

**BRECKLAND COUNCIL**

**At a Meeting of the**

**PLANNING COMMITTEE**

**Held on Monday, 12 December 2016 at 9.30 am in  
Anglia Room, The Conference Suite, Elizabeth House, Dereham**

**PRESENT**

Mr N.C. Wilkin (Chairman)	Mr P.J. Duigan
Mr F.J. Sharpe (Vice-Chairman)	Mr A.P. Joel
Mr R. F. W. Brame	Mr K. Martin
Councillor M. Chapman-Allen	Mr J. Newton
Mr H. E. J. Clarke	Mr P. S. Wilkinson
Mr P.D. Claussen	Mr P. R. W. Darby (Substitute Member)

**Also Present**

Mr S.G. Bambridge	Mr R. R. Richmond
Mr P.J. Hewett	Mr W.H.C. Smith
	Mrs A. M. Webb

**In Attendance**

Steven Bell	Legal Advisor (Solicitor)
Mike Brennan	Operations & Contract Manager
Cathy Rix	Technical Assistant*
Simon Wood	Interim Business Manager*
Sarah Robertson	Senior Planning Policy Officer*
Matthew Ellis	Principal Planning Officer*
Julie Britton	Democratic Services Officer

\* Capita for Breckland Council

**Action  
By**

**150/16 MINUTES (AGENDA ITEM 1)**

The Minutes of the meeting held on 14 November 2016 were confirmed as a correct record and signed by the Chairman.

**151/16 APOLOGIES & SUBSTITUTES (AGENDA ITEM 2)**

An apology for absence was received from Councillor Bowes; Councillor Darby was in attendance as her substitute.

**152/16 DECLARATION OF INTEREST AND OF REPRESENTATIONS RECEIVED  
(AGENDA ITEM 3)**

**Agenda item 10 – Schedule of Applications**

Schedule Item 2 (South Lopham) - Councillor Marion Chapman-Allen declared that she would not take part in the discussion and would abstain from voting as the applicants had consulted her about their application on a number of occasions.

Schedule Item 5 (North Elmham) – Councillor Martin had received direct representation.

Schedule item 7 (Dereham) – Councillor Duigan had received direct representation and also declared an interest by virtue of him being a Member of Dereham Town Council. Councillor Claussen declared an interest as he shopped at the premises.

**153/16 CHAIRMAN'S ANNOUNCEMENTS (AGENDA ITEM 4)**

The Chairman mentioned a competition for building design excellence that the Planning Committee used to do and felt it was time to rebirth these awards and congratulate various bodies for their good work.

The Chairman, together with the Operations & Contracts Manager, Mike Brennan and Nick Moys, the former Senior Principal Planning Officer, had travelled round the District visiting various buildings and sites and had settled on two categories. The first category was awarded to Parson & Whitley Ltd for the best individual dwelling design; a private single story dwelling built in the back garden of Lime Tree House in Swaffham and built to passivhaus standards. The Chairman had been overwhelmed by the design and the cost effectiveness of the build.

The second category was awarded to Reese Prior Architects in Thetford in association with Haverbury Housing for a conversion of what was previously an old train workshop. The Chairman had been very pleased to see an old building retained and not demolished.

Councillor Bambridge, Executive Member for Growth was in attendance to present the awards to Chris Parsons of Parson & Whitley Ltd and Kate Wilde of Haverbury Housing and congratulated them both.

**154/16 REQUESTS TO DEFER APPLICATIONS INCLUDED IN THIS AGENDA (AGENDA ITEM 5)**

Item 9(a) (pages 53-55) for Warren's Lane, Attleborough had been deferred in respect of the changes to the 5 year land supply.

**155/16 URGENT BUSINESS (AGENDA ITEM 6)**

None.

**156/16 LOCAL PLAN UPDATE (STANDING ITEM) (AGENDA ITEM 7)**

The Senior Planning Policy Officer advised that a Local Plan Working Group meeting had been arranged on Wednesday, 14 December at 2pm in Watton.

