

BRECKLAND COUNCIL

At a Meeting of the

DEVELOPMENT CONTROL COMMITTEE

**Held on Monday, 13 June 2011 at 9.35 am in
Anglia Room, The Conference Suite, Elizabeth House, Dereham**

PRESENT

Councillor Claire Bowes	Mr W R J Richmond
Mr T R Carter	Mr S. J. F. Rogers
Mr C S Clark	Mr F.J. Sharpe
Councillor E. Gould (Chairman)	Mrs P.A. Spencer
Mr T.J. Lamb	Mr N.C. Wilkin (Vice-Chairman)
Mrs J A North	

Also Present

Mr G Bambridge (Ward Representative)	Mrs S.M. Matthews (Ward Representative)
	Mr C G Carter (Ward Representative)

In Attendance

Paul Jackson	- Planning Manager
John Chinnery	- Solicitor & Standards Consultant
Nick Moys	- Principal Planning Officer (Major Projects) (Capita Symonds for Breckland Council)
Mike Brennan	- Principal Planning Officer (Capita Symonds for Breckland Council)
Jane Osborne	- Committee Officer

99/11 MINUTES

The Minutes of the meeting held on 16 May 2011 were confirmed as a correct record and signed by the Chairman.

100/11 APOLOGIES & SUBSTITUTES

Apologies for absence were received from Cllr Mark Robinson.

**101/11 DECLARATION OF INTEREST AND OF REPRESENTATIONS
RECEIVED**

Cllr F Sharpe, declared a personal and prejudicial interest in Agenda Item 10 Items 2 & 3, by virtue of being a Trustee of The Hammond Educational Charity.

Cllr S Matthews declared a personal and prejudicial interest, in Agenda Item 10 items 2 & 3, by virtue of being Chairman of The Hammond Educational Charity.

Cllr P Spencer declared a personal interest, in Agenda Item 10 item 1, by virtue of being a member of Thetford Town Council.

102/11 CHAIRMAN'S ANNOUNCEMENTS

With effect from 11 July, 2011, half hour training sessions would take place after Development Control Committee meetings for the benefit of new Members.

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103/11 REQUESTS TO DEFER APPLICATIONS INCLUDED IN THIS AGENDA

Agenda Item 8 – Shipdham : this application for residential development at land to the east of Pound Green Lane, Shipdham for Mr I Leonard : Reference 3PL/2011/0382/F had been withdrawn by the Applicant.

104/11 LOCAL DEVELOPMENT FRAMEWORK (STANDING ITEM)

No update was given, as there was nothing to report.

105/11 DEFERRED APPLICATIONS

Noted.

106/11 SHIPDHAM : RESIDENTIAL DEVELOPMENT AT LAND TO THE EAST OF POUND GREEN LANE, SHIPDHAM FOR MR I LEONARD : REFERENCE 3PL/2011/0382/F

Application withdrawn.

107/11 SCHEDULE OF PLANNING APPLICATIONS

RESOLVED that the applications be determined as follows :

- (a) Item 1 : Thetford : Former Jarrold & Sons, London Road : Demolition of existing building & erection of Lidl foodstore with associated works for Dr W Hurst c/o Lidl UK GMBH Wellington Parkway : Reference : 3PL/2010/1249/F

Members had received correspondence from the applicant.

Cllr P Spencer declared a personal interest, by virtue of being a member of Thetford Town Council.

The application sought full planning permission for the erection of a new Lidl food store with a net sales area of 1,286 sq.m with 82 car parking spaces. The site is located within the Settlement Boundary of Thetford but is outside of the defined town centre and is located on an existing Employment Area.

Policy matters to be considered were those principally of PPS4. There was one suggested additional condition not in the Agenda which related to renewable energy.

Mr Beaumont, Regional Development Executive for Lidl UK, advised they would be committed to employing local staff and had received 36 future employment enquiries. The proposed store would be accessible by bus routes. Lidl were committed to sustainable development. If approved, the Store would open before Spring 2012.

Mr Beaumont was aware of the 'wish list' provided by Thetford Town Council, and they had been responded to in writing. Disabled parking and cycle spaces had been increased, and the parent/child parking spaces had been increased from 3 to 4. A Heritage Board would be put in place. There would be green powder-coated

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security fencing. Lidl did not tend to provide recycling facilities, but a recycling facility was available close by.

Approved, as recommended, with the additional, renewable energy condition.

