

BRECKLAND COUNCIL

At a Meeting of the

PLANNING COMMITTEE

**Held on Monday, 14 January 2013 at 9.30 am in
Anglia Room, The Conference Suite, Elizabeth House, Dereham**

PRESENT

Mrs S Armes	Mrs J A North (Vice-Chairman)
Mr S.G. Bambridge	Mr W. R. J. Richmond
Councillor C Bowes	Mr M. S. Robinson
Mr T R Carter	Mr F.J. Sharpe
Mr P.D. Claussen	Mrs P.A. Spencer
Mr T.J. Lamb	Mr N.C. Wilkin (Chairman)

Also Present

Mrs B Canham	Mrs L.S. Turner
Mr C. S. Clark	Mr D.R. Williams JP
Mr R. R. Richmond	

In Attendance

Mike Brennan	Principal Planning Officer*
Heather Burlingham	Assistant Development Control Officer*
John Chinnery	Solicitor & Standards Consultant
Paul Jackson	Planning Manager
Helen McAleer	Senior Committee Officer
Nick Moys	Principal Planning Officer (Major Projects)*
Martin Pendlebury	Director of Planning & Business Manager*

* Capita Symonds for Breckland Council

1/13 MINUTES (AGENDA ITEM 1)

The Minutes of the meeting held on 17 December 2012 were confirmed as a correct record and signed by the Chairman.

**2/13 DECLARATION OF INTEREST AND OF REPRESENTATIONS
RECEIVED (AGENDA ITEM 3)**

Agenda Item 8 (Deferred Item for Shipdham) – All Members had received a letter from the agent.

Agenda Item 9 (Schedule Item 2 – Shropham) – for transparency Councillor Bowes declared that she was friends with one of the Directors of TNP Ltd.

3/13 CHAIRMAN'S ANNOUNCEMENTS (AGENDA ITEM 4)

The Chairman wished all Members a Happy New Year.

All Members were encouraged to remain at the end of the meeting as there would be an information session to provide a planning update.

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4/13 LOCAL DEVELOPMENT FRAMEWORK (STANDING ITEM)(AGENDA ITEM 7)

The Planning Manager provided an update on two issues:

1) Thetford Area Action Plan (TAAP)

On Friday 11 January 2013 the legal challenge to the soundness of the TAAP had been dismissed by Lord Justice Beatson. The judge had agreed that the area identified to the north of Thetford for development could proceed without significant harm to protected European species and that Breckland Council had not erred in its process of preparing the TAAP. The Committee could therefore continue to give full weight to the TAAP when considering planning applications in Thetford.

2) Local Plan

A report had been considered by Cabinet on Tuesday 8 January 2013, recommending that the Council commenced preparation of a new Local Plan (in accordance with the NPPF) to replace the LDF. The three key implications were:

- a) the new Local Plan would enable the Council to revisit its housing numbers and overall planning strategy, including the opportunity to look again at the role of villages and market towns in meeting the District's needs;
- b) the Attleborough Area Action Plan would be migrated into the new Local Plan to become a detailed chapter of the Plan, taking into account the new housing numbers; and
- c) the new Local Plan would also allow for policy gaps created by the new NPPF to be positively addressed (eg essential rural workers dwellings).

A report on the NPPF and the current LDF policies would come to the Committee on 11 February 2013.

On 24 January 2013 Council would consider a recommendation from Cabinet that a working group be set up to look at the Local Plan.

Mr Bambridge asked if the new Local Plan would reinstate the Wind Energy document and was advised that it would be for Members to determine what was included.

5/13 DEFERRED ITEM: SHIPDHAM: EIGHT HOMES WITH CARE INCLUDING COMMUNAL AREA AT WOOD FARM, CHURCH LANE, SHIPDHAM: APPLICANT: MR T THOMPSON: REFERENCE: 3PL/2012/0770/F (AGENDA ITEM 8A)

All Members noted that they had received direct representation from the Agent.

This item had been deferred from the November meeting for consideration of various matters. Most concerns had been addressed by the applicant and the details were laid out in the report.

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However, Officers were recommending refusal on grounds of highway safety and the isolated nature of the site away from local services.