Work was continuing to progress on a number of key pieces of evidence based work including:

- Infrastructure Delivery Plan
- Housing and Economic Land Availability Assessment
- Plan Wide Viability Assessment

Speaking as a Twin Hatter, Councillor Clarke wanted to know more about what was happening with the Dereham Transport Study and asked what the Planning Policy Team was planning to do with the Study and if there was any update on the roundabout. Members were informed that discussions were still on-going. The Interim Business Manager, Capita assured Members that active discussions were taking place with Norfolk County Council to try and mitigate the impact of the number of major planning applications in Dereham. A report would be brought to the Planning Committee in due course. Councillor Clarke assumed that Dereham Town Council would be kept well informed of any progress.

Councillor Claussen pointed out the original Transport Study had been carried out before all these major applications were submitted and would have a significant

impact on surrounding villages and therefore should be bolted on to the discussion. He also pointed out that he had not seen any mention of the Local Service Centres on the agenda for the forthcoming meeting on Wednesday and asked whether these would be discussed. In response to the latter, the Senior Planning Policy Officer advised that there were recommendations in the report requesting further work on Local Service Centre status. Councillor Claussen urged the Planning Policy Team to work with Yaxham Parish Council as they had done a great deal of work on this matter.

**157/16 2016 MID-YEAR STATEMENT OF FIVE YEAR HOUSING LAND SUPPLY**  
**(AGENDA ITEM 8)**

Members were reminded that the 2016 Five Year Housing Land Supply Statement was last discussed at the Planning Committee meeting in July and that this was the six month update as agreed at that meeting.

The Five Year Housing Land Supply was a comparison of the anticipated supply of new dwellings, against the number of new dwellings that were required to be built in Breckland (known as the housing requirement). The housing figure was a starting point for the five year land supply and the emerging Objectively Assessed Need (OAN) target from the Strategic Market Assessment (SHMA) was considered to present a more robust up-to-date position and the figure for this was 597 dwellings per year between 2012 and 2036. The Five Year Land Supply Statement presented two calculations using both the Local Plan figure and the OAN figure. The Breckland calculation incorporated a 20% buffer and made allowance for undelivered units. Two separate calculations using two different approaches to making up the shortfall in undelivered units had been used and were known as the 'Sedgefield' approach, recommended by the Planning Practice Guidance (PPG), where the shortfall was made up in the next five years, and the Liverpool approach, where undelivered units were made up over the remainder of the Plan period. It was recommended that Breckland Council took the latter.

Breckland Council could demonstrate a 5.6 year land supply using this approach which was really good news for the District. Housing Policies were now up to date and some sites may need to be released early.

The Vice-Chairman, Councillor Sharpe asked who determined this independently from the Council. The Senior Planning Policy Officer explained that this work had been undertaken by various Officers in Capita and would be adopted but would most likely go to Appeal so the evidence to back this up was very important. Councillor Sharpe mentioned the number of applications under Appeal. The Interim Business Manager, Capita, agreed that there were a number of Appeals all of which had been determined prior to the Council having a five year land supply.

Councillor Clarke felt that it was helpful to have a land supply that was up to date but asked about the change in balance to the housing provision in relation to the allocations from Thetford and Attleborough to other towns. Members were informed that the Planning Policy Team was reasonably confident in having the hybrid Attleborough application being submitted as well as the early part of the Thetford application which would assist with the trajectory. The need for a 'top-up' would continue. Councillor Darby felt that the outlook for the build out projections was incredibly optimistic. Councillor Joel felt that now the Council had this five year land supply what would happen if an application was submitted outside the Settlement Boundary. The Interim Business Manager, Capita stated that policies could now be given full weight but there would still be occasions when applications had to be considered on a case by case basis and there may be a breach of policy depending on where the application was located and the scale of the development; there would

still be many issues to consider and would be a balancing exercise. The Operations & Contract Manager pointed out that there would be a re-focus on the Council's Housing Policies whilst taking into account any harm to the Countryside Policies. Councillor Wilkinson did not think that the Council should rely too heavily on the five year plan as this was reliant on big sites coming forward. In response, Members were informed that this was just a starting point of all decision making and most of the larger applications had been written prior to the five year land supply. The Interim Business Manager, Capita advised that the backlog of applications would have to be spread out accordingly and drew attention to paragraph 12 of the National Planning Policy Framework (NPPF) which stated that the Development Plan was the starting point for decision making and that would be the basis on what Planning Officers would be advising Members going forward.