- (b) Item 2 : Swaffham : 18 Market Place : Redevelopment of the Hammonds High School Site of 18 The Market Place, Swaffham, to provide 14 dwellings for The Hammond Educational Charity, Atherstone House, North Pickenham Road : Reference : 3PL/2010/1365/F

Cllr F Sharpe declared a personal and prejudicial interest, by virtue of being a Trustee of The Hammond Educational Charity, and left the room during this item.

Cllr S Matthews declared a personal and prejudicial interest, by virtue of being Chairman of The Hammond Educational Charity. She left the room after addressing the Committee.

The application was for full planning permission and Listed Building consent for the redevelopment of part of the former Hammonds Sixth Form. Permission was sought for the conversion of existing buildings into 10 dwellings and the erection of 4 new dwellings. The mix of housing would comprise : 5 x 3 bed dwellings, 1 x 2 bed dwelling, 3 x 3 bed flats, 1 x 1 bed flat and 4 x 4 bed houses. Access to the proposed development would be via existing entrances on the Market Place and Whitsands Road.

The application site is located in Swaffham town centre. The site falls within the Swaffham Conservation Area. The site includes 2 Listed Buildings (18-20 Market Place) and a Listed gate facing onto Whitsands Road.

The new dwellings were of a contemporary contrasting design, but in keeping with others in the area. Key issues for Members' consideration were as provided in the report. No affordable housing was proposed, so would conflict with Core Strategy Policy DC4. It was claimed that the provision of affordable housing would render the scheme unviable, mainly due to the higher development costs associated with historic building conversions. A development appraisal had been submitted to corroborate the claims. For the same reasons, no contributions had been offered towards local recreation provisions, as required by Policy DC11.

Item 3 (3PL/2010/1366/LB) was considered at the same time as Item 2.

If Members were minded to support the proposals, it was recommended that the item be deferred to allow independent advice be sought on the viability case.

Concern had been raised by the Highway Authority about the adequacy and safety of existing site access, proposed pedestrian access and parking provision. In response, changes had been made to the proposals. An important consideration was the previous use of the site as a school which produced a large volume

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of traffic, but the proposal could result in less traffic movements.

Mr Worsfold, Norfolk County Council Highways, advised that there were objections with regard to the use of the access onto Whitsands Road, and the application would intensify access. The applicant had not submitted suitable information to demonstrate that less vehicle movements would result, and therefore the recommended that access should be served entirely from Market Place.

Mr Horn, on behalf of the Trustees of Hammond Charity, advised that the Charity were the owner of the premises and were conscious they were guardians of a significant site. The Charity allocated £1000s a year to schools and the money was derived from renting out premises. The Trustees felt they should maximise efforts, and the sole purpose of the Charity's money was to help education, and the outcome of the decision by the Committee would reflect in the community for another 200 years.

Cllr Matthews, Chairman of The Hammond Educational Charity, stated the Town Council had looked very carefully at the application. The access to the site had seen considerable movements over the years with 'comings and goings', and busses used by children had always been there. There were no objections only unanimous support. Cllr Matthews left the meeting.

A Councillor was generally happy with the development, although he did have a concern that cars could be parked on the frontage. Currently the Market Place with its open frontage was a nice open site. The gates and pillars were protected and he believed they would always be left open. To enable the front gates to be permanently closed, he suggested that at the back of the site where there were further protected gates, this could be used as the entrance, then where the '60s' type brick wall was, a new access could be used as an exit.

The Principal Planning Officer (Major Projects) advised that parking and access had been looked at and it was felt that those proposed with the application were the best. If all the development was served from Market Street it would concentrate all the parking in the central area of the site where a garden was proposed, and would compromise the character of the scheme.

Further design layouts were requested by a Councillor with regard to the two listed buildings, and the application should be conditional on a programme of archaeological work and historic building recording.

The Chairman stated that the lack of affordable housing caused her concern and asked if the Trust had considered setting itself up as an affordable housing landlord, to which Mr Horn replied that affordable housing would diminish the value of the houses on the site. It was expected that the houses would be for sale and not for let.

The Planning Manager stated that the Committee needed certainty with regard to the finer details of the historic buildings which were not presented before them.

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It was proposed by the Chairman that the Item, along with Item 3 be deferred. The proposal was seconded.

Deferred, on the grounds that further information was required, and to allow independent advice be sought on the viability case.

