

BRECKLAND COUNCIL

At a Meeting of the

DEVELOPMENT CONTROL COMMITTEE

**Held on Monday, 26 January 2009 at 9.30 am in
Anglia Room, The Conference Suite, Elizabeth House, Dereham**

PRESENT

Mr N.C. Wilkin (Vice-Chair, in the Chair)	Mr M.A. Kiddle-Morris
Mr W.P. Borrett	Mr T.J. Lamb
Councillor Claire Bowes	Mrs S.R. Miller
Mr A.J. Byrne	Mr B. Rose
Mr P.S. Francis	Mr F.J. Sharpe
Mr M. Fanthorpe	Mrs P.A. Spencer
Mrs D.K.R. Irving	Mr M. Spencer
Mr R. Kemp	

Also Present

Lady Fisher (Ward Representative)

In Attendance

Mike Brennan	- Principal Development Control Officer
Heather Burlingham	- Assistant Development Control Officer
John Chinnery	- Solicitor & Standards Consultant
Andrea Long	- Environmental Planning Manager
Helen McAleer	- Member Services Officer
Nick Moys	- Principal Planning Officer (Major Projects)

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12/09 MINUTES (AGENDA ITEM 1)

The minutes of the meeting held on 5 January 2009 were agreed as a correct record and signed by the Chairman.

13/09 APOLOGIES (AGENDA ITEM 2)

Apologies for absence were received from Mrs M Chapman-Allen. Apologies were also received from Councillor Gould, Mr Duigan, Mr Labouchere and the Development Services Manager who were on other council business in Salford.

14/09 DECLARATION OF INTEREST (AGENDA ITEM 3)

Members and Officers were asked to declare any interest at the time the applications were discussed.

Councillor Bowes declared a personal interest in Schedule Item 3 (Brettenham) by virtue of her family having business connections with the tenant farmer of the site.

**15/09 REQUESTS TO DEFER APPLICATIONS INCLUDED IN THIS
AGENDA (AGENDA ITEM 5)**

Members were informed that the application at Schedule Item 1 (Lyng) had been withdrawn.

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16/09 LOCAL DEVELOPMENT FRAMEWORK (AGENDA ITEM 7)

The Environmental Planning Manager told Members that the Core Strategy public consultation, which was canvassing for comments on the soundness and content of the document, would end on 16 February 2009.

The additional sites put forward during the Site Specifics phase would then go out to public consultation, to the same level as the original consultation, but for only six weeks. Not every Parish had an additional site, but all Parishes would be included in the consultation.

The Thetford Area Action Plan had received Cabinet approval for consultation and this would occur concurrently with the Site Specifics re-consultation. There would be publicity in the local press and around Thetford nearer to that time.

17/09 SCHEDULE OF PLANNING APPLICATIONS (AGENDA ITEM 9)

RESOLVED that the applications be determined as follows:

- (a) Item 1: 3PL/2008/1358/F: Lyng: Swan Pens, Elsing Road: Erection of house and garage for Mr B Titchiner

This item had been withdrawn (See Minute No 15/09).

- (b) Item 2: 3PL/2008/1379/O: Swanton Morley: Land off Greengate: Proposed residential development for Mr H E Harris

This outline application for residential development proposed a mix of terraced and detached properties. The site was well related to services such as bus stops, doctor's surgery, etc. The existing access would be closed and a new access, giving better visibility, would be provided.

The site was within the Settlement Boundary and had previously had planning permission for six dwellings which had not been implemented. The proposed scheme for 20 dwellings would equate to 33.8 dwellings per hectare, just above the minimum threshold set by the Government.

Financial contributions towards library and footpath facilities were sought as well as 35% affordable housing.

Mr Hyde, objector, had a large number of concerns which he had set out in a document previously submitted. He said there was a serious problem with surface water run-off, which had caused flooding to properties immediately adjacent to the site. This would be made worse by the development. He also drew attention to the number of empty houses in Swanton Morley and suggested they should be brought back into use before new development was permitted.

Mr Moulton, Agent, said the legal agreement was prepared

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and ready for completion. This included much needed affordable housing for the village and a footpath along the frontage of the site.

Mr Atterwill, Parish Council, said they supported this application. A survey had identified a need for affordable housing in the village and this scheme would provide seven homes. He was aware of the drainage problem but believed that engineering could overcome it. He requested a street light to be included with the new footpath to improve visibility.

He then explained the Parish Council's anger at not being notified of this application before agreeing the proposal for 50 additional dwellings outside the current envelope, in the Core Strategy. If they had known they would only have agreed to 30 additional dwellings.

The Environmental Planning Manager said that Swanton Morley had been identified as one of four Service Centres for growth. After consultation an allocation of 50 additional houses, outside the Settlement Boundary, had been submitted. The current application, within the Settlement Boundary, was larger than would normally be expected. They were not in a position to change the allocation but the Inspector would look at what was appropriate. Swanton Morley fitted the criteria for a Service Centre and the number of sites put forward could accommodate more than 50 houses.

Some Members were concerned about the drainage problem, but another pointed out that flooding concerns could be addressed at the Reserved Matters stage.

Approved, as recommended.

The Principal Planning Officer (Major Projects) explained that the legal agreement, covering affordable housing and financial contributions, had been drafted but delayed by Norfolk County Council. As the deadline for the application was approaching he asked for Members' approval to omit Norfolk County Council from the agreement to allow it to be signed in time. The contributions would then be paid to Breckland and subsequently passed on to Norfolk County Council.

