

**BRECKLAND COUNCIL**

**At a Meeting of the**

**DEVELOPMENT CONTROL COMMITTEE**

**Held on Monday, 3 September 2007 at 9.30 am in  
Anglia Room, The Conference Suite, Elizabeth House, Dereham**

**PRESENT**

Councillor E. Gould (Chairman)	Mr M.A. Kiddle-Morris
Mr W.P. Borrett	Mr J.P. Labouchere
Mr A.J. Byrne	Mr B. Rose
Mrs M.P. Chapman-Allen	Mr F.J. Sharpe
Mr P.J. Duigan	Mrs P.A. Spencer
Mr P.S. Francis	Mr M. Spencer
Mrs S.R. Howard-Alpe	Mr N.C. Wilkin (Vice-Chairman)
Mr R. Kemp	

**Also Present**

Mr P.D. Claussen	Mrs A.L. Steward
Mr C.R. Jordan	

**In Attendance**

Simon Algar	- Senior Development Control Officer
Mike Brennan	- Senior Development Control Officer
John Chinnery	- Solicitor & Monitoring Officer
Phil Daines	- Development Services Manager
Andrea Long	- Environmental Planning Manager (for agenda item 6)
Nick Moys	- Principal Planning Officer (Major Projects)
David Spencer	- Principal Planning Policy Officer (for agenda item 7)
Elaine Wilkes	- Senior Committee Officer

**136/07 MINUTES**

The minutes of the meeting held on 13 August 2007 were confirmed as a correct record and signed by the Chairman.

**137/07 APOLOGIES**

Apologies for absence were received from Mrs C. Bowes and Mrs D. Irving and Mr T. Lamb.

**138/07 DECLARATION OF INTEREST**

Members were asked to make any declarations at the time relevant items were considered.

**139/07 CHAIRMAN'S ANNOUNCEMENTS (IF ANY)**

Following a general announcement of procedural matters, the Chairman welcomed Mike Brennan, new Principal Planning Officer to replace Greg Britton, and new Planning Officer, Simon Algar.

The Chairman also welcomed back as a member of the Committee Mr. Alec Byrne.

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**140/07 REQUESTS TO DEFER APPLICATIONS INCLUDED IN THIS AGENDA**

The following applications had been withdrawn at the request of the applicants:

- Item 8 of the Schedule of Planning Applications: 3PL/2007/1166/O: Swaffham: Land adjacent to 1 Low Road
- Item 10 of the Schedule of Planning Applications: 3PL/2007/1237/F: Dereham: 20 School Lane, Toftwood

In addition, it was announced that the officers' recommendation in regard to item 1 of the Schedule of Planning Applications (3PL/2007/0886/F: Old Buckenham: Innishowen, Fen Street) had been amended to one of approval in the light of additional information received from the applicant.

**141/07 URGENT BUSINESS (AGENDA ITEM 6)**

Local Development Framework Update

It was agreed to accept an item of information to update members on progress of work under the Local Development Framework, including forthcoming key dates, and the Environmental Planning Manager reported as follows:

1. The next LDF report to be submitted to Policy Development and Review Panel 1 on 18<sup>th</sup> September (at Dereham) would be on candidate Local Service Centre Villages. Affected Ward Members had already been contacted and relevant Parish Councils had also been approached to seek their views. All Members were welcome to attend.
2. There were to be a number of LDF presentations to Parish Councils in September: To date officers were committed to attend Bawdeswell on 3<sup>rd</sup> September; Hockering on 11<sup>th</sup> September; Rocklands on 24<sup>th</sup> September and East Harling on 25<sup>th</sup> September.
3. Work was progressing on amending previous drafts of the Core Strategy and Development Control policies. Officers were to meet again with Anglian Water and EDF-energy in early September to further explore key infrastructure issues.
4. Work had started on a comprehensive assessment of housing land across the District. Breckland was the first authority in Norfolk to be using the recently published Government guidance on 'Strategic Housing Land Availability Assessments' (issued with the Housing Green Paper on 23<sup>rd</sup> July). This process would help to establish Breckland's position on deliverable/developable housing land and would put the authority in a more robust position to further control development in the District.

Other key dates in the Committee cycle were:

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- October & November 2007 - Policy Development and Review Panel meetings
- 12 November 2007 – Development Control Committee
- Mid-end November 2007 – Cabinet

This programme would be followed by a period of public consultation.

**142/07 PROPOSED EXTENSION TO TESCO STORE, KINGSTON ROAD, DEREHAM: REFERENCE: 3PL/2007/0929/F (AGENDA ITEM 7)**

The Principal Planning Officer (Major Projects) presented the report which concerned a proposed extension to the Tesco store in Dereham. It was recommended that the application was approved, subject to conditions.

The Principal Planning Officer (Major Projects) explained the details of the relevant planning policies and the assessment of the application, covering the issues of need, sequential approach, retail impact, accessibility and other issues including a transport assessment and landscaping and recycling facilities. Results of the consultations carried out were also given.