- (c) Item 3 : Swaffham : 18 Market Place : Redevelopment of the Hammonds High School Site of 18 The Market Place, Swaffham, to provide 14 dwellings for The Hammond Educational Charity, Atherstone House, North Pickenham Road : Reference : 3PL/2010/1366/LB

Cllr F Sharpe declared a personal and prejudicial interest, by virtue of being a Trustee of The Hammond Educational Charity, he left the meeting.

Cllr S Matthews declared a personal and prejudicial interest, by virtue of being Chairman of The Hammond Educational Charity. She left the meeting after addressing the Committee.

This item was considered at the same time as Item 2 (3PL/2010/1365/F).

Deferred, on the grounds that further information was required, and to allow independent advice be sought on the viability case.

- (d) Item 4 : Thetford : 7 Roman Way : Change of use of part of unit 7 from warehouse to retail & café for Mr Clive Vooght : Reference : 3PL/2011/0221/CU

The application sought planning permission for the change of use of part of the existing B2 premises into a café and retail function associated with the existing external catering function.

Objections had been raised as it was not clear that the application would not lead to a shop, and the lack of information provided caused uncertainty. No café layout or floor space had been received.

Ms Smith, Applicant, was the Director of Catering. She explained that the core business was on an industrial estate and they were industrial caterers which wished to establish trade all year and permanent contracts for their staff. The building would be for showcasing the industrial side of their business with demonstrations and for promotional purposes. No demonstrations currently took place as food could not be sold from the site, so people were unable to try the food. If planning permission was not granted, they would have to look for alternative premises as they were unable to grow. There were 4 large scale fridges and freezers and a cold store was being looked into. She said the café would be ancillary to the business. The meeting room would be hired out. Trade would determine how many extra staff would likely be employed. The hours of opening would depend on when they had a job.

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A Councillor thought the application would be a boom to Thetford. Whereas another, whilst happy with retail, was against the café and would not support the application.

The Solicitor suggested that the item be deferred to allow the applicant to meet with Planning Officers, as there were some unanswered questions.

The Planning Manager advised that certainty and understanding of the nature of the business was required. He suggested a permission subject to conditions, including personal, no subdivision, hours of operation, limitation on retail space and no independent use as a café.

The Solicitor advised the Committee if they were happy to proceed on that basis, further negotiations would need to take place to set appropriate conditions.

A new recommendation was proposed and seconded

Approved, contrary to recommendation, subject to conditions to be set by the Officers on the basis of the above suggestions.

- (e) Item 5 : Shipdham : The Cricket Players, Old Post Officer Street : Demolition of former nursery buildings and development of 30 dwellings for Mr & Mrs Parfitt : Reference : 3PL/2011/0292/0

The application sought outline permission for residential development. Originally the application proposed 35 dwellings, but had been reduced to 30 dwellings.

The majority of the application site lies outside the current Settlement Boundary for Shipdham. As the application conflicted with policy, it was necessary to assess the proposal against the criteria set out in PPS3. There was conflict with what was proposed and what was set out in the Core Strategy and Site Specifics DPD.

Concerns had been raised locally about traffic safety and a holding objection to the application had been lodged by the Highway Authority.

Mr Beech, Objector, stated the proposal was out of character and would be a congested cul de sac of large houses. The roadway was inadequate. The outlet onto Old Post Office Street was fraught with danger. There would be impact on trees and wildlife. The well being of all existing residents would be adversely affected, as they purchased their properties due to the outlook.

Mr Ivins, Agent, stated that the main determining issue was that of policy and access. There had not been sufficient time prior to the Committee hearing to provide detail to Highways. 8 of the dwellings would be within existing boundary. The amended proposal maintained 40% affordable housing. A developer had expressed interest in the site and the applicant would accept a shorter period for reserved matters of 12 months rather than 3 years.

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A Councillor could not support the application as it was, but did support the Parish Council subject to a suitable footway.

Refused, as recommended.

- (f) Item 6 : Lyng : 1 Heath Road : Timber fence to north/east boundary (Retrospective) : Reference : 3PL/2011/0359/F

The application sought retrospective consent for the retention of a 1.8m close boarded fence which had been sited immediately adjacent to the footpath of the highway known as The Common, Lyng.

The prevalent feature of the street scene is that the majority of the dwellings are set back from the highway by drives and front gardens with the mainstay feature of enclosing the properties being natural hedging.

The Parish Council had raised no objection, and 2 letters of support from neighbours accompanied the application.

