parish Councils were then invited to make their comments.

Emma Kriehn-Morris, Little Dunham Parish Council, said the village had no shops, no pavements, no streetlights and no sewer, but it did have a beautiful location which should be safeguarded. The action group had shown the impact that the development would have. The application was unacceptable and it was unfair for Little Dunham to bear the cost of this investment. She asked the Committee to consider what legacy they wanted to leave and said they had a duty of care to protect their residents.

Mr Woodward, Chairman of Necton Parish Council said that their Clerk had not been notified of the meeting. The site was in Necton, although more visible from Little Dunham, with whom he had sympathy.

He was concerned about the size of vehicles that would be used during construction. The Parish Council had requested a roundabout at the A47 junction and the surrounding roads were narrow and would need widening. Moving the equipment needed would cause major problems.

Mr Kiddle-Morris, Ward Representative, supported Little Dunham Parish Council in their objection. Although the Highways Agency had raised no objection, residents knew that there was already a problem with vehicles queuing at the A47 junction. Traffic seeking alternative routes was putting pressure on Sporle which was not acceptable.

Residential amenity would be affected during the construction phases and mitigation measures would be ineffective for the houses closest to the site. The prevailing wind would bring the noise to the village and that would be hard to mitigate. The works would include pile driving and the vibration would make it impossible for residents to enjoy the quiet of their gardens.

Policy DC1 said that regard should be had to important features and that the landscape should be protected for its own intrinsic beauty. The overall objective was to preserve and enhance. The bund would be incongruous let alone the equipment. He hoped the Localism Bill would allow locals to overcome similar applications in the future. There was widespread criticism from Parish Councils as well as from local residents, schools, etc. He asked the Committee to refuse the application.

Mr Kiddle-Morris then left the room.

Mr Wilkin, Ward Representative for Necton, said that he had 'sat on the fence' to enable him to gather all the information and form a balanced view. He did not think that the application would have a visual effect on the people of Necton. He mentioned that the site had been a World War One landing strip. Due to the nature of the landscape the bund would be totally alien. Necton Parish Council had also championed opportunities to improve the junction with the A47 and would like a roundabout. There were problems there and the road was used by many as a route to Fakenham and to Litcham High School.

The Chairman said that there would be a 15 minute break after which, each of the groups would have two minutes to make any further points and summarise their thoughts.

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After the break, Mr Wilkin declared that he had taken legal advice and would take no further part in the meeting, although he would stay in the room.

The Parish Councils were invited to make their summary. They reiterated that in the EIS it said that the proposal would have a major impact on properties in the summer of year 10. In the winter there would be no leaves on trees and therefore no screening. There was not enough information for the Committee to make its decision. Mr Cockle was in attendance; he was an electrical engineer and could answer questions.

The Applicants summarised by saying that the substation used in the action group's presentation was from the 1970s and technology had moved on. The site selection process had been thorough. New Government policy was not likely to take effect during the term of this application. Necton Parish Council had been fully consulted and a public exhibition had been held in Necton. The bund would be constructed to look like all the other woods in the area.

The Principal Planning Officer (Major Projects) then summarised both applications.

He showed photographs of the different landscape types that the cable would pass through and gave details of the trench excavations. Landscape impact would be minimal as once constructed the cable would be invisible with just small cabinets or manhole covers at 700metre intervals. The route had been carefully chosen to avoid significant trees and hedges but where necessary, replacements would be planted. SSSIs had been avoided altogether and where the route crossed the CWS a drilling method would be used to go under the site.

Proposed mitigation measures included using good practice and erecting temporary acoustic screens when passing close to properties.

Concerns had been raised by local landowners with regard to Compulsory Purchase. The applicants did not intend to use those powers. Other concerns about pressure to release land were not planning issues.

Sub and topsoil would be removed, stored and then reused. The land would be returned to its previous condition as soon as possible.

Health implications re EMF had been addressed and levels, even close to the cables, would be well within the guidelines.

In conclusion the Cable proposal was considered acceptable and would not have significant impact or effect.

The Substation application had the same issues to a certain extent and landscape impact was a key consideration.

Photographs were shown including viewpoints to the site from a wide variety of positions. Without landscaping there would be a very significant and adverse effect, but mitigation proposals included raised earth mounding and woodland planting. The new access would be aligned to restrict views. There was a danger that the mitigation measures could result in an alien feature but as there was a large amount of space available

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it was expected that, long-term, it would be successfully assimilated into the landscape.

