

BRECKLAND COUNCIL

At a Meeting of the

PLANNING COMMITTEE

**Held on Monday, 3 September 2018 at 9.30 am in
Anglia Room, The Conference Suite, Elizabeth House, Dereham**

PRESENT

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

Also Present

Mr S.G. Bambridge	Mr J.P. Cowen (Ward Representative)
Mr R.G. Kybird (Ward Representative)	Mr P. M. M. Dimoglou (Ward Representative)
Mr P.D. Claussen (Ward Representative)	

In Attendance

Michael Horn	Solicitor to the Council
Alex Chrusciak	Director of Planning and Building Control
Jon Berry	Head of Development Management
Fiona Hunter	Principal Development Management Planner
Natalie Levett	Senior Development Management Planner
Naomi Minto	Development Management Planner
Tom Donnelly	Development Management Assistant
Mandy Cunnington	Technical Support Officer
Natalie Wicks	Planning Assistant
Julie Britton	Democratic Services Officer

99/18 MINUTES (AGENDA ITEM 1)

The Minutes of the meeting held on 30 July 2018 were confirmed as a correct record and signed by the Chairman.

100/18 APOLOGIES & SUBSTITUTES (AGENDA ITEM 2)

An apology for absence was received from Councillor Roy Brame. Councillor Paul Darby was in attendance as his substitute.

101/18 DECLARATION OF INTEREST AND OF REPRESENTATIONS RECEIVED (AGENDA ITEM 3)

Members had received direct correspondence in relation to agenda item 9(x) for Yaxham.

102/18 CHAIRMAN'S ANNOUNCEMENTS (AGENDA ITEM 4)

For the benefit of the public in attendance, the running order of the meeting was explained.

Action By

103/18 REQUESTS TO DEFER APPLICATIONS INCLUDED IN THIS AGENDA (AGENDA ITEM 5)

1. Beeston: Reference 3PL/2018/0584/D (Agenda item 9(e))

Reason(s): Further negotiation was required in relation to a nearby Hazardous Substance Consent.

2. Rocklands: Reference 3PL/2018/0740/F (Agenda item 9(r))

There was a requirement for the application 'redline' to be amended to include all buildings to be demolished.

3. Thetford: Reference: 3PL/2018/0681/VAR (Agenda item 9(u))

The Applicant had requested a deferral to allow them to change the proposals.

104/18 URGENT BUSINESS (AGENDA ITEM 6)

None.

105/18 LOCAL PLAN UPDATE (STANDING ITEM) (AGENDA ITEM 7)

The last session of the Local Plan Examination in Public would be held over a period of three days from 18 September 2018. Following this session, the Local Plan itself was on track for adoption in early 2019.

106/18 DEFERRED APPLICATIONS (AGENDA ITEM 8)

The schedule of deferred applications was noted.

- (a) Dereham: Land at Greenfields Road: Reference: 3PL/2016/1397/F

Residential development of 279 dwellings comprising 6 five-bedroom houses, 83 four-bedroom houses, 98 three-bedroom houses, 74 two-bedroom houses, 4 two-bedroom bungalows, 2 one-bedroom bungalows and 12 one-bedroom flats together with associated access, pedestrian and cycle links, landscaping and open space for Orbit Homes (2020) Ltd.

This application had been presented to the Planning Committee meeting on 30 July 2018 at which time the application had been approved; subject to, Members agreeing the Heads of Terms of the S106 Agreement in relation to a contribution to meet the shortfall of off-site outdoor sports provision at a future Planning Committee meeting.

Consideration was given to the report presented by Jon Berry, Head of Development Management.

Members considered the matter and fully explored the details of the application in light of prevailing policies and guidance.

Representations were made in respect of the application in accordance with the Council's scheme of public speaking at Planning Committee meetings:

Dereham Town Council: Tony Needham

Action By

Applicant's Agent: Erica Whettingsteel

DECISION: Members voted unanimously for approval as recommended. That the financial contribution offered by the applicant be approved; subject to the conditions listed in the report and the Executive Director of Place be given delegated authority to agree the terms of the S106 Agreement.

- (b) Shipdham: The Cricket Players, Old Post Office Street: Reference: 3PL/2017/0864/F

Residential development for 23 dwellings and associated car parking and garages for T & P Developments.

The principle of development had already been approved.

This application had been deferred at the Planning Committee meeting held on 4 June 2018 to allow time for the local lead flood authority at Norfolk County Council to submit their comments.