Mr Took (Agent) had tried to clarify most points in his letter to Members. He stressed that there would be limited additional traffic. The access track was similar to many country lanes and already used by service vehicles. Traffic speed was slow in the area. The units would provide care in the community at affordable rent of 80% of market value. The site was close to local amenities. The planning merits outweighed the objections.

Councillor Turner (Ward Representative) spoke on behalf of the applicant and strongly supported the proposal. The isolated site would provide a peaceful and natural setting for residents whilst being only 500 yards from many local facilities. Care support staff could walk to the units from Manor Close. Highway concerns should be looked at in context.

It was confirmed that the units would be for rent, not for sale.

Mr Bambridge thought the units could produce an additional 30 to 70 traffic movements a day which would add to the problems of a really dangerous junction. However, the Agent disputed those figures which he suggested related to traffic movements from four bedroom houses.

Generally speaking Members felt that there were unlikely to be many additional traffic movements caused by the development which was also thought to be in a good position, closer to amenities than many areas within the Settlement Boundary. It was also suggested that it should be looked at as an exception site, providing much needed accommodation at 80% of market rent.

In response to a question Councillor Turner confirmed that she was unaware of any accidents at the junction since she had lived in Shipdham. She referred to it as a 'self-regulating' highway.

Mrs Spencer asked if the units were for single people needing care or for couples with one person needing care. The Agent advised that both could be accommodated although primarily for single people the units would be ideal for married couples.

Councillor Bowes asked how it could be ensured that the units were only used by people needing care and the Solicitor informed her that that could not be guaranteed. The terms of a legal agreement could be changed over time.

The recommendation for refusal was not supported. It was proposed to approve the application as an exception site. The Highways objections were not considered sustainable because the road was set out in such a way as to be self-regulating and the visibility

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problems were no greater than other places.

The Planning Manager asked Members to think about restricting the use by condition for persons in need of care for dementia and for no other use class.

RESOLVED that the application be deferred and the officers authorised to grant approval, subject to conditions, including an occupancy restriction, on completion of the section 106 agreement.

6/13 SCHEDULE OF PLANNING APPLICATIONS (AGENDA ITEM 9)

RESOLVED that the applications be determined as follows:

- a) Item 1: SWANTON MORLEY: Lincoln House Care Home, Dereham Road: New 30 bed dementia unit: Applicant: Lincoln House Care Home: Reference: 3PL/2012/1061/O

This was an outline application with all matters reserved apart from layout and scale. The main concern was the impact on the landscape. The new building would be in a prominent position on the main approach to the village. Screening would take time to take effect and might cause future problems by restricting light into and outlook from the building.

The Highway Authority had raised no objection to the new access but local concerns had been received regarding the effect of additional traffic movements on properties opposite and the dangers of the sharp bends in the vicinity.

Mr Atterwill (Parish Council) raised concerns about the design of the building which he described as a 'red eyesore'; accidents at the junction; drainage issues and possible further extensions to the complex.

Mr Maxwell (objector, also representing his neighbour Mrs Carlton) was a local resident of 19 years and a police officer. He raised concerns about the loss of outlook; increased traffic problems; and affect on amenity from noise and light.

Mr Evans (Agent) explained the history of the site. Permission had been given for a 30 bed dementia unit to the rear of the site in 2009. That application had lapsed. It had been decided that the unit would be too far from the existing care home. With regard to local concerns, significant amendments had been made to the application. The building had been moved further back and would not look dissimilar to what was already there; increased car park spaces had been provided; a 10 metre landscaping belt had been included; and facilities in the new unit could be offered for local use through the doctor's surgery.

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Councillor Robert Richmond (Ward Representative) had attended the Parish Council meeting at which many local people had raised concerns regarding the loss of amenity and changed environment. He was concerned about the dangerous bends and pedestrian safety.

Councillor Bambridge asked if alternative access arrangements could be considered but was advised by the Solicitor that no details were available and so the application should be considered as it stood.

Issues concerning the positioning, staffing and residents of the new unit were clarified. The new unit would be for high dependency dementia patients. The previously approved site would potentially be used for further assisted living units.

Councillor Bowes suggested that if the design was attractive there would be no need for screening to hide the building.

With regard to whether there was need for the facility, Dr Kaushal explained that currently there were no purpose built units in the area and the intention was to set a gold standard for dementia care.

