

BRECKLAND COUNCIL

At a Meeting of the

DEVELOPMENT CONTROL COMMITTEE

**Held on Monday, 17 March 2008 at 9.30 am in
Anglia Room, The Conference Suite, Elizabeth House, Dereham**

PRESENT

Councillor E. Gould (Chairman)	Mrs D.K.R. Irving
Mr W.P. Borrett	Mr M.A. Kiddle-Morris
Councillor Claire Bowes	Mr T.J. Lamb
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
Mr M. Fanthorpe	Mr N.C. Wilkin (Vice-Chairman)
Mrs S.R. Howard-Alpe	

Also Present

Mr A.C. Stasiak	Mrs A.L. Steward
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In Attendance

Viv Bebbington	- Senior Development Control Officer
John Chinnery	- Solicitor & Standards Consultant
Lisa O'Donovan	- Assistant Development Control Officer
Phil Daines	- Development Services Manager
Andrea Long	- Environmental Planning Manager
Nick Moys	- Principal Planning Officer (Major Projects)
Helen McAleer	- Committee Officer

32/08MINUTES (AGENDA ITEM 1)

The Minutes of the meeting held on 25 February 2008 were confirmed as a correct record and signed by the Chairman.

33/08APOLOGIES (AGENDA ITEM 2)

Apologies for absence were received from Mr J Labouchere and Mr R Kemp.

34/08DECLARATION OF INTEREST (AGENDA ITEM 3)

Members and Officers were asked to declare any interests at the time the applications were made.

The Chairman declared a prejudicial interest in Item 8(b) on the Agenda (North Elmham) as she had relatives who lived next door to the site. The Chairman left the room whilst this item was being discussed. Mr W Borrett declared a personal interest in this item as he sits on the Committee for Fakenham Racecourse.

Councillor Clare Bowes declared a personal interest in Schedule Item 3 as she works for Norfolk County Council. Mr M Kiddle-Morris also declared a personal interest in this item as his wife is a partner at

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Hood Vores & Allwood.

35/08 CHAIRMAN'S ANNOUNCEMENTS (AGENDA ITEM 4)

Members were reminded of the dates of this year's Summer School to be held at St Andrews, which are 29 August – 2 September. Three places are available.

36/08 REQUESTS TO DEFER APPLICATIONS INCLUDED IN THIS AGENDA (AGENDA ITEM 5)

Item 1 on the Schedule of Planning Applications, (Shipdham Aero Club) had been withdrawn by the applicant.

37/08 LOCAL DEVELOPMENT FRAMEWORK (AGENDA ITEM 7)

The Environmental Planning Manager was in attendance for this item.

Members were shown a Powerpoint presentation showing the current position and timetable for the future schedule.

750 consultation responses had been received from individuals, businesses and organisations. These responses were currently being analysed. At a glance the feedback was positive.

Following in-depth analysis a report would be presented to Panel 1 in May. Members were encouraged to attend. Clarification would be sought as to voting rights. It was thought that both Panel 1 and Development Control Committee Members should have the right to vote.

There would be a briefing to all Members following Full Council after which full consultation on site specifics would commence.

To provide clarity on which policies could be used in determining applications during this interim period between the Breckland District Local Plan running out and the adoption of the Local Development Framework the Environmental Planning Manager explained the status of Planning Policy Statements, Planning Policy Guidance and the Regional Spatial Strategy. She also outlined how certain policies from the Local Plan had been Saved and remained extant.

Policies in the Local Development Framework gain weight as they progress towards adoption. They become 'material planning considerations' and can be referred to in the decision making process. Full transition to the new plan was not expected before November 2009.

A Member pointed out that the Planning Policy Note at the front of the Agenda needed updating.

38/08 DEFERRED ITEMS (AGENDA ITEM 8)

- a) Great Ellingham: Old Hall Farm: Agricultural Dwelling for Poultry Worker for P J Southgate Ltd: Reference 3PL/2007/1722/F

**Phil Daines,
Heather
Burlingham**

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The Principal Planning Officer (Major Projects) explained that Members had previously approved this application, subject to a legal agreement ensuring that the dwelling was not built before the poultry unit had been constructed, and that the dwelling was not occupied before the poultry unit had been brought into use.

