

BRECKLAND COUNCIL

At a Meeting of the

PLANNING COMMITTEE

**Held on Wednesday, 11 April 2012 at 9.30 am in
Anglia Room, The Conference Suite, Elizabeth House, Dereham**

PRESENT

Councillor C Bowes
Mr T R Carter
Mr C. S. Clark
Councillor E. Gould
(Chairman)
Mr T.J. Lamb
Mrs J A North

Mr W. R. J. Richmond
Mr M. S. Robinson
Mr F.J. Sharpe
Mrs P.A. Spencer
Mr M. A. Wassell

Also Present

Mrs L.H. Monument (Ward
Representative)
Mr A.C. Stasiak (Ward
Representative)

Mr M.A. Kiddle-Morris (Ward
Representative)
Mr J.P. Cowen (Ward Representative)
Mr Martin (Ward Representative)

In Attendance

Paul Jackson
Heather Burlingham
John Chinnery
Jane Osborne
Jeff Upton

Planning Manager
Assistant Development Control Officer*
Solicitor & Standards Consultant
Committee Officer
Interim Planning & Building Control
Manager*
Principal Planning Officer*

Mike Brennan

* Capita Symonds for Breckland Council

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34/12 MINUTES

Subject to it being noted that the first name of the Interim Planning & Building Control Manager was Jeff (Upton) not Geoff, the Minutes of the meeting held on 12 March 2012 were confirmed as a correct record and signed by the Chairman.

35/12 APOLOGIES & SUBSTITUTES

Apologies for absence had been received from Cllr N Wilkin.

**36/12 DECLARATION OF INTEREST AND OF REPRESENTATIONS
RECEIVED**

Cllr Bowes declared a personal interest in Agenda Item 9, Scheduled Item 6, Rocklands, by virtue of knowing the applicant.

Cllr Monument declared a personal and prejudicial interest in Agenda Item 9, Scheduled Items 3 and 4, Dereham, by virtue of being a member of the Applicant and a Member of Breckland Council.

37/12 LOCAL DEVELOPMENT FRAMEWORK (STANDING ITEM)

The Planning Manager advised of the new National Planning Policy Framework (NPPF) that came out in its final form on 27 March 2012. A full report on the implications of NPPF would go before the Planning Committee on 14 May 2012.

The TAAP was now subject to a further four week consultation, and it was expected that full Council would adopt that on 5 July 2012.

38/12 SCHEDULE OF PLANNING APPLICATIONS

RESOLVED that the applications be determined as follows :

- (a) Item 1 : Attleborough : Erection of 375 dwellings with assoc. parking, garages & landscaping (Full) & Outline for Employment Development : Applicant : Taylor Wimpey UK Ltd : Reference : 3PL/2011/0528/H

A mixed residential and employment development was proposed on land at London Road, Attleborough, with a hybrid application for the residential development occupying a net area of 10.6 hectares and the outline employment development would provide for up to 12,000 square metres of floor space (3.9 hectares of land).

The Principal Planning Officer advised that the A11 levels were significantly lower than those of the site itself. A number of concerns had been raised from occupants who lived opposite the proposed development's two access points. Alterations had been proposed to the junction of London Road with Exchange Street/Connaught Road as detailed in the comprehensive report which listed all issues raised. Twenty letters of objection had been received. The scheme was well thought out, designed to remove overlooking of neighbouring properties and was a natural infill in the town. It would deliver a significant amount of infrastructure. 94 affordable dwellings would be provided with a 60/40 split between market rented and shared equity properties. A football pitch shown on one of the slides had been changed to a tennis court.

The Solicitor was given a copy of a letter received by Cllrs Spencer and Clark.

The objector who spoke first had a property in Kent Close and his back garden would be within 10m of the development so his leisure areas and environment would be ruined by the proposed access as there would be in excess of 2000 vehicle movements per day within 10m of his garden. He represented those who owned properties that fronted London Road and stated that both the Planning Department and the applicant had not taken their well-being into account within the design

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and the application should be refused until access points were re-designed, with input from the residents. He advised of a fatal accident and two serious accidents that had happened in the area. He felt there was a duty of care that there be a roundabout at the proposed access to the employment area.

The second objector asked for a review of the accesses given that the application was in outline.

Developers had been opportunist was the statement made by a third objector.

Mr Osborn, Agent, stated that Attleborough Town Council were supportive of the application. The points of access had been chosen as they were the safest points. One car every 40 seconds would leave the northern area during peak time. No objections had been received from the Environment Agency and Anglian Water. The IDB had set out their position. Community infrastructure obligations had been met. The scheme was worth over £34m to the local community. Whilst the site was outside the settlement boundary there was a need for more homes and employment in the area.