Councillor Darby was still unsure how the outstanding larger applications were going to be dealt with and asked if there would be any written guidance made available. The Operations & Contracts Manager explained that Planning Officers would need to get together with the Council's strategic housing partners to look at the way forward. Councillor Claussen felt that a grown up conversation was needed and felt that a further meeting should be had to discuss these matters. The Interim Business Manager, Capita advised that Members would continue to be advised. It was noted that all planning applications had a limited time period to come forward and could have an effect on the figures if they expired– there were many issues outside of the authority's control. Councillor Clarke drew attention to paragraph 2.9 and 2.11 of the Five Year Housing Land Supply Statement which mentioned the additional buffer and asked for clarification as to what this could do to the figures. The Senior Planning Policy Officer advised that this had been incorporated into the figure and did include the buffer.

**RESOLVED** that the report and attached appendix (as at 30.09.16) be noted and the 5.6 year housing land supply be adopted in decision making.

#### **158/16 DEFERRED APPLICATIONS (AGENDA ITEM 9)**

- a. ATTLEBOROUGH: Warrens Lane: Change of use from agricultural to burial site and outline for 8 dwellings: Applicant: Righetti: Reference: 3PL/2016/0486/H

This application had been deferred in respect of the recent five year housing land supply. A stronger case would be brought forward to the Committee in due course.

- b. NORTH ELMHAM: 1 Mews Court, Larwood Close: Erection of two storey side extension: Applicant: Mr A Ferrari & Ms Williamson: Reference: 3PL/2016/1282/HOU

It was noted that this application was for land to the North of Eastgate Street, North Elmham, the applicant being The Garrod Partnership, Reference: 3PL/2016/0848/F and **not** 1 Mews Court, Shipdham for Mr A Ferrari and Ms Williamson, Reference: 3PL/2016/1282/HOU. The supplementary agenda that had been published soon after the main agenda had highlighted this error.

See Minute No. 159/16(e) below.

#### **159/16 SCHEDULE OF PLANNING APPLICATIONS (AGENDA ITEM 10)**

- a. Item 1 – Carbrooke: Littleton Stud Farm, Caudle Springs: Erection of bungalow and removal of buildings: Applicant: Miss Julia Frere: Reference: 3PL/2015/1107/F

Matt Ellis, the Senior Planning Officer (Capita), presented the application. The proposed single storey dwelling would be for the applicant and her severely disabled daughter and would enable them to remain in the locality where they have lived for many years. The site location, photographs and the key issues were highlighted.

Mr Cutting, the applicant's agent explained that both mother and daughter had to vacate their run down house and having lived on the site the Policies, in his opinion, were irrelevant. Councillor Rogers, the Ward Member, who was not in attendance, was in full support of the application. The Chairman read aloud the letter from the Ward Member. Councillor Clarke said that he judged each application on its merits and was minded to support the application. Councillor Claussen agreed as the sustainability issues should not be taken into account.

**Approved, contrary to the recommendation on the grounds that the character and appearance of the rural area and the sustainability issues would not be harmed and the proposal would result in the tidying up of a rather unattractive site.**

- b. Item 2 – South Lopham: Willow Brae, The Street: Demolition of existing property and erection of 2 dwellings and garages: Applicant: Impala Developments Ltd: Reference: 3PL/2016/0500/F

Councillor Marion Chapman-Allen took no part in the discussion or voted on this application (see Minute No. 152/16 above).

Simon Wood, the Interim Business Manager (Capita) presented the application which had originally been for three dwellings but had since been reduced to two. Site plans, photographs, the design and the key issues were highlighted.

Mr Barbuk, the applicant's agent informed the Committee that he had worked extensively with Officers to modify the scheme. He pointed out that the existing dwelling was in a poor state of repair and was badly situated and the proposal would significantly address the road safety and visual amenity issues.

Councillor Brame could not see anywhere in the conditions in relation to roofing. Members were informed that all materials would have to be approved. Councillor Claussen mentioned the access and it was noted that the Highway Authority had raised no objections to the proposal as the increase of just one dwelling was considered to be acceptable, subject to conditions.