Consideration was given to the report presented by Jon Berry, Head of Development Management.

Members considered the matter and fully explored the details of the application in light of prevailing policies and guidance.

Further representations had been received from both Ward Representatives in the form of emails.

Representations were made in respect of the application in accordance with the Council's scheme of public speaking at Planning Committee meetings:

Applicant's Agent: Nigel Cooper (David Futter Associates)

Objector: Colleen Langham

DECISION: Members voted unanimously for deferral contrary to the Officers recommendation on the grounds that further clarification was required in relation to the access to existing properties.

107/18 SCHEDULE OF PLANNING APPLICATIONS (AGENDA ITEM 9)

RESOLVED that the applications be determined as follows:

- (a) Ashill: Swaffham Road,; Reference: 3PL/2017/1492/F

Conversion of existing building to a dwelling and the erection of a new dwelling and garage.

Consideration was given to the report presented by Natalie Levett, Senior Development Management Planner.

Members considered the matter and fully explored the details of the application in light of prevailing policies and guidance.

A representation was made in respect of the application and in accordance with the Council's scheme of public speaking at Planning Committee meetings:

Action By

Applicant's Agent: Emma Griffiths (Parker Planning)

DECISION: Members voted unanimously for approval as recommended subject to the conditions as listed in the report.

(b) Attleborough: Meadow Cottage, Hillsend Lane: Reference: 3PL/2018/0467/F

Erection of five dwellings.

Consideration was given to the report presented by Naomi Minto, Development Management Planner.

Members considered the matter and fully explored the details of the application in light of prevailing policies and guidance.

A further representation had been received as set out in the supplementary agenda (see page 329) which included a further condition if permission was granted.

Representations were made in respect of the application and in accordance with the Council's scheme of public speaking at Planning Committee meetings:

Applicant: Lee Devlin

Objector: John Clark

DECISION: Members voted unanimously for approval as recommended subject to:

- 1) the conditions as listed in the report;
- 2) the removal of conditions 7, 8, 11 and 22;
- 3) a further condition that the road widening measures would not occur between trees T13-T19 as identified on the updated Arboricultural Impact Assessment (AIA); and
- 4) condition 14 to be amended to read 5 metres instead of 10 metres, as 10 metres is not achievable (as agreed with Highways).

(c) Attleborough: Land Adjacent to Oak Tree Park, Norwich Road: Reference: 3PL/2018/0309/F

Use of land for the stationing of 20 residential park homes and associated layout and landscaping.

Consideration was given to the report presented by Fiona Hunter, Principal Development Management Planner.

Members considered the matter and fully explored the details of the application in light of prevailing policies and guidance.

Representations were made in respect of the application and in accordance with the Council's scheme of public speaking at Planning Committee meetings:

Applicant's Agent: Kate Wood

Lawyer: Gary Duthie (Tingdene Parks)

Action By

DECISION: Members voted 7 x 4 to approve the application contrary to the Officer's recommendation of refusal.

REASON(S): the proposal was in a sustainable location and would contribute to the Council's five year land supply.

DECISION: Members voted 7 x 4 to approve the application.

The application be approved subject to the following:

- 1) the Heads of Terms of the S106 Agreement to be considered and agreed by Planning Committee; and**
- 2) suitable conditions to be imposed.**

Following the vote, Members discussed how the off-site affordable housing contribution should be determined. There was a general consensus this should be through a viability appraisal.

- (d) Attleborough: Westholme, R G Bales Development Site: Reference: 3PL/2018/0586/VAR

Variation of condition 2 on pp 3PL/2007/0246/F – 15 starter homes or small flats – change of external materials.

Consideration was given to the report presented by Fiona Hunter, Principal Development Management Planner.

Members considered the matter and fully explored the details of the application in light of prevailing policies and guidance.

No representations were made in respect of the application.

DECISION: Members voted 10 x 1 for approval as recommended subject to the conditions as listed in the report.

Councillor Jennifer Hollis declined to have her name approving such an application and therefore voted against it.

- (e) Beeston: Land to the north of Herne Lane: Reference: 3PL/2018/0584/D

This application had been deferred (see Minute No. 103/18 above).

- (f) Bridgham: 60 The Street: Reference: 3PL/2018/0406/F

One new dwelling.

Consideration was given to the report presented by Tom Donnelly, Development Management Assistant.

Members considered the matter and fully explored the details of the application in light of prevailing policies and guidance.