Mr Martin, Ward Representative, commended the application and had no adverse objection to the growth of Attleborough, but stated we were in the middle of the AAP involving 4000 houses. There were sites standing dormant in Attleborough and his plea was both for the residents and the growth of Attleborough and it was an opportunity to put the vast number towards the 4000 houses proposed.

Mr Stasiak, Ward Representative, welcomed jobs that would be created and the area of land set aside for employment. His main objection was to do with Highways. Two entrances would serve 375 dwellings so there would be approximately 700 vehicles. He questioned the rate cars would leave the site. He believed it was a "quick fix" by Highways. A new roundabout needed to be looked at. In his opinion, traffic lights to solve the problem in the town centre was ridiculous. The application was premature and it should be deferred until the highway issues could be resolved. He was aghast at the proposal of traffic lights along with the narrowing of a section of London Road.

The Principal Planning Officer stated that highway safety had been considered and London Road had adequate capacity. Highways had not raised objection to the scheme and he saw no reason to defer the application.

Whilst a Councillor thought the development site to be attractive, she felt that the highway infrastructure should be looked at before a decision was made and felt the item should

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be deferred.

A Councillor advised of the traffic problems both at Attleborough Station and the level crossing, and traffic would back up even more if traffic lights were to be incorporated which would be a disaster for the town. The site looked to be of good design apart from a few 2½ storey buildings on London Road which would look onto the houses opposite, and she felt that there was nothing in the design that protected the current residents, and questioned whether they could be changed to 2 storeys.

Other comments made by Councillors were that schools in Attleborough were already full; if the proposal was approved a condition be included of 'approved by design status' given that the Crime Reduction Officer objected on the grounds that insufficient consideration had been given to designing out crime; money allocated should go to Attleborough and nowhere else, but their overriding concern was that of Highways which needed to be addressed.

The Chairman proposed that the application be deferred which was seconded.

Deferred, to allow Officers the opportunity to investigate with the Highways Authority/applicant the issues with the "in and out" accesses, the road junction, the narrowing of the old A11, and the design of properties on London Road.

One of the objectors asked if local residents could be included in the discussions with Highways, and he was advised by the Chairman to contact Highways himself.

- (b) Item 2 : Lexham : Change of use of area of woods for camping & erection of bathroom, outdoor kitchen and tree houses (pt retrospective) : Applicant : Mr Edmund Colville : Reference : 3PL/2011/0790/F

A previous application granted permission for the use of buildings at the site for an education centre. The application sought full planning permission to use an area of land for camping, the construction of three tree houses, one of which had already been built, creation of an outdoor kitchen (already constructed), outdoor bathroom (already built) and conversion of part of the existing piggery to sleeping accommodation.

Whilst the applicant's website promoted the use of Lexham Road, Highways preferred the use of Hall Lane/Back Lane. There had been no objections from consultees. 40 letters of support had been received, along with 6 letters of objection. The Parish Council had asked for the item to be deferred. No

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objection had been received from the Historic Buildings Officer.

There was a need for additional accommodation following courses run from the site. Courses alone would not sustain the business. 95% of the students arrived by train and were collected by minibus. The NPPF gave significant support to sustainable tourism. The proposal was low key and was allied to the use of an educational establishment.

Ms White, Supporter, lived at 19 West Lexham and was employed at the Centre. Prospects of employment were wonderful for the village along with services provided from the surrounding area. It was better for traffic to use Lexham Road to avoid traffic going past houses. Facilities on site were open for all in the village to use. If the proposal was not allowed, the Centre would need to cut back on its expenditure and local companies would suffer a loss of business. The general consensus was a positive one for the village as everyone was pleased to see it doing well.

Mr Colville, Applicant, stated that they were trying to use the redundant buildings. Three full time and three part time people were employed, and he expected more jobs would be created along with the use of local contractors if approved as some holiday use was needed. The Centre already played a social role in the community as there was no public house or other meeting place in the area. The woods were maintained and they supported bio diversity. He asked if a traffic plan could be used as village residents did not want the road widened, and he provided an updated slide for the benefit of the Committee. The actual cost of the proposal was just over £8000. The proposed highway changes were disproportionate to the cost of the proposal. If forced to make the highway changes it would result in a redundancy, and the expenditure would cut back on the benefits of the development. There were economic, social and environmental benefits. The buildings had been built with re-claimed materials which would be painted if permission was granted.

Mr Kiddle-Morris, Ward Representative, advised that he had supported the application for change of use in 2009/2010 and he was supportive of the current application. 53 letters from course attendees had been received, 20 from Lexham, along with 10 letters of support and 10 of objection. Given that there were 92 electors, there had been quite a low number of objections received. Main objections were the proposed highway routing and the need to look at two passing bays, and the cumulative impact of the application in as much as what else went on on the site, for example farmers' markets.

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The Chairman stated that the enterprise was a rural one in a highly rural area with a road that went straight through to the B1065 and already had unofficial passing places. The applicant was trying to protect a country house and diversify.