So far as the objection received from Morrisons store was concerned, it was considered that, given the fact that there was a lot of margin in the retail need projections for the period to 2014, the impact on the town centre and Morrisons would not be significant and that the application accorded with the requirements of Planning Policy Statement 6 (Planning in Town Centres).

The application incorporated a Travel Plan and it was recommended that this be subject to a Section 106 Agreement to secure its implementation and monitoring.

A Transport Assessment had also been submitted in support of the proposed development. The Assessment concluded that the capacity of the local road network was sufficient to cater for increased traffic movements associated with the development, subject to improved signal control systems being installed at nearby traffic light controlled junctions.

The Highways Authority had concluded that it was satisfied that the installation of computer controlled traffic lights with a phased and variable operation would overcome existing problems of traffic queues at peak times and would give a significant benefit to the town.

It was also reported that the Highways Authority was additionally requiring a contribution from the Applicant for £15,000 to implement improvements for pedestrian and cycling facilities. It was recommended this should be secured by a Section 106 Agreement.

In response to questions, the Principal Planning Policy Officer advised that notwithstanding the observations from Morrisons, growth was predicted to double within the district according to

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national projections and that independent consultants' advice in this regard concluded that allowing for some higher sales densities at Morrisons, there was still sufficient need to accommodate the proposal.

Mr Hayes, a local resident, spoke against the application, on grounds of need, adverse impact on the town centre and the impact of increased traffic.

The Applicant's Agent answered various questions from members on specific details of the proposed extension.

In answer to another question, the Principal Planning Policy Officer advised that retail need projections were based on spending levels, not numbers of people. Independent advice received on retail expenditure showed that there was currently a surplus of expenditure which was projected to rise year on year to 2018.

It was felt that the proposed upgrade to the traffic lights system should be carried out before any development of the proposed extension.

Another member suggested that there was a need to look at the mini roundabout at the slip road entrance to the site to improve the safety of drivers using this road, particularly to take account of increased traffic movements to and from the neighbouring business estate and the Council Offices.

In response to further questions, it was noted that no specific consultation had been carried out with businesses on the Yaxham Road trading estate. However, it was considered that the Highways Agency would have considered the impact on the area as a whole and that the proposed new traffic lights system was sophisticated enough to address traffic flows across the differing times and days of the week. It was also advised that the Norfolk County Council had asked to install CCTV on the lights to provide monitoring of the system. It was felt this system would be a significant improvement over the existing.

It was also noted that evidence from the use of such traffic control systems elsewhere in the country showed the capacity of the road network increased by 20%.

Only two letters of objection to the proposal had been received and the Town Council had raised no objections.

Current evidence and projections showed there was future capacity for continued retail investment in the town over the next 7 – 10 years.

So far as energy conservation aspects of the proposal were concerned, the design would provide much more natural light in the store and this would be taken account in the lighting system towards greater energy efficiency. It was also noted that the Applicant was in the process of submitting an application for the erection of a wind turbine and was looking at the potential for a combined heat and power system to improve the existing. The

use of grey water was also to be introduced. Members suggested the Applicant could also look at the use of solar panels and ensuring all freezers had doors to conserve energy.

On the question of the proposed pharmacy, a member felt it would be important to ensure that the hours of opening were of sufficient benefit to the town. It was noted that pharmacist hours of duty were expected to be 9am to 9pm. The member suggested that hours of 8am to 10pm would be more beneficial to the town.

It was also proposed by a member that the Norfolk County Council should be asked to undertake consultation on the proposal in regard to the Transport Assessment with the businesses on the Yaxham Road trading estate.

**RESOLVED** that

- (1) the application be deferred; however, the Development Services Manager be authorised to grant permission subject to:
  - (i) conditions as to the extent of retail floorspace permitted, external materials, landscaping, parking and highway matters;
  - (ii) completion of a Section 106 Agreement to provide that the new improved traffic control system is implemented prior to the proposed development;
  - (iii) completion of a Section 106 Agreement to secure the contribution of £15,000 from the Applicant to Norfolk County Council to implement improvements for pedestrian and cycling facilities under the Travel Plan;
- (2) the officers be asked to negotiate with the Applicant to agree hours of operation of the proposed pharmacy and on the question of improvements to improve the safety of the mini roundabout to the site; and
- (3) a request be made to Norfolk County Council to undertake consultation with the businesses on the Yaxham Road trading estate in regard to the Transport Assessment.

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Principal  
Planning  
Officer (Major  
Projects)

**143/07 SCHEDULE OF PLANNING APPLICATIONS**  
**(AGENDA ITEM 8)**

**RESOLVED** that the applications be determined in accordance with the recommendations contained in the Schedule, subject to the following conditions and amendments:

- (a) Item 1: 3PL/2007/0886/F: Old Buckenham: Innishowen, Fen Street: Removal of agricultural occupancy condition on 3/74/0089 for J A Askew & Partners

Principal  
Planning  
Officer

It was reported that additional information had been received

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giving evidence that the business had been advertised beyond the statutory 12 months required and that it had been established that there was no local agricultural need.