Whilst the Principal Planning Officer was sympathetic to the applicants need for security, it was believed the fence could be set back 1m with hedge planting in front, as a hard urban form had been created by the fence.

Mr Mason, from the Parish Council, advised they had raised no objection to the fence which had been erected mainly for security and privacy. Other parts of the village had fences of the same height.

Mr Ward, applicant, advised that he had not realised he required planning permission. The fence was for security and privacy and was considered to be one of the better fences in the village.

Mr G Bambridge, Ward Rep, asked for additional photographs to be shown. He had looked at the fence himself and neither he, the Parish Council or Highways had any objections and he was aware of none in the village. There were fences of similar height in the area. The fence was an improvement on what was there before. Flagship had given permission for the fence but the applicant assumed planning permission had been given too. The fence had been constructed bearing in mind road safety.

Refused, as recommended and resolved that Enforcement action be taken.

- (g) Item 7 : Shipdham : Land to the East of Pound Green Lane : Erection of 11 dwellings with associated access & infrastructure for Mr I Leonard : Reference 3PL/2011/0382/F

Application withdrawn

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- (h) Item 8 : Saham Toney : off Richmond Road : Proposed temporary mobile home in conjunction with existing manufacturer of wooden products business on site for Mr & Mrs D Wright : Reference : 3PL/2011/0395/F

The application sought full planning permission for the erection of a temporary mobile home in connection with an existing business that is used for the manufacture of wooden products on site. The applicant's wife also hoped to run an existing essential oils business from the site in future. The mobile home would be 12.5m long and 6m wide.

Currently there is an existing workshop building and a building used as an office/WC. The site is located outside of the Settlement Boundary of Saham Toney, but located adjacent to the existing Settlement Boundary. The proposal for a mobile home should be seen as a precursor to one for a permanent dwelling.

Planning permission was refused for the erection of a new dwelling and garage on the site in 2007.

The Parish Council objected as it is outside the Settlement Boundary, no objections had been received from consultees, 2 objections had been received from local residents.

The Applicant had operated a business from North Pickenham for 10 years. Members were advised that PPS7 was of particular relevance. It was felt that the business was not wholly reliant on being located in the countryside, but would be more appropriate on an industrial estate. There was not believed to be a functional need to be on site.

Mr Wright, Applicant, advised that they were not a big production line, but a very small profit making business producing handmade sheds, fencing, picnic tables and playhouses. For security, to save money and become more efficient they needed to be on site. If approval was granted the accommodation could be made smaller.

Mr Carter, Ward Representative, advised that the business would not be an industrial operation but a small local rural business and part of the local community. The applicant had enhanced the now attractive open field area. It was encouraging that a business wanted to be in a rural location.

Refused, as recommended.

- (i) Item 9 : Swanton Morley : Medena House, Worthing Road : Double cart lodge garage and single storey porch extension for Mr & Mrs G Booker : Reference 3PL/2011/0474/F

The application was before the Committee as the applicant was a member of staff. The Parish Council questioned the design of the porch. There had been no neighbour or policy objections.

Approved, as recommended.

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Notes to Schedule

Item No.	Speaker
1	Mr Beaumont – for the Applicant
2	Mrs S Matthews – Ward Rep/Applicant Mr G Worsfold – Norfolk County Council (Highways) Mr Horn - Applicant
3	Mrs S Matthews – Ward Rep/Applicant Mr G Worsfold – Norfolk County Council (Highways) Mr Horn - Applicant
4	Ms Smith - Applicant
5	Mr H Ivins – Agent Mr Beech - Objector
6	Mr G Bambridge – Ward Rep Mr P Ward – Applicant Mr Mason – Parish Council
7	Withdrawn
8	Mr Carter – Ward Rep Mr Wright - Applicant
9	Mr Booker - Applicant

Written Representations Taken Into Account

Reference No.	No. of Representations
3PL/2010/1249/F	3
3PL/2010/1366/LB	1
3PL/2011/0221/CU	1
3PL/2011/0292/0	12
3PL/2011/0382/F	24
3PL/2011/0395/F	3

108/11 APPLICATIONS DETERMINED BY THE DIRECTOR OF COMMISSIONING

Noted.

109/11 APPLICATIONS DETERMINED BY NORFOLK COUNTY COUNCIL (FOR INFORMATION)

Noted.

The meeting closed at 12.28 pm

CHAIRMAN