When the Applicant was asked if he intended to increase the sustainability by making it a public campsite, he replied yes but within the limits. When no courses were run, holidays would be able to fill the gaps. The lake on site was a Georgian irrigation channel which contained fish and was an SSSI, the lake was not fished.

Approved, as recommended but with no restrictions on Lexham Road rather than the route suggested by Highways. Members were unanimous in their desire to leave the passing places as they currently were. The Interim Planning & Building Control Manager advised that the three year time limit should not be applicable to the retrospective parts of the application. Members were happy that no condition be incorporated with regard to the finish of the outside kitchen and bathroom buildings in terms of colour.

- (c) Item 3 : Dereham : Change of use from agriculture to open space for informal recreational use : Applicant : Dereham Town Council : Reference : 3PL/2011/1413/CU

Mrs L Monument declared a personal and prejudicial interest by virtue of being a member of the applicant and a Member of Breckland Council.

The application was presented together with Item 4 by the Principal Planning Officer. Members had received a letter about both items.

The application was for a change of use to open space for informal recreational use only, and had been amended to remove a possible new vehicular access. The site comprised of an area of 10.6 hectares of agricultural land adjacent to Neatherd Moor.

Solicitors who acted on behalf of Mr Guerin, Galley Moor Farm, Neatherd Moor, Dereham had advised that he intended to serve a blight notice on the Town Council as his property would be significantly devalued.

The Contaminated Land Officer visited the site on 10 April 2012 and had identified that asbestos was present, therefore the application was recommended for approval subject to a desk top study and remediation where it was found necessary.

Mr Mitchell, Objector, stated that part of the screening to the

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site should be taken into consideration. Footfall to the site had already increased, and therefore he requested a solid boundary wall to prevent access by the general public onto Mr Guerin's land. He had concerns with regard to public safety due to harmful chemicals and asbestos. Mr Guerin had already appointed his own consultation of the site, prior to the Contaminated Land Officer's visit on 10 April 2012. Petitions had been signed from those who wished the site to remain as it was. There was an Easement on one side of the site.

Mrs Monument, Applicant/Town Council and Ward Representative for Dereham Neatherd Ward, stated that the Town Council intended to undertake a survey of the land which would be fit for use and contamination in any form would be sorted. The Town Council had adjoining land which was used as informal recreational land. She stated that they would not now, or at any time in the future "set up in opposition of Dereham Football Club" but there was a shortage of suitable places for junior clubs to play football. They wished for the site to be used as ordinary dog walking areas. As there would be a very big boundary around the land, they wished most of the boundary to be open so it opened onto the Neatherd to enable people to access the land. She felt most of the objections raised applied to economic, financial and legal matters and not planning matters. She left the meeting.

Cllr Richmond, fellow Ward Member, supported the application which he was very pleased to see and believed the Town Council should be commended.

Approved, as recommended subject to conditions as detailed in the report with the additional condition that, a desk top study and remediation where necessary took place.

- (d) Item 4 : Dereham : Change of use of land from agricultural to recreation (D2e) : Applicant : Dereham Town Council : Reference : 3PL/2011/1414/CU

Mrs L Monument declared a personal and prejudicial interest by virtue of being a member of the applicant and a Member of Breckland Council.

The application was presented together with Item 3 by the Principal Planning Officer.

The application sought a change of use to open space for informal recreational use and the site comprised of an area of 3.2 hectares of agricultural land adjacent to Neatherd Moor.

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Approved, as recommended subject to conditions as detailed in the report with the additional condition that, a desk top study and remediation where necessary took place.

- (e) Item 5 : Snetterton : Proposed steel frame, metal clad B8 Warehouse with ancillary offices. 24 hour 365 days continuous use : Applicant : Reads Property Development : Reference : 3PL/2012/0105/F

Full planning permission was sought for the erection of a steel frame and metal clad building with eaves height of 7.5m and ridge height of 9.2m which would be part B8 warehousing with 217 m2 of ancillary office space.

Approved, as recommended.

- (f) Item 6 : Rocklands : Erection of an agricultural workers dwelling : Applicant : Mr Graham Shadrack : Reference : 3PL/2012/0129/F

Cllr Bowes declared a personal interest by virtue of knowing the applicant.

The application sought full planning permission for the erection of a detached dwelling with attached garage on a parcel of agricultural land and would be occupied by an employee of the adjacent farm enterprise.

Members were advised that the proposed dwelling would be occupied by the son of the applicant (and his fiancé) who had worked at the enterprise for three years and who currently lived in rented accommodation in Attleborough.