This was agreed.

- (c) Item 3: 3PL/2008/1419/F: Brettenham: Home Farm, Shadwell: Change of Use from agricultural fields to equine use incorporating an all weather gallop and two stables consisting of six boxes each for Mr Philip Hodson

Councillor Bowes declared a personal interest in this item.

Members were shown a map of the application site and its relationship to the Special Protection Area and buffer zone for Stone Curlews, proposed under the Core Strategy document. The site was completely outside this zone. It was immediately

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adjacent to a Site of Special Scientific Interest (SSSI) and a County Wildlife Site (CWS).

The proposal was to turn existing agricultural land into an area of managed paddock surrounded by the all weather gallops. The proposed stable blocks were positioned close to existing buildings to reduce their impact on the landscape and were of an appropriate design for the countryside.

It was considered that a reasonable need had been demonstrated for the proposal which would provide training facilities for the applicant's equine endurance team and also an area where they could be isolated for two weeks, on returning to the country from events abroad.

Mr Potter, representing Brettenham and Kilverstone Parish Council, said that there had been a sequence of applications since 2001 introducing facilities and accommodation to the site, with no sign of increased activity. He felt the change of use from agriculture to equine would be detrimental to local people.

Mr Beaney, objector, was representing Mr Wright, the tenant farmer of the site for 40 years. He felt that the track could be accommodated without the loss of so much agricultural land.

Lady Fisher, Ward Representative, quoted Policy CP11 from the emerging Local Development Framework, which aimed to protect landscape for its own intrinsic beauty and biodiversity. She asked the Committee to request an amendment to the proposal, to use less acreage to provide the track.

Members then discussed whether the proposed gallops would be fenced (which would not require planning permission); and the possibility of farming the land within the tracks.

The recommendation for approval was voted down and a new proposal to defer the application was put forward and seconded. The Principal Planning Officer (Major Projects) pointed out that if this major application was deferred it would miss its 13 week target for determination. The Council's Solicitor advised Members that although this would be the case they must have good grounds if they wished to refuse the application.

Deferred, contrary to recommendation, for officers to investigate whether some farming land could be retained within the site.

- (d) Item 4: 3PL/2008/1635/F: Thetford: Beech Close: Development of five parallel car parking spaces and the extension of the turning head on Beech Close for Flagship Housing Group

This application sought to rationalise an existing problem with illegal parking in the area by providing five parking spaces on

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a piece of land at the edge of Kimms Belt and enlarging the turning head by hard surfacing an area of grassed land. Wooden bollards would be introduced to prevent further illegal parking.

Mr Neil, Agent, read a statement from Flagship Housing Association. This proposal formed part of a Master Plan to regenerate the estate and was supported by many agencies including the Council and the Police.

Approved, as recommended.

- (e) Item 5: 3PL/2008/1642/F: Dereham: 2 Market Place: Change of Use to A5 hot food outlet, chimney and extractor fan for Mr T Dilek

This proposal involved a Listed Building, within the Conservation Area and also within the primary commercial area of Dereham. The building had a first floor link over an access to a yard to the rear containing a number of offices and residential properties. There were also flats over adjacent premises.

There was concern that smells from the chimneys and extractor system would be trapped in the yard because of the height of adjacent buildings.

A Policy objection had also been raised because of the effect of the change of use on the vitality of the town centre. The applicant had failed to demonstrate a need for the change of use and had not given details of other premises that had been considered.

Mr Sherlock, objector, had occupied an office in the yard for 22 years and was concerned about the health and wellbeing of occupants because of potential smells and possible fire. The only means of escape from the yard was through the archway. He also felt that the bins would cause a problem.

Mr Drane, Agent, said that the equipment contained a fire proof shut down system. Doors and windows would remain shut. 99% of smells would be eliminated by the filter system. There were ten empty shops in Dereham already and if this change was not permitted it could result in these premises also becoming vacant.

A Member regretted the loss of a shop to another take-away and said that from her experience in Thetford, small shops were needed.

Refused, as recommended.

- (f) Item 6: 3PL/2008/1643/LB: Dereham: 2 Market Place: Change of Use to A5 hot food outlet, chimney and extractor fan for Mr T Dilek

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Members were shown the proposed changes to the signage of the shop front. The Historic Buildings Officer was concerned at the lack of a schedule of works and justification for the proposal.

Mr Drane, Agent, confirmed that there would be no structural alterations internally, just the equipment going in. The changes to the signage would restore the frontage to a more original appearance. To the rear, only the two chimneys would be added and their impact could be reduced by painting them black.

Refused, as recommended.

Notes to the Schedule

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

<u>Item No</u>	<u>Speaker</u>
2	Mr Atterwill – Parish Council Mr Hyde – Objector Mr Moulton – Agent
3	Lady Fisher – Ward Representative Mr Poulter – Parish Council Mr Beaney – For Objector
4	Mr Neil - Agent
5 & 6	Mr Sherlock – Objector Mr Drane - Agent

Written representations taken into account

<u>Reference No</u>	<u>No of Representations</u>
3PL/2008/1379/O	5
3PL/2008/1642/F	9
3PL/2008/1643/LB	5

**18/09 APPLICATIONS DETERMINED BY THE DEVELOPMENT SERVICES
MANAGER (AGENDA ITEM 10)**

This item was noted.

19/09 APPEAL DECISIONS (AGENDA ITEM 11)

This item was noted.

The meeting closed at 11.45 am

CHAIRMAN