**Approved, as recommended.**

- c. Item 3 – Lynford: Lynford Hall Park, Lynford Road: Construction of 68 holiday lodges together with reception building and associated parking: Applicant: Lynford Hall Hotel Ltd: Reference: 3PL/2016/0631/F

The Senior Planning Officer (Capita) presented the application. The location plan, photographs and the site layout plan were highlighted. It was noted that the trees on the site would not be removed and the proposal was considered to be acceptable.

Erica Whettingsteel, the applicant's agent was in attendance and pointed out

that this application had been significantly reduced as the original proposal had been for 107 lodges. She explained the events that took place at the Hall and the capacity it held and also explained how expensive it was to run and the extensive remedial works that were required. The proposal would just be for holiday use and would be used as an overspill for guests from weddings and functions wishing to stay overnight as the Hall itself only had 38 bedrooms. The Chairman mentioned the old caravan site and asked if there had been any intention to use this land for the proposal. The Committee was informed that the lodges would be better located on the proposed site as it was in a low lying area in woodland and therefore would have less impact. Councillor Marion Chapman-Allen asked about the foul water drainage condition. It was noted that this issue had already been resolved and the applicant had had a giant treatment plant installed for private use.

**Approved, as recommended.**

- d. Item 4: Yaxham: Quince Farm, Spring Lane: Erection of 2 dwellings on a plot measuring approximately 0.16 acres: Applicant: Mr & Mrs Green-Armytage: Reference: 3PL/2016/0749/O

The Senior Planning Officer (Capita) presented the application. The application site was located immediately adjacent to the Settlement Boundary and was considered to be sustainable.

Mr Parker, the applicant's agent was in attendance. He put forward his own opinions in relation to the Council's five year housing land supply and the risks involved; however, Members were asked to disregard these comments and concentrate on the application.

Councillor Claussen did not have any problems with the application itself but did have problems with the inaccurate information in terms of facilities and services in Yaxham.

**Approved, as recommended.**

- e. Item 5: North Elmham: Land to the North of Eastgate Street: Creation of new vehicular access and the erection of 11 dwellings: Applicant: The Garrod Partnership Ltd: Reference: 3PL/2016/0848/F

The Interim Business Manager (Capita) presented the application that had been considered at the previous meeting where it had been refused contrary to the recommendation as Members had expressed a preference for more of a linear development.

Photographs, site plans and the housing types were shown and the key issues were highlighted.

Councillor Bambridge, Ward Representative, was in attendance and reminded the Committee that the grounds that the previous application had been refused on had been overcome, and the Parish Council did support the proposal but wanted to withdraw from the management of the open space in the middle of the site and instead be left in perpetuity. The Chairman had also received a letter from Councillor Borrett, also a Ward Member for North Elmham who supported the application.

Mr Price, an objector to the application asked for clarification of the Parish

Council's position and it was confirmed that they did not want to manage the open space. Mr Price, who lived adjacent to the site, urged the Committee to refuse the application as the site sat within North Elmham's Conservation Area and would affect the setting of the Grade 2 Listed Building. He pointed out that this was not the preferred site and that this was the only piece of open space on Eastgate Street. He asked that the open space, if Members were mindful to approve the application, be handed over to the Parish Council to avoid further development. He felt that the development would compromise the street scene of its linear development and hoped that Members would uphold their previous decision.

Mr Barwell, a supporter of the proposal, felt that the application would benefit the village as a Local Service Centre and explained the revisions that had been made. He pointed out that there was an acute shortage of affordable dwellings in North Elmham and asked Members to endorse the Officer's recommendation.

In response to concerns, Members were informed that in terms of the Settlement Boundary this application was contrary to Policy and the Committee could not insist that the Parish Council managed the open space and if considered for any future development would be subject to a further planning application.

Councillor Chapman-Allen asked why this proposal was being re-considered if it was the same application. The Operations & Contract Manager reminded Members of the confusion during the presentation at the previous meeting where it could not be confirmed that the plans before the Committee had been consulted on. The Chairman stated that he had asked for the application to come back to Committee as there had been an element of confusion and wanted assurance that the plans had been seen by the Parish Council. In response to a question, it would be the land owner's responsibility to manage the open space.