A representation was made in respect of the application and in accordance with the Council's scheme of public speaking at Planning Committee meetings:

Ward Representative:

Councillor Robert Kybird (in support of the Parish Council's concerns)

DECISION: Members voted unanimously for approval as recommended subject to the conditions as listed in the report.

- (g) Fransham: Land adjacent Main Road, Little Fransham : Reference: 3PL/2018/0664/O

Erection of four dwellings with associated parking.

Consideration was given to the report presented by Natalie Levett, Senior Development Management Planner.

Members considered the matter and fully explored the details of the application in light of prevailing policies and guidance.

A representation was made in respect of the application and in accordance with the Council's scheme of public speaking at Planning Committee meetings:

Applicant's Agent: Emma Griffiths (Parker Planning)

DECISION: Members voted unanimously for approval as recommended subject to the conditions as listed in the report.

- (h) Garvestone: Sunnydene, Dereham Road: Reference: 3PL/2017/1386/O

Proposed bungalow.

Consideration was given to the report presented by Fiona Hunter, Principal Development Management Planner.

Members considered the matter and fully explored the details of the application in light of prevailing policies and guidance.

A representation was made in respect of the application and in accordance with the Council's scheme of public speaking at Planning Committee meetings:

Applicant's Agent: Matthew Cutting (David A Cutting Building Surveyors Ltd) – to answer questions only

DECISION: Members voted unanimously for approval as recommended subject to the conditions as listed in the report.

- (i) Gressenhall: Bramble Farm, Litcham Road: Reference: 3PL/2017/1374/F

Construction of a rear first floor extension, construction of a porch to the front elevation and conversion of farm shop to a domestic garage.

Consideration was given to the report presented by Natalie Levett, Senior Development Management Planner.

Members considered the matter and fully explored the details of the application in light of prevailing policies and guidance.

A further site history update had been included on the supplementary agenda (see page 330).

A representation was made in respect of the application and in accordance with

Action By

the Council's scheme of public speaking at Planning Committee meetings:

Applicant: Kevin Townsend (to answer questions only)

DECISION: Members voted unanimously for approval as recommended subject to:

- 1) the conditions as listed in the report;
- 2) the removal of condition 1; and
- 3) delegated authority be granted to the Executive Director of Place to issue conditional approval, if the submission of the required ecological information is acceptable.

- (j) Griston: Development of Cattle Roundhouse, Thompson Road: Reference: 3PL/2018/0027/F

Erection of one organic free range egg laying unit with integrated packing area and associated hard-surfacing.

Consideration was given to the report presented by Fiona Hunter, Principal Development Management Planner.

Members considered the matter and fully explored the details of the application in light of prevailing policies and guidance.

Further representations had been received as set out in the supplementary agenda (see page 331).

Representations were made in respect of the application and in accordance with the Council's scheme of public speaking at Planning Committee meetings:

Ward Representative: Councillor Philip Cowen

Parish Council: Mr David Barnett (Chairman of Griston Parish Council)

Applicant's Agent: Charlie Davidson (C.E. Davidson)

DECISION: Members voted unanimously for approval as recommended subject to the conditions as listed in the report.

- (k) Guist: Land West of Bridge Road: Reference: 3PL/2018/0518/F

Construction of 4 detached bungalows with attached garages.

Consideration was given to the report presented by Natalie Levett, Senior Development Management Planner.

Members considered the matter and fully explored the details of the application in light of prevailing policies and guidance.

Representations were made in respect of the application and in accordance with the Council's scheme of public speaking at Planning Committee meetings:

Applicant's Applicant: Chris Soman (C & T Consultancy)

Objector: John Thomson

DECISION: Members voted 10 x 1 for approval as recommended subject to the conditions as listed in the report.

- (l) Hockering: Hill House Lodge Road, From Honingham To North Tuddenham: Reference: 3PL/2018/0690/VAR

Variation of condition no. 13 in relation to highway works on 3PL/2016/1552/F to vary condition to read "prior to construction of any dwelling above slab level (amended description 27/7/2018).

Consideration was given to the report presented by Jon Berry, Head of Development Management.

Members considered the matter and fully explored the details of the application in light of prevailing policies and guidance.

A further representation had been received as set out in the supplementary agenda (see page 332). Additionally, an email from Councillor Bambridge, the Ward Representative, was read aloud.