Refused, as recommended.

- b) Item 2: SHROPHAM: Grange Farm, Hargham Road: Proposed portal frame extension to existing factory to create covered yard area: Applicant: TNP Ltd: Reference: 3PL/2012/1083/F

For transparency Councillor Bowes declared that she was friends with one of the Directors of TNP Ltd.

This application proposed a large building which lorries would drive into to unload poultry for the processing plant. It would reduce noise and contamination. An existing permission for a light industrial unit would be revoked by a legal agreement, as there was insufficient space to accommodate both buildings and retain manoeuvring and parking areas.

Deferred, and the officers be authorised to grant approval as recommended on completion of the S106 Agreement restricting the implementation of the existing light industrial permission.

- c) Item 3: NARBOROUGH: Chalk Lane: Development of up to 55 residential dwellings, open space and new access road from Chalk Lane: Applicant: Gooderstone Farming Company: Reference: 3PL/2012/1093/O

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This outline application, with only access to be considered, proposed development of a site approved under the Council's Site Specifics Local Development Framework allocation.

The indicative layout had been well thought out and worked well. Less than normal on-site open space had been provided, due to the site's position immediately adjacent to playing fields. An increased financial contribution was therefore proposed. The affordable housing provision would be 35% subject to verification from the District Valuer.

Concerns had been raised about the speed and volume of traffic and a gateway feature had been suggested. The Highways Authority had suggested a more built-up frontage to the site but Planners did not want to create an urban development.

Councillor Williams (Ward Representative and Chairman of the Parish Council) said the only concern was traffic calming as the road could be very busy and children would access the play facilities on the playing fields across the road.

Mr Bird (Agent) said they had worked with the Parish Council and local people to address concerns. All interests were aligned regarding highway improvements and he hoped to convince the Highway Authority to change their mind. The allocation called for play facilities on site, but the Parish Council would prefer a financial contribution to provide additional facilities on the playing field.

Councillor North asked if the large Oak tree on the site frontage could be protected in case traffic calming proposals threatened its position.

Members agreed that traffic calming measures were needed and hoped that the Highways Authority would reconsider their comments.

The application be deferred, and, subject to receipt of the District Valuer's approval of the Affordable Housing figures, and the satisfactory resolution of the outstanding issues relating to traffic calming, the Officers be authorised to grant approval on completion of the S106 Agreement.

- c) Item 4: DEREHAM: Galley Moor Farm, Neatherd Moor: Wooden faced boundary fence (retrospective): Applicant: Mr A Guerin: Reference: 3PL/2012/1112/F

This application to wood-clad an existing wall was partly retrospective. The barn conversion had been approved in 2005 without permitted development rights. Officers felt that

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the occupiers had a right to security and privacy.

Councillor North asked that a condition be applied to ensure that the timber cladding was retained in perpetuity.

Approved, as recommended, with the additional condition on maintenance of the cladding.

- e) Item 5: MUNDFORD: Mundford Poultry Farm, Cranwich Road: Storage lagoon, security lodge and link connections between adjacent poultry buildings to form large open barns: Applicant: Mundford Poultry Ltd: Reference: 3PL/2012/1185/F

This application to provide linkages between existing poultry buildings would reduce stock densities in line with European requirements. No objections had been raised and the application would have no impact on neighbours.

Approved, as recommended.

- f) Item 6: THETFORD: Abbey Barns, Monksgate: Extend time on pp 08/1340/F and 08/1339/LB – Demolish buildings, erect 15 units, convert barns to 6 units and convert Listed Building to 5 units: Applicant: Tey Gardens LLP: Reference: 3TL/2012/0015/TL

These applications sought a time extension for the existing planning permission and Listed Building Consent.

The history of the site was explained to Members, some of whom had not been on the Committee at the time of the applications. The assessment notes had an inaccuracy. The Committee at that time had resolved to approve the previous applications to convert the site, which included two Grade One buildings, for residential use. It had been very controversial as many people had wanted the site to be converted for community use. That decision had been called in by the Secretary of State and an Inquiry had been held. The applications had then been approved.

Changes to Policy in the meantime were not considered to affect the decision and approval was recommended.