**Approved, as recommended.**

- f. Item 6: East Tuddenham: Green Farm, Mattishall Road: Residential development of 7 dwellings (not 8 as listed in the report) with associated access: Applicant: Mr Neil Alston: Reference: 3PL/2016/0905/O

The Interim Business Manager (Capita) presented the application and pointed out that the proposal was for 7 dwellings and not 8 as reported in the agenda. The site was located outside of the Settlement Boundary but was in area of open countryside and was classed as a greenfield site. The key issues were highlighted including the lack of affordable housing due to the floor area. It was noted that due to the gross internal floor area of the proposed development there was a requirement, taking into account vacant building credit, for one affordable unit within the development. The proposal did not provide onsite affordable housing but the applicant had offered to provide three units on land at Primrose Way.

Mr Clark, the applicant's agent was in attendance and informed the Committee that the basis of this application was to try and match the existing form of the village. There were currently semi derelict buildings on the site, and Brayfields shown on the map, was a dwelling immediately adjacent the site. Mr Clark pointed out that the applicant would be happy to provide the affordable housing at Primrose Way.

Councillor Claussen could not believe that Officers had turned down the offer of three affordable dwellings; it did not make any sense and he reminded the Committee that the Parish had fought long and hard to get Primrose Way supported. Members were informed that this was the position from the Housing Officer and the concern was in relation to deliverability.

Members were reminded that this was technically a green-field site and the deliverability of the affordable dwellings was not clear. Councillor Marion Chapman-Allen agreed and felt that a judgement could not be made on this application without knowing if the affordable housing could be delivered. The Interim Business Manager (Capita) said that there was no guarantee; however, the application could be subject to a legal agreement but he would not recommend it. The Committee was reminded that this was an outline application and the means of access formed part of the application.

Councillor Joel asked if a further application could be submitted parallel to this one for less floor area to overcome the need for an affordable dwelling. It was noted that a full application would be required.

**Approved, contrary to the recommendation on the grounds that the development satisfied the requirements in the National Planning Policy Framework.**

- g. Item 7: Dereham: CC Wells of Norfolk, Greens Road: Change of use from storage wholesale of fresh fruit and vegetables to a mixed use for storage and wholesale and retail sale: Applicant: Mr Darren Pegrum, C C Wells of Norfolk: Reference: 3PL/2016/0956/CU

The Interim Business Manager (Capita) presented the retrospective application. He advised that if Members were minded to refuse the application then enforcement action may be required.

The site location and photographs of the premises were shown and the assessment notes were highlighted. It was noted that the premises was not open all day to the public.

Councillor Webb, a Ward Member was in attendance in support of the application. She said that the sale of fresh fruit and vegetables promoted healthy living and helped the local economy. It was much easier for the customers to purchase their fruit and vegetables from the unit as parking was not a problem and the staff helped carry the produce to their cars. As long as health and safety issues were adhered to she urged the Committee to approve the retrospective application.

Councillor Robert Richmond also supported the application and had never received any complaints. He pointed out that the tenants did not wish to move to the town centre and read out a letter of support from a customer who lived on the outskirts of Dereham and felt that Breckland Council should be seen to support local businesses.

Mr Needham, Clerk of Dereham Town Council said that the Town Council was against the retail sale in this location and felt that if this was allowed it could set a precedent for other retail businesses to relocate outside the town centre. He pointed out that Breckland Council had a number of Policies that should be adhered to and felt that if this application was approved it would be to the benefit of this business but to the detriment to the town.



**Action  
By**

Karen Whitehair, was in attendance on behalf of the applicant and said that the applicants were no longer trading in the Market Place on a Friday and although sales from the unit had increased in popularity selling just for retail use would not be viable. She mentioned that the letters of support received had been overwhelming and pointed out that the majority of units in the vicinity allowed public sale.

The Operations & Contract Manager advised that if Members were mindful to approve the application restrictions could be put in place.

Elisabeth Small highlighted the many reasons why she supported the application. The produce was of excellent quality, there was a great deal of choice, quantity and availability of unusual items. Customers could choose the amount they wanted thus reducing food waste and packaging and allowed the public the opportunity to eat healthily at less cost. The footfall at the unit was high but people did not stay very long and the business was supported by farmers and other local businesses alike. She mentioned the parking problems and the congestion in the town centre.

Mr Michael Ward also supported the application and found it amazing that the Council had allowed another supermarket to be built outside of the town centre. This was a local business and if it was moved to the town the rates would increase which would have a knock on effect on the price of the produce.