Representations were made in respect of the application and in accordance with the Council's scheme of public speaking at Planning Committee meetings:

Hockering Parish Council: Richard Hawker

Objector: Peter Goldsmith

DECISION: Deferred to allow further information to be received from the Highways Engineer on the highway layout and further clarification was required on construction levels.

- (m) Holme Hale: Bilmar, Station Road: Reference: 3PL/2018/0667/O

Proposed construction of a new 3 bedroom bungalow on garden land west of Bilmar.

Consideration was given to the report presented by Tom Donnelly, Development Management Assistant.

Members considered the matter and fully explored the details of the application in light of prevailing policies and guidance.

A further assessment had been provided as set out in the supplementary agenda (see page 333).

No representations were made in respect of the application.

DECISION: Members voted 10 x 1 for approval as recommended subject to the conditions as listed in the report.

- (n) Lexham: The Manor House, Lexham Road, West Lexham: Reference: 3PL/2018/0560/F

Extension of existing barn to create a dining room to seat 40-50 guests and create a new office and reception.

Action By

Both applications items 9(n) and 9(o) were considered together but were voted upon separately.

Consideration was given to the reports presented by Naomi Minto, Development Management Planner.

Members considered the matters and fully explored the details of the application in light of prevailing policies and guidance.

Representations were made in respect of the application and in accordance with the Council's scheme of public speaking at Planning Committee meetings:

Applicant: Edmund Colville

Objector: Mr Olesen (Church Warden)

DECISION: Members voted unanimously for approval as recommended subject to the conditions as listed in the report.

- (o) Lexham: The Manor House, Lexham Road, West Lexham: Reference: 3PL/2018/0561/LB

Extension of existing barn to create a dining room to seat 40-50 guests and create a new office and reception.

Both applications items 9(n) and 9(o) were considered together but were voted upon separately.

Consideration was given to the reports presented by Naomi Minto, Development Management Planner.

Members considered the matters and fully explored the details of the application in light of prevailing policies and guidance.

Representations were made in respect of the application and in accordance with the Council's scheme of public speaking at Planning Committee meetings:

Applicant: Edmund Colville

Objector: Mr Olesen (Church Warden)

DECISION: Members voted unanimously that listed building consent be granted subject to the conditions as listed in the report.

- (p) Mattishall: Walnut Tree Farm, West End, Mill Road: Reference: 3PL/2018/0861/F

New dwelling house and change of use from agricultural to residential.

Consideration was given to the report presented by Tom Donnelly, Development Management Assistant.

Members considered the matter and fully explored the details of the application in light of prevailing policies and guidance.

Representations were made in respect of the application and in accordance with the Council's scheme of public speaking at Planning Committee meetings:

Action By

Ward Representative: Councillor Pablo Dimoglou (in support)

Applicant: Tom Eames

DECISION: Members voted unanimously for approval as recommended subject to the conditions as listed in the report.

- (q) Old Buckenham: Land South of March Field Way: Reference: 3PL/2018/0719/F

Residential development of 12 dwellings and associated external works.

Consideration was given to the report presented by Jon Berry, Head of Development Management.

Members considered the matter and fully explored the details of the application in light of prevailing policies and guidance.

Further representations had been received as set out in the supplementary agenda (see page 334) which included a further condition if permission was granted.

A representation was made in respect of the application and in accordance with the Council's scheme of public speaking at Planning Committee meetings:

Ward Representative: Councillor Adrian Joel (in support)

DECISION: Members voted unanimously for approval as recommended subject to:

- 1) a S106 Agreement;
- 2) the conditions as listed in the report;
- 3) an additional condition as listed in the supplementary report;
- 4) an informative in relation to no street lights; and
- 5) delegated authority be granted to the Executive Director of Place to approve the application if no material matters had been raised from the further consultation with Norfolk County Highways.

- (r) Rocklands: Model Farm, Chapel Street, Rockland St Peter: Reference: 3PL/2018/0740/F

This application was deferred (see Minute No. 103/18 above).

- (s) Saham Toney: Plot 3, Brambling Lodge, The Sanctuary, Cley Lane: Reference: 3PL/2018/0562/F

3 bedroom bungalow with attached garage – amendment to the house design given under planning permission 3PL/2017/0415/F.

Consideration was given to the report presented by Naomi Minto, Development Management Planner.

Members considered the matter and fully explored the details of the application in light of prevailing policies and guidance.

No representations were made in respect of the application.