Councillor Clark (Ward Representative) said that two new developments in the vicinity had created 46 houses which had increased traffic problems and accidents. The application would be an over development of the area.

Councillor Canham (Ward Representative) objected to the extension of time. The buildings had not been kept wind and weather proof. She confirmed that due to developments in the area, the access roads to the site were congested.

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Mr Wilson (Objector representing the Thetford Society) did not believe that the proposal was financially viable and said that the Inquiry Inspector had also expressed doubt. The site had been allowed to deteriorate. Interested parties should work together to save the Heritage assets. The Council should take the lead to ensure long-term viability.

Mr Newman (Applicant) said they were a specialist company working with Listed Buildings and had purchased the site to develop it. They had taken time to collate the necessary information to address conditions. They had applied to have those conditions discharged in December and did not want the time limit to expire. The site was earmarked for development in 2013.

Councillor Armes stressed the importance of the Listed Buildings. She asked if the Secretary of State would need to be consulted on the Time Limit extension and was advised that that would not be necessary. She asked why no works had been carried out to prevent water damage. She also pointed out that the Council had taken action regarding another Thetford Listed Building, St Mary the Less.

The Planning Manager noted that it took a long time for a building to fall into disrepair and the current applicant had only owned the site for a short time. He acknowledged that the Council had powers to act, as they had done regarding St Mary the Less. However, that action had been financed by a grant from English Heritage. The Council could only make the buildings water and weather-tight. Its powers were limited beyond that and the issues would remain on-going.

Councillor Spencer would have preferred a communal use for the site but that had not worked out. This developer had experience of working with Listed Buildings and she believed that development was the only way to save the buildings.

Councillor Lamb, who was also a member of the Thetford Society, reiterated his objections to the conversion, explaining the unique features of the Listed Buildings which made subdivision inappropriate. He advised that Norfolk Historic Buildings Trust were very interested in the buildings and asked for the letter from Mr Rossi, an expert in the field, to be read out.

The Planning Manager agreed for the letter to be read but pointed out that English Heritage were the Government's advisors and they said the proposal was acceptable.

The Principal Planning Officer (Major Projects) advised that the Grade One buildings were listed because of their internal

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features and the issue of sub-division had been looked at extensively to ensure that the timber frames were respected. He then read the main points from Mr Rossi's letter which included stressing the importance of the Grade One buildings' relationship with the Priory; concerns about the lack of evidence regarding viability; the deterioration of the site and the hope that the Council would take action including serving notice and refusing the application.

Councillor North was concerned about the lack of contributions to the rest of Thetford and asked that all buildings should be made watertight until development commenced. She asked if development would commence with the Listed Buildings and the Applicant advised that the development would be cross funding, with income from the new build financing the repairs to the Listed Buildings.

Both applications be approved, as recommended.

Notes to the Schedule

Item No	Speaker
Agenda Item 8a	Mr Thompson – Applicant Mr Took – Agent Councillor Turner – Ward Representative
1	Mr Atterwill – Parish Council Mr Maxwell – Objector Mr Evans – Agent Councillor R Richmond – Ward Representative
3	Mr Bird – Agent Councillor Williams – Parish Council / Ward Representative
6	Mr Wilson – Objector (Thetford Society) Mr Newman – Applicant Councillor Canham – Ward Representative Councillor Clark – Ward Representative

Written Representations Taken into Account

Reference No	No of Representations
3PL/2012/0770 /F	1
3PL/2012/1061 /O	3
3PL/2012/1093 /O	4
3PL/2012/1083 /F	1
3PL/2012/1112 /F	1
3TL/2012/0015/ TL	7

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7/13 APPLICATIONS DETERMINED BY THE DIRECTOR OF COMMISSIONING (AGENDA ITEM 10)

Noted.

8/13 ENFORCEMENT ITEMS (FOR INFORMATION)(AGENDA ITEM 11)

Noted.

9/13 APPLICATIONS DETERMINED BY NORFOLK COUNTY COUNCIL (FOR INFORMATION)(AGENDA ITEM 12)

Noted.

10/13 APPEAL DECISIONS (FOR INFORMATION)(AGENDA ITEM 13)

Noted.

The meeting closed at 12.40 pm

CHAIRMAN