The Applicant had requested that construction of the dwelling could commence prior to completion of the construction of the poultry unit, to ensure that the manager could be resident on-site as soon as the poultry unit was up-and-running.

It was pointed out that the applicant had invested a considerable sum in the development already and photographs were displayed showing that the poultry unit was indeed under construction. It was therefore considered that the requirement for a legal agreement could be replaced by an agricultural occupancy condition and another condition only permitting the dwelling to be occupied once the poultry unit was brought into use.

A Member thought that the legal agreement had also been intended to tie the dwelling to the unit. It was felt that there was a need to clarify this point. The meeting was adjourned whilst the minutes from the previous meeting were checked.

The meeting reconvened at 11.00 am and Members were shown the minutes of the previous meeting. It was confirmed that the legal agreement for this dwelling and unit had only applied to the timing of construction and use.

RESOLVED that the requirement for a legal agreement be removed and permission granted with additional conditions added concerning agricultural occupancy and the timing of occupation of the dwelling.

- b) North Elmham: Site adjacent 7 Station Road: Proposed Residential Development Site for Land & New Homes: Reference: 3PL/2007/1688/O

The Chairman declared a prejudicial interest in this item as she had relatives who lived next door to the site. She left the room. Mr W Borrett declared a personal interest as a member of the Committee for Fakenham Racecourse.

The Vice-Chairman assumed the Chair.

The Principal Planning Officer (Major Projects) presented this report. The application had been deferred for additional information on the items listed. This information had been received and he outlined its content.

Drainage Despite local concerns, Anglian Water had confirmed that the existing sewage system was adequate to deal with the additional output of the proposed development.

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Railway Crossing and Highway Issues Further plans had been submitted and were shown to Members. These proposed improvements to access and footways including the Level Crossing gates being set back to improve visibility splays and a new footway being added across the site frontage, this would narrow the existing roadway, but a six metre width would be maintained, which was acceptable to Norfolk County Council Highways.

Design & Layout The indicative site layout plan and Design and Access Statements had been amended. The new plan showed zones to be developed and the statement set out a framework. The route for the access road through the site had been changed to provide separation between the railway line and existing businesses and the new housing proposed. This housing was considered to reflect the character of the area and to provide a good mix of apartments, terraced, semi-detached and detached housing.

Noise Concerns had been raised about the possible re-opening of the adjacent railway line and of noise from the existing commercial premises (which included a motorcycle repair workshop). These had been partially addressed by changing the route of the access road through the site to provide a 'buffer' between the railway and commercial premises and the new development and also to allow space for additional screening (planting/fencing).

The Principal Planning Officer (Major Projects) concluded with a recommendation that the application be approved subject to conditions and a legal agreement concerning affordable housing and contributions to local services.

The following speakers were in attendance for this item:

- Mr S Banning, Applicant
- Mr Bailey, Agent
- Mr Thompson, Supporter

Mr Banning (speaking on behalf of himself and Mr Bailey) explained that the scheme had been carefully re-worked to address concerns raised previously by Members. It represented an efficient use of the site in terms of density and would benefit the village, if approved, by providing safer site access and enhanced pedestrian footways as well as a financial contribution towards local services.

Mr Thompson gave Members a brief history of the site explaining that it had been used in recent years for agricultural storage and at the peak of that use, generated 250 vehicle movements per day. Due to changes in agriculture the site had become available for redevelopment. If approved, the development would provide up to 50% of the highlighted need for affordable housing in North Elmham.

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A Member asked what would happen to the existing access from the site to the land beyond and was told that it would no longer be used.

Another Member questioned the likelihood of the railway being brought back into use and the effect that this might have on any future development. Concerns were expressed on the parking provision available for any expansion to the railway.

The Principle Planning Officer (Major Projects) pointed out that the land did not belong to Mid Norfolk Railways, (owners of the railway line) and so was not available to them for use as parking. He also explained that although he knew of proposals to add a platform and ticket office to North Elmham Station, this work would not require the benefit of planning permission as the railway had permitted development rights for such works.

It was confirmed that there was no intention for North Elmham to become a terminus. The line currently ran from Dereham to County School and the long term intention was for it to terminate at Fakenham.

The Solicitor clarified that there were no concrete proposals for the station and that as none of the land was in the ownership of the railway it would not be possible to impose conditions on it.