DECISION: Members voted unanimously for approval as recommended subject to:

1. the conditions as listed in the report;
2. the removal of conditions 6 and 7; and
3. an informative regarding information on the public right of way that was not included in the original decision notice.

- (t) Saham Toney: Land to the rear of Meadow View, Ploughboy Lane: Reference: 3PL/2017/1422/O

Demolition of existing split dwelling Meadow View (2 dwellings) to form 2 no. replacement dwellings and 3 no. residential dwellings.

Consideration was given to the report presented by John Berry, Head of Development Management.

Members considered the matter and fully explored the details of the application in light of prevailing policies and guidance.

Representations were made in respect of the application and in accordance with the Council's scheme of public speaking at Planning Committee meetings:

Applicant's Agent: Phil Hardy (Parker Planning)

Flood Consultant: Rupert Evans

Objector: Chris Blow

DECISION: Members voted 9 x 1 for approval as recommended plus 1 abstention, subject to the conditions as listed in the report.

- (u) Thetford: Tulip, Viking Caxton Way: Reference: 3PL/2018/0681/VAR

This item had been deferred (see Minute No. 103/18 above).

- (v) Watton: The Stables, Norwich Road: Reference: 3OB/2018/0008/OB

Variation of S106 Agreement on 3PL/2008/1042/F to allow an additional 12 months to use the Affordable Housing contribution.

Consideration was given to the report presented by Fiona Hunter, Principal Development Management Planner. A verbal correction was made to the report, advising that the proposed legal agreement would technically be a Deed of Variation to the original S.106 Agreement, but that the Deed itself would not be entered into pursuant to the terms of S.106 of the 1990 Act..

Members considered the matter and fully explored the details of the application in light of prevailing policies and guidance.

No representations were made in respect of the application.

DECISION: Members voted unanimously for approval as recommended.

Action By

- (w) Weeting: Land East of New Lodge, Lynn Road, Weeting with Broomhill :
Reference: 3PL/2018/0650/O

Construction of 2 new dwellings on land east of New Lodge, Lynn Road, Weeting.

Consideration was given to the report presented by Natalie Levett, Senior Development Management Planner.

Members considered the matter and fully explored the details of the application in light of prevailing policies and guidance.

No representations were made in respect of the application.

DECISION: Members voted unanimously for approval as recommended subject to:

- 1) the conditions as listed in the report; and**
- 2) an informative stating that there are restrictive covenants in favour of the Council over the proposed access.**

- (x) Yaxham: Land to the north of Homefield, Dereham Road: Reference:
3PL/2018/0422/O

Outline planning permission for the erection of 6 dwellings with all matters reserved.

Members had received direct correspondence in relation to this application.

Consideration was given to the report presented by Fiona Hunter, Principal Development Management Planner and corrections to the written Committee report were presented as follows:

- The weight to be given to the Yaxham Neighbourhood Plan should be determined based on the updated National Planning Practice Framework, 2018 (NPPF) paragraph 14 opposed to the quoted Ministerial guidance. When this was applied, the Yaxham Neighbourhood Plan was considered out of date in relation to policies for the supply and constraint of housing, due to not meeting the requirement of paragraph 14 (b).
- The NPPF quoted paragraphs were incorrectly numbered; however, the analysis was correct in terms of the guidance of the NPPF.

Members considered the matter and fully explored the details of the application in light of prevailing policies and guidance.

Photographs were circulated for Members consideration.

Representations were made in respect of the application and in accordance with the Council's scheme of public speaking at Planning Committee meetings:

Ward Representative: Councillor Paul Claussen (against the application)

Ward Representative: Councillor Pablo Dimoglou (in support)

Yaxham Parish Council: Peter Lowings (Chairman)

Action By

NP4Yaxham Working Group: Ian Martin (Vice-Chairman)

DECISION: Members voted 8 x 3 for approval as recommended subject to informatives being added to the decision notice in relation to:

1. a preference being expressed by the Committee to retain the existing hedges where possible and if removed, a replacement to be provided;
2. the foul drainage to be connected to Anglian Water if feasible; and
3. the Committee raised concern with the drainage details submitted. The detailed surface water drainage scheme should be designed to ensure no increase of flooding to Cut Throat Lane.

108/18 APPLICATIONS DETERMINED BY THE EXECUTIVE DIRECTOR OF PLACE (AGENDA ITEM 10)

Noted.

109/18 APPEALS SUMMARY (AGENDA ITEM 11)

Noted.

The meeting closed at 3.15 pm

CHAIRMAN