There were a number of properties in close proximity to the site and the construction phase would have an impact, but only temporarily.

Independent advice had been sought regarding the noise generation from the substation and a number of conditions had been recommended. Noise limits had been suggested and more information provided to show how they could be achieved.

With regard to traffic concerns, one route would be used to and from the site and all construction traffic would use that – none would pass through the villages. More information had been provided to show how large and abnormal loads would be able to access the site. The Highways Authority was satisfied with the traffic management plan and the proposals for off-site improvements to formalise passing bays.

The last issue was that of alternative sites. These had been considered in detail during the course of the application. Members were shown the main search area and the five shortlisted sites. Additional information had been provided by the applicants to explain their judgements. Overall the site selection process was considered reasonable, based on technical advice from others, such as the National Grid. It was not the opinion of Officers that the site had been selected and then the process skewed to fit that site, as early negotiations had indicated a site closer to Norwich.

In conclusion Members were advised that there were clear national policies in favour of renewable energy projects and also clear local objections. Although the proposal would cause some harm in the short term it was not considered sufficient to justify refusal in light of national policies.

The Solicitor advised that it was perfectly lawful for the Committee to consider the Outline proposal as long as sufficient details had been provided. They could condition parameters in relation to noise, height and environment.

The reference to Tier 3 of the Statement of Community Involvement was clarified for Members by the Principal Planning Officer (Major Projects). He confirmed that Officers were satisfied that its requirements had been met.

It was clarified that only one other on-shore planning permission was outstanding. The application had been submitted to North Norfolk. No works would take place until all permissions were in place.

In response to a question about why the cables from the substation to the National Grid could not be placed underground it was explained that because they would be carrying 400KW there were a lot of technical concerns and the National Grid had a clear policy that it would only permit such cables to be underground for short distances and on rare occasions. It was also explained that the cables could not feed into Kings Lynn as it already had capacity issues.

The Chairman asked the action group's advisor, Mr Cockle whether he was aware of any evidence of high power cables travelling greater distances and he gave an example of three routes being considered. However, the Applicants explained that for all three routes the cables would be overhead

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with pylons and not underground.

A Member asked if it was likely that new legislation would affect the application and the Solicitor advised that there was nothing yet that would constitute a material consideration.

The Chairman asked Members to vote on the cable application first. This was recommended for approval.

RESOLVED to approve application reference 3PL/2009/1189/F (for underground cable) subject to conditions including:

- Construction management (noise, dust and lighting)
- Traffic management
- Satellite compound details
- Landscaping and replacement planting
- Ecological
- Soil storage
- Above ground details
- Archaeology
- Geo-diversity
- Land management

**186/10 NECTON: LAND OFF NECTON ROAD, LITTLE DUNHAM:
PROPOSED ELECTRICITY SUBSTATION FOR DUDGEON OFFSHORE
WIND LIMITED: REFERENCE: 3PL/2009/1188/O (AGENDA ITEM 11)**

This application was considered concurrently with application reference 3PL/2009/1189/F (underground cable). The Members did not consider that the proposed mitigation measures would be sufficient to overcome the landscape objections.

RESOLVED to refuse the application on grounds of detrimental impact on the landscape, contrary to Policy DC15 and CP11.

See Minute 185/10 above.

187/10 SCHEDULE OF PLANNING APPLICATIONS (AGENDA ITEM 12)

RESOLVED that the applications be determined as follows:

- a) Item 1: Necton: Land south of Little Dunham bordering and to the west of Dunham Road: Construction and operation of a new electricity substation for Dudgeon Offshore Wind Limited: Reference: 3PL/2009/1188/O

Refused, see Minutes No 185 and 186/10 above.

- b) Item 2: Necton: Route between Colkirk and Necton: 45km buried cable system, between landfall at Weybourne Hope (North Norfolk) and Necton (Breckland) for Dudgeon Offshore Wind Limited: Reference: 3PL/2009/1189/F

Approved, see Minute No 185/10 above.

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- c) Item 3: Swaffham: OS 0830, Lynn Road: Residential development for Mr T Walker: Reference: 3PL/2010/0263/O

Application Withdrawn.