RESOLVED that the application be deferred and the Development Services Manager be authorised to approve it with conditions including a noise condition, on completion of a S106 agreement dealing with the matters set out in the report.

The Chairman rejoined the meeting and re-took the Chair.

39/08 SCHEDULE OF PLANNING APPLICATIONS (AGENDA ITEM 9)

RESOLVED that the applications be determined as follows:

- a) Item 1: 3PL/2007/1285/F: Shipdham: Land adjoining Shipdham Aerodrome: Change of use for aerodrome & erection of 1 small hangar, 1 storage building & associated landscaping work for Shipdham Aero Club

This item had been withdrawn (See Minute No 36/08 above)

- b) Item 2: 3PL/2007/1734/H: Snetterton and Quidenham: QD Distribution Centre, Harling Road: Extension to QD central storage (renewal) for QD Stores Ltd

Approved, as recommended.

- c) Item 3: 3PL/2008/0046/F: Dereham: Former Dereham Library, Church Street: Demolition of existing former library & erection of ten dwellings (re-submission) for Norfolk County Council

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Councillor C Bowes declared a personal interest in this item as an employee of Norfolk County Council. Mr M Kiddle-Morris declared a personal interest as his wife is a partner of Hood Vores & Allwood.

Approved, as recommended subject to further conditions concerning landscaping/boundary treatment (including railings to the front).

Notes to the Schedule

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

<u>Item No.</u>	<u>Speaker</u>
Agenda Item	Mr Thompson, Supporter
8b North Elmham	Mr S Banning, Applicant Mr Bailey, Agent
3	Mr J Green (NPS), Agent

Written representations taken into account

<u>Reference No.</u>	<u>No. of Representations</u>
3PL/2007/1688/O	4

40/08 ENFORCEMENT ITEMS (FOR INFORMATION) (AGENDA ITEM 10)

The item was noted. The Chairman directed Members to contact the Enforcement Officer if they had any questions on the Enforcement Items.

41/08 VERBAL PRESENTATION ON 1APP (AGENDA ITEM 11)

The Development Services Manager explained that following a change in legislation, from 6 April 2008 planning application forms would be the same all over the country. These '1APP' forms would replace all others. From 6 April 2008 any submissions received on other forms would not be valid applications. However, any applications on other forms received before that date would be accepted.

With the introduction of 1APP, additional information was also required to accompany applications. Two lists will form the basis of this extra information; the mandatory National List and the Local List which is specific to each Local Authority. This extra information was to speed up the planning process, ensuring that relevant information was provided 'up-front' to enable consultees to comment more fully on proposals.

An Agent's Forum had been held on 5th March to introduce 1APP, and

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a six week publicity period concerning the additional information required to accompany the 1APP applications, had commenced.

The Principal Planning Officer (Major Projects) then gave a more in-depth overview of the new system.

He explained that although the new forms were called 1APP, they actually comprised 24 sets of forms. They were available electronically via the Planning Portal or in paper format, and could be downloaded from the Breckland website.

Most of the existing forms were only two A4 sheets, however many of the new forms were much longer and provide more information.

The Council already requests most of the information contained in the National List. By publicising the Council's Local List and clearly stating what information is required to be submitted with an application it is hoped that the quality of submissions will improve. Guidance notes are also available to help prospective applicants determine the scope of the information required.

A Member queried the cost of printing off all this additional information and asked if suitable printers were available.

The Development Services Manager responded that this was a significant issue currently under review. With the introduction of a Document Management System (a current project in hand), costs should be reduced, but in the meantime, if applications were submitted electronically, the Council would bear the cost of printing and postage when sending them out for consultation. In future, with the advent of electronic consultations, costs should again be cut.

A Member was concerned that the process was being made more difficult for individuals and that it would be almost impossible to submit an application without the cost of employing an agent.

The Development Services Manager confirmed that advice was available to individuals and they were assisted where possible.

42/08 APPLICATIONS DETERMINED BY THE DEVELOPMENT SERVICES MANAGER (FOR INFORMATION) (AGENDA ITEM 12)

This item was noted.

43/08 APPEALS DECISIONS (FOR INFORMATION) (AGENDA ITEM 13)

This item was noted.

The meeting closed at 12.00 pm

CHAIRMAN