Ms Whettingsteel, Agent, made reference to the new NPPF where the presumption was in favour of sustainable development which the proposal was. It was a large farm with an expanding pig business and a lot of investment had been put into it. There were also kennels on site run by Mrs Shadrack and her daughter. The business enterprise was well known and employed family members and the proposal was part of succession planning. The family had been on site since post war with some members having been born there. It was not an isolated development in the countryside. Whiting Lane was a private lane. The proposal was sustainable whereas currently it was not.

Mr Cowen, a neighbouring Ward Representative, had been asked to speak in the absence of the Ward Representative. The local community was fully behind the application. The enterprise had grown since 1946/47 whereas others had gone out of business. There were 6500 pigs on the farm, which had

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some of the highest standards in the district and formed a vital part of the local rural economy. There was a need for 5 full time people on site. The house would be situated in a very well organised and managed farm environment and would be well sheltered from all the other buildings. More might be required if the farm continued to grow as it was currently a developing business with a demand for their particular rearing technologies and methodologies. It was unique, the house would not be sold off. It was a long standing family business and would continue to flourish.

The Planning Manager gave advice to Members with regard to NPPF and the strength of planning policy in determining planning applications.

When Mark Shadrack was asked if it would be likely that there would be more agricultural dwellings needed, he said whilst expansion was possible he did not think that full time workers would be required. He explained the business did not operate "normal" hours of work of 9-5 Monday to Friday, as the stock required 24 hour care every day of the week at times.

The recommendation for refusal was not supported.

RESOLVED, that contrary to the recommendation of Officers, the application be approved with an agricultural occupancy and other usual conditions.

The reason for the decision was that due to the expansion of the farming enterprise and existing conditions surrounding the farm, it was deemed that there was an essential need for the proposed development.

- (g) Item 7 : Necton : Change of use of land to car sales & erection of workshop and office (resubmission) (retrospective) : Applicant : The Fransham Motor Company : Reference : 3PL/2012/0159/F

Members had received correspondence about the application.

Full retrospective planning permission was sought for the change of use of land for car sales and for the standing of a workshop building and portacabin for use as an office. Numerous letters of objection and support had been received.

Mr Watling, Parish Council, reminded the Committee that Necton was a designated service centre village and was growing, and it was thought that once the approved houses had been built it would result in an extra 150 cars in the village. The proposal was completely surrounded by trees on all the boundaries and the building would only be visible by those who entered the site. Noise from the site was not

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noticeable. He had seen no newts when he viewed the pond during the winter months when there was about 6-8" of water in it, and had been told the pond was completely dry during the summer months. In its current form, the business employed two employees and serviced 3-4 cars daily, 90% of those belonged to residents of Necton, who would have to travel further to seek the same services if the application was refused. It had been demonstrated there was a need for the proposed development in the village which would not impact negatively on local residents, a lot of whom were elderly.

Mr Tanner, Objector, was concerned about the sheer volume of traffic up and down the track seven days a week, cars had queued from 7 a.m in the morning at times. Delivery vehicles had backed into his drive to gain access. There were ten properties adjacent to the track who experienced noise and disruption.

Mr Thompson, Applicant, in response to concerns raised by the Objector, explained that the business did not open until 8.30 a.m and the bottom gate was locked until that time, and the vehicle referred to had wrongly been directed to the location by satellite navigation. He ran a small local business that was economically linked and had downsized due unaffordable previous lease. Premises that had come up for sale in Necton had been above what he could afford. Very good support from village residents had been received who wanted the business to be there along with 200 signatures. The site was not overlooked. There had been premises at the location since 1880.

Refused, as recommended.

Notes To Schedule

Item No.	Speaker
1	Mr Jenkinson – Objector Mr Matthews – Objector Mrs Lawson – Objector Mr Middleton – Objection Mr Osborn – Agent Mr Martin – Ward Representative Mr Stasiak – Ward Representative
2	Ms White – Supporter Mr Colville – Applicant Mr Kiddle-Morris – Ward Representative
3	Mr Guerin – Objector Mr Mitchell – For Objector Mrs Monument – Applicant/Town Council
4	Mr Guerin – Objector Mr Mitchell – For Objector Mrs Monument – Applicant/Town Council

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6	Ms Whettingsteel – Agent Mr Cowen – Ward Representative
7	Mr Watling – Parish Council Mr Thompson – Applicant Mr Tanner - Objector

Written Representations Taken Into Account

Reference No.	No. of Representations
3PL/2011/0528/H	20
3PL/2011/0790/F	70
3PL/2011/1413/CU	9
3PL/2011/1414/CU	4
3PL/2012/0105/F	
3PL/2012/0129/F	
3PL/2012/0159/F	11

39/12 APPLICATIONS DETERMINED BY THE DIRECTOR OF COMMISSIONING

Noted.

40/12 APPEAL DECISIONS (FOR INFORMATION)

Noted.

41/12 ENFORCEMENT ITEMS

Noted.

The meeting closed at 1.00 pm

CHAIRMAN