- d) Item 4: Ovington: The Old Mill House, Carbrooke Road: Conversion of stable block/barn to new environmentally friendly dwelling incorporating extension and access for Mr & Mrs Kennaugh: Reference: 3PL/2010/0403/F

This application proposed the conversion and extension of a stable block to create a dwelling. The existing lean-to would be demolished and a boundary wall would be erected to divide the site.

The Ward Representative had sent a letter of support saying that the application would release the existing house for a larger family to use and allow the applicant to remain on site for business reasons.

Supporting information submitted by the applicant said that he needed to live close to continue operating his haulage business.

Mr Took, Agent, explained that the new dwelling was required as the existing house, originally bought by the applicant's parents, was now too big. The applicant had strong local ties and did not want to move from the vicinity and living on site would provide security for his business. Eco-friendly features would be incorporated bringing the build to Code Level 3.

A Member asked if a reduction in scale had been suggested to the applicant and was advised that, due to time constraints when considering applications, negotiations could only take place before proposals were submitted.

Refused, as recommended.

- e) Item 5: Weeting: Field Barn: Residential conversion of barn including rebuilding of bedroom annexe and a new stable/garage block for Childerhouse Lodge Farms: Reference: 3PL/2010/0805/F

This application by a Breckland Member was for the conversion of an existing barn with the addition of two wings, one for bedroom accommodation and the other for stable and garage in place of two agricultural sheds.

The site was accessed by an unmade track which passed through a farmyard. The access was also used by other dwellings.

The site was within the Stone Curlew buffer zone.

Officers did not consider that the proposal performed well against policy criterion.

Mr Mathews, Agent, said there had been no objection from the Parish Council or neighbours and Norfolk Landscape Archaeology wanted the barn retained. He felt the Historic Building Officers objection to the proposal was personal and subjective. The site was

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sustainable, being approximately two kilometres from the centre of Weeting which was designated as a Local Service Centre. Sustainability should be defined in Breckland local terms otherwise a large proportion of the District would be undevelopable. Finally he suggested that the removal of the agricultural sheds would improve the appearance of the site.

A Member suggested that the proposal for the barn alone might be acceptable but that the additional wings were disproportionate.

Refused, as recommended.

- f) Item 6: Cranworth: Barn D, Church Farm Barns, Woodrising: Minor material amendment on planning permission 3PL/2007/0727/F – Revised design: Reference: 3PL/2010/0867/F

Mrs Spencer and Councillor Bowes had visited this site.

This application sought approval for some changes to an existing permission for the conversion of four barns to residential dwellings. The approved elevations were shown, together with the amended drawings. There were changes to window and door types, the addition of a porch and a large gable dormer (which had already been constructed and sought retrospective permission).

Policy criteria required barns to be capable of conversion without significant extension. Some of the changes were acceptable, but Officers considered that the porch was too domestic and the bulky dormer was visually intrusive and out of keeping.

Mrs Campion, Parish Council, said that they supported the proposals. The village had been depopulated and had a higher than average age profile. The development had already brought one young family which was very welcome. The gable volume was not as large as stated in the report and the roof line had originally contained a change of angle. She suggested a site visit to assess the aesthetic value of the gable which would provide the occupants with an enviable view.

Mr Morfoot, applicant, said his small building company specialised in converting buildings into desirable homes. The barns were purchased in 2007 and the original plans were inappropriate. There had been major structural issues due to the barn being part semi-detached. Due to a breakdown in communications with the architect they had pressed on with the build and he apologised for the retrospective nature of part of the application. For structural stability, light and the fantastic views from the living room he asked Members to determine the application on its own merits.

The Chairman read out the comments of the Ward Representative who said that the Parish Council supported the way in which the barns had been converted and the village was fully behind the scheme. Photographs of the development were handed round for Members to view.

Members debated the proposals and in particular the size of the gable extension. The Development Services Manager advised that

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they had been supportive of the scheme, despite its unsustainable location, but the problem with the gable was proportion. When conversion permissions were granted, permitted development rights were always restricted to protect the original building.

A Member said it would be a shame to deny future residents such a wonderful view and argued that although the building had previously been a barn it was to be a residence, so could look domestic.

The Chairman suggested that the window size could stay the same, but the dormer should be reduced as it was too big.

Refused, as recommended.

The Solicitor asked which changes Members required enforcement action to be taken against.

It was agreed that enforcement should be taken to return the French doors to a door and two smaller windows on the western elevation and against the large dormer only.