Mr Whitehair objected to the application on a number of grounds – the business should be used for wholesale only, the cul-de-sac was used by heavy goods vehicles and Greens Road was an industrial estate not a retail estate. He also highlighted the health and safety issues, the public liability and the damage to future investment and felt that the only decision should be one of refusal as this, in his opinion, was a ground breaking case and others would be watching.

The Interim Business Manager clarified a number of points. The health and safety issues, whilst they had been noted, did not hold any weight in planning terms. The point of the Policies the Council had were to protect the town centre and the other trading areas on the Greens Road Estate were restricted.

Councillor Sharpe fully understood why this application had been brought to the attention of the Planning Committee but asked if there was any difference between the Certificate of Lawfulness that had been refused on 1 July 2016 and this application. Members were informed very limited evidence had been provided as to whether the retail sales had been taking place at such a scale and consistency throughout the said 10 year period. Councillor Sharpe stated that there was evidence that other businesses had been selling retail on the Estate. The Interim Business Manager (Capita) stated there was not any material evidence as no complaints had been received.

Councillor Marion Chapman-Allen asked if there were any other greengrocers in the town and also asked if there was a sequential test of trading. Members were informed that 10% of the area could be used for retail but in terms of a sequential test, the onus was on the applicant to provide evidence that there was a need for this use and that this need could not be met in the town centre. He pointed out that this evidence had not come forward. Councillor Chapman-Allen knew that over 50% of the units

on this particular estate formed part of retail sales so she would be supporting the application.

Councillor Clarke was quite clear what the National and Local Policies were but the issue before the Committee was whether to refuse or not. He had not used this particular facility and he knew that many other businesses on this estate provided trade to the public. He asked if there was a deliberate demarcation in the building between retail and trade and personally suggested to Members not to agree to a blanket refusal but approve the application with conditions personal to the applicant.

Councillor Brame asked if there were many empty shops in Dereham. Members were informed that there were quite a few and this was the reason that town centres need to be protected.

Councillor Claussen struggled to understand how to deal with this application as the Company supported local businesses too and felt that the only businesses that could afford to be in the town centres were charity shops. The Interim Business Manager (Capita) said that the same support could be provided from a town centre location. The wholesale trade from the unit could be limited and was acceptable but a significant proportion of this unit had been given over to the public.

Councillor Darby pointed out that if the business was to move it would kill off the market traders as he knew they were struggling. He was disappointed; however that the applicants had not provided the evidence required but suggested that the application be deferred to allow for this evidence to come forward. Members were informed that this would still not overcome the Policy objections.

Councillor Joel thought that this was a 'Catch 22' situation; Dereham like most market towns did not have a green grocer in the town centre as they could not compete against supermarket prices and supported the application.

The persons in attendance on behalf of the applicant were asked why they had not been able to provide the relevant evidence. It was noted that receipts were not often given as most were cash sales the only people who received receipts were those who paid by card and the wholesale customers had accounts.

The Operations & Contracts Manager summarised the issues and stated that it was a requirement of Members to make a decision in accordance with Policy; subject to any significant, demonstrable material considerations.

Following further discussion, it was proposed and seconded that the application be:

**Deferred, to enable the applicant, in consultation with the Officers, to address the issue that there were not any suitable premises in the town centre for this type of business in accordance with Policy DC06.**

- h. Item 8: Gooderstone: Land to the South of the Street: Erection of 2 no. two storey dwellings (re-submission): Applicant: Mr Chris Palmer: Reference: 3PL/2016/1127/O

This application was a re-submission of a previously refused application,

3PL/2016/0389/O. This proposal was still considered to be unacceptable for reasons relating to its unsustainable location, outside of the Settlement Boundary and the harmful impact on the character and appearance of the local area.

Mr Stephenson, the applicant's agent asked Members to recall an outline application for a dwelling at no. 12 The Street, Gooderstone which had been recommended for approval by the Planning Officer and was approved accordingly. With this in mind, he felt that this application should be accepted and made Members aware of a number of dwellings that would be surrounding the proposal.

Ann Melhuish, a supporter, had lived in the village for many years and pointed out that the site in question had always been very overgrown but since being purchased, the applicant had tidied the site and used the land for his business. She felt that the applicant and his family should be allowed to live there as they did a great deal for the community.