In the light of this information, the application was now recommended for approval.

In the circumstances, the application was approved as recommended.

- (b) Item 2: 3PL/2007/0920/F: Dereham: Tesco Dereham, Kingston Road: Proposed extension of Tesco (class A1) retail store with ancillary works to provide additional car parking and landscaping for Tesco Stores Ltd.

This application was considered under agenda item 7 – see minute no. 142/07 above.

- (c) Item 3: 3PL/2007/0993/D: Thetford: Land off London Road / Kimms Belt: Mixed use development comprising residential and retail for Marlborough Properties UK Ltd.

Approved, as recommended; members recorded their preference for grey/dark coloured roof slates or clay pantiles and high-quality window frames to be used, details of which were subject to agreement.

- (d) Item 4: 3PL/2007/1097/F: Besthorpe: Virginia Works, Norwich Road: Proposed new one and a half storey 4-bed house and replacement 3-bed chalet bungalow (resubmission) for Mr Brian Wilson

Approved, as recommended, subject to additional conditions to require the retention of window screening and requiring the demolition of the existing dwelling prior to the commencement of the development.

- (e) Item 5: 3PL/2007/1142/O: Fransham: The Manor, Main Road: Erection of one dwelling for Mr & Mrs Daisley

Deferred, contrary to the recommendation; however, the Development Services Manager be authorised to grant permission, subject to completion of a Section 106 Agreement to tie the proposed dwelling to the existing pig rearing and farm shop business. Members considered the site to have merit as a brownfield infill site and that approval of the application would help to ensure a long-standing local and growing family business in the village, allied to agriculture (pig rearing and farm shop), could be maintained.

- (f) Item 6: 3PL/2007/1143/O: Whinburgh/Westfield: OS 1412 (part): Whinburgh Road, Westfield: Erection of a 3-bedroom bungalow and garage for Mr A. Woodhouse

Deferred, contrary to the recommendation; however, the Development Services Manager be authorised to grant permission subject to completion of a Section 106 Agreement to tie the property to the existing business (i.e. C.

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Woodhouse Digger Hire). Members considered that there was sufficient justification to support the application from the fact that its approval would help to secure the continuation of this long-standing, local family business. Members also took account of the fact that the Parish Council and local Ward Member fully supported the application.

- (g) Item 7: 3PL/2007/1164/F: Thetford: Glunz & Jensen Ltd., Wyatt Way: Variation of condition 5 on application 3PL/2007/0404/F for Citgate Development Ltd.

Approved, contrary to the recommendation, subject to conditions as to screening of the site. Members considered that the additional stacking height would not detract significantly from the character of the area of this industrial estate, particularly having regard to the type of fencing and landscape screening as proposed by the applicant.

- (h) Item 8: 3PL/2007/1166/O: Swaffham: Land adjacent to 1 Low Road: Erection of one dwelling and garage for Mr M. Smith

Withdrawn at the request of the applicant.

- (i) Item 9: 3PL/2007/1236/O: Hockering: Land at Heath Road: Residential dwelling and cattery for Mr & Mrs W. Morgan

Refused as recommended. It was noted that the mobile home was no longer on the site and enforcement action in this regard was, therefore, not required. It was noted that the Highways Authority had indicated its concerns on grounds of highway visibility and it was agreed that, subject to confirmation of this objection from the Highways Authority, this be added to the reasons for refusal.

- (j) Item 10: 3PL/2007/1237/F: Dereham: 20 School Lane, Toftwood: Single storey extension and change of use to day care children's nursery for P. Withey

Withdrawn at the request of the applicant.

**Notes to the Schedule**

The following persons were in attendance to speak on the following items:

<u>Item No</u>	<u>Speaker</u>
2	Mr Hayes (Objector) Ms J. Bean (Agent for the Applicant)
5	Mrs Daisley (Applicant)
6	Mr C Jordan (Ward Member – in support)
7	Mr Woods (Applicant)
9	Mr P. Claussen (Ward Member – on behalf of Applicant) Mrs Morgan (Applicant)

Written Representations taken into account

<u>Reference No.</u>	<u>No. of Representations</u>
3PL/2007/0929/F	1
3PL/2007/1097/F	4
3PL/2007/1236/O	3
3PL/2007/1237/F	5

**144/07 APPLICATIONS DETERMINED BY THE DEVELOPMENT SERVICES MANAGER (AGENDA ITEM 9)**

Report noted.

**145/07 APPEALS DECISIONS (AGENDA ITEM 10)**

Item noted.

**146/07 APPLICATIONS DETERMINED BY NORFOLK COUNTY COUNCIL (AGENDA ITEM 11)**

Item noted.

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The meeting closed at 12.50 pm

CHAIRMAN