- g) Item 7: Garboldisham: The Fox Inn, Harling Road: Refurbishment, conversion and extension of Public House to 3 No self-contained houses and 2 No semi-detached houses and works for Wellesley Capital Investment Limited: Reference: 3PL/2010/0889/LB

Both applications (Items 7 and 8) were considered concurrently.

The recommendation for the Listed Building Consent had been changed to refusal following advice received from English Heritage.

The public house had been in existence since 1774 and had been very successful in the past, but had been vacant since 2007. It was proposed to demolish a range of outbuildings, convert the listed building to three dwelling units and build a pair of semi-detached houses on the land behind. There would be little change to the elevations of the public house.

A late response from the Parish Council, raising strong objections, had been sent to Members.

Issues to be considered were the Settlement Boundary; impact on the listed building and its setting; Policy; and affordable housing contribution.

LDF proposals suggested the withdrawal of all public houses from the Settlement Boundary.

English Heritage objected as they felt the proposal failed the policy requirement of making a positive contribution. The proposed dormers were not considered to be in keeping with the characteristics in the village and concern had also been raised about the chimney siting. The plan form of the new build and its relationship to the listed building was also considered uncharacteristic.

The proposals failed to meet the criterion of Policy DC18 which

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sought to protect key local services.

Although the applicant suggested that the net housing gain was only four dwellings (below the level of affordable housing requirement set at 5), Officers considered that, as the original residential element was tied to the public house, there was a net gain of five dwellings on the site.

The Development Services Manager had received a letter from Elizabeth Truss, the local MP urging the Committee to retain the facility and refuse the application.

Mrs Feakes, Parish Council, hoped Members had read the comprehensive document of objection sent by the Parish Council. The village had a Post Office, shop, school and village hall and did not want to lose the important facility of the public house. There was no public transport in the evenings and the village hall was not viable as an alternative. She believed that the sale price of the public house was not realistic and that the applicants were not actively seeking a buyer or leaseholder. This was not the right position for development at the junction of two busy roads, where noise would be intrusive to private housing.

Mr Johnston, objector, had used the pub since 1956. It had always been viable and was in a good location. He felt the owners had contrived to get development permission for some years. They had set the rent and the sale price too high. He had made an offer of £200,000 which had been rejected. Since then the pub had been sealed up and had suffered fire and water damage. He had made a further offer of £150,000 which had also been refused. He understood that it had been sold in January for £150,000.

Mr Sears, objector, said the nearest other pub was 1.7 miles away and was not accessible by foot. The community would be enhanced by having an open pub.

The application for listed building consent was **Refused, as per changed recommendation** on the grounds of harm to the character and setting of the listed building; harm to the character and appearance of the Conservation Area; and being contrary to policy.

The application for planning permission was **Refused, as recommended**.

- h) Item 8: Garboldisham: The Fox Inn, Harling Road: Refurbishment, conversion and extension of Public House to 3 No self-contained houses and 2 No semi-detached houses and works for Wellesley Capital Investment Limited: Reference: 3PL/2010/0890/F

Refused, as recommended. See Item g) above.

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Notes to the Schedule

Item No	Speaker
1 & 2 (Agenda Items 10 & 11)	Mr Petterson – Applicant Mr Fowler – Objector Mr Dennis – Objector George Freeman - MP Ms Kriehn-Morris – Parish Council Mr Woodward – Parish Council Mr Kiddle-Morris – Ward Representative
4	Mr Took - Agent
5	Mr Mathews - Agent
6	Mrs Campion – Parish Council Mr Morfoot - Applicant
7 & 8	Mrs Feakes – Parish Council Mr Johnston – Objector Mr Sears - Objector

Written Representations taken into account

Reference No	No of Representations
3PL/2009/1188/O	187
3PL/2009/1189/F	7
3PL/2010/0867/F	4
3PL/2010/0889/LB	51
3PL/2010/0890/F	116

**188/10 APPLICATIONS DETERMINED BY THE DEPUTY CHIEF EXECUTIVE
(AGENDA ITEM 13)**

Noted.

189/10 ENFORCEMENT ITEMS (AGENDA ITEM 14)

Noted.

190/10 APPEAL DECISIONS (AGENDA ITEM 15)

Noted.

**191/10 APPLICATIONS DETERMINED BY NORFOLK COUNTY COUNCIL
(AGENDA ITEM 16)**

Noted.

The meeting closed at 4.37 pm

CHAIRMAN