The Operations & Contract Manager reminded the Committee that the application was the same as the one that had been refused under delegated powers and was currently under Appeal.

Councillor Wilkinson asked about the access. Members were informed that there would be two new access points created. It was noted that no comments had been received from the Ward Member. Councillor Darby wanted to know if the application was under Appeal what would be the situation if it was refused or approved. The Chairman advised that the Appeal would be quashed or withdrawn if approved. Councillor Joel asked for the comments to be highlighted in relation to the Special Protection Area (SPA). The Senior Planning Officer (Capita) explained that the development would not have an adverse impact on the SPA.

**Refused, as recommended.**

- i. Item 9: Great Ellingham: Greenpiece, Attleborough Road: Erection of three self build dwellings with garages: Applicant: Mr Dean Osbon: Reference: 3PL/2016/1169/F

The Interim Business Manager (Capita) presented the application. This application was a re-submission of a previously refused application and the only alteration was that the submission provided more written details in support of the proposal. A site plan was shown highlighting the fact that it was quite a distance away from the Settlement Boundary and whilst it was acknowledged that the proposed development would provide some benefits in terms of providing a limited contribution towards the five year housing land supply it was considered that these benefits would be outweighed by the harmful impact that the development would have on the character and appearance of the rural area as well as its unsustainable location which was remote from facilities and services.

Mr Osbon, the applicant stated that he had lived in the village for many years and ran his own business on the land in question. The proposed properties, once built, would be for his family to live in including his autistic grandson.

Nicola Osbon, the daughter, said that this would help her onto the property ladder and would enable her to remain in the area and run her business from home. The eldest daughter, Leanne Parker-Osbon said that her son needed

a high level of care and these dwellings would allow everyone to remain as a family unit.

Councillor Smith, the Ward Representative respected the five year housing land supply as it re-instated certainty in development. He supported the application even though the site itself was outside any defined Settlement Boundary and disagreed with the Parish Council's objection to the application which was in accordance with its adopted policies. He pointed out that there had been two new developments in Swamp Lane built before the National Planning Policy Framework (NPPF) and the site in question was, in his opinion, discreet and would not cause any impact to the area unlike another in the vicinity. No objection had been received from the Highways Authority and the proposal was not as close to the Listed Building as other developments and was closer to the town of Attleborough.

Councillor Brame wanted clarification that this was against policy in accordance with the five year housing land supply. The Interim Business Manager (Capita) advised that applications had to be considered on a case by case basis.

**Refused, as recommended.**

- j. Item 10: Shipdham: 1 Mews Court, Larwood Way: Erection of two storey side extension: Applicant: Mr A Ferrari & Ms Williamson: Reference: 3PL/2016/1282/HOU

The Interim Business Manager (Capita) presented the application. The proposed elevations, layout and key issues were highlighted.

Mr Cutting, the applicant's agent stated that the grounds for refusal were unreasonable as many dwellings in the vicinity had built extensions on the boundary lines and the residents of the bungalow bordering the proposal had raised no objections. He highlighted the fact that both Ward Members supported the application and the reason for this extension was that the family who did not wish to move had out grown their current living space.

Councillor Hewett, a Ward Member pointed out that this was, in comparison of what had been before the Committee today, a small local extension of which the local neighbours, Parish Council and Councillors had raised no objections as most of the properties in Mews Court had had various extensions. The evidence, in his opinion, was quite straight forward and should have been approved under delegated powers.

Councillor Claussen asked why a single storey extension had not been considered. The applicant's agent advised that building on top of the garage would have been very difficult and would have left no parking space. Councillor Hewett pointed out that the neighbours would have objected to the garage extension.

Members were informed that personal circumstances should not be given any weight in planning terms.

**Refused, as recommended.**

**160/16 APPLICATIONS DETERMINED BY THE EXECUTIVE DIRECTOR OF PLACE  
(AGENDA ITEM 11)**

Noted.

**Action**  
**By**

It was further noted that an enforcement update would be brought to the Planning Committee in January 2017.

**161/16 SUPPLEMENTARY AGENDA (AGENDA ITEM 12)**

The contents of the supplementary agenda were noted.

The meeting closed at 2.40 pm

CHAIRMAN