

**BRECKLAND COUNCIL**

**At a Meeting of the**

**DEVELOPMENT CONTROL COMMITTEE**

**Held on Monday, 19 May 2008 at 9.30 am in  
Norfolk Room, The Conference Suite, Elizabeth House, Dereham**

**PRESENT**

|                                |                                |
|--------------------------------|--------------------------------|
| Councillor E. Gould (Chairman) | Mrs D.K.R. Irving              |
| Mr W.P. Borrett                | Mr R. Kemp                     |
| Councillor Claire Bowes        | Mr M.A. Kiddle-Morris          |
| Mr A.J. Byrne                  | Mr J.P. Labouchere             |
| Mrs M.P. Chapman-Allen         | Mr T.J. Lamb                   |
| Mr P.J. Duigan                 | Mr F.J. Sharpe                 |
| Mr P.S. Francis                | Mrs P.A. Spencer               |
| Mr M. Fanthorpe                | Mr N.C. Wilkin (Vice-Chairman) |
| Mrs S.R. Howard-Alpe           |                                |

**Also Present**

|  |   |
|--|---|
| Mr P.D. Claussen (Ward Representative) | Mrs L.H. Monument (Ward Representative) |
| Mr C.R. Jordan (Ward Representative)   |   |

**In Attendance**

|                    |   |
|--------------------|---|
| Sue Bloomfield     | - Planning Obligations Officer                |
| Mike Brennan       | - Principal Development Control Officer       |
| Heather Burlingham | - Assistant Development Control Officer       |
| John Chinnery      | - Solicitor & Standards Consultant            |
| Phil Daines        | - Development Services Manager                |
| Andrew Gayton      | - Historic Buildings Officer                  |
| Andrea Long        | - Environmental Planning Manager              |
| Helen McAleer      | - Member Services Officer                     |
| Nick Moys          | - Principal Planning Officer (Major Projects) |

**67/08 MINUTES (AGENDA ITEM 1)**

The minutes of the meeting held on 28 April 2008 were confirmed as a correct record and signed by the Chairman.

**68/08 APOLOGIES (AGENDA ITEM 2)**

Apologies for absence were received from Mr B Rose and Mr M Spencer.

**69/08 DECLARATION OF INTEREST (AGENDA ITEM 3)**

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

Cllr C Bowles declared a personal and prejudicial interest in Agenda Item 11 (Swaffham) as she was a friend of the applicant and in Schedule Item 5 (Watton) as the application site was adjacent to her family's business.

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Mr F Sharpe declared a personal and prejudicial interest in Schedule Item 16 (Swaffham) by virtue of financial interest.

Mr A Byrne declared a personal interest in Schedule Item 4 (Snetterton) as he knew the applicant and owned adjacent land.

Mr N Wilkin declared a personal interest in Schedule Item 9 (Swanton Morley) as he knew the applicant.

**70/08 CHAIRMAN'S ANNOUNCEMENTS (AGENDA ITEM 4)**

The Chairman explained that the meeting had been moved to the Norfolk Room due to technical problems in the Anglia Room. She pointed out the fire exits.

**71/08 REQUESTS TO DEFER APPLICATIONS INCLUDED IN THIS AGENDA (AGENDA ITEM 5)**

The Development Services Manager informed Members that the applications at Agenda Item 9/Schedule Item 6 (Carbrooke) and Schedule Items 12, 13 and 14 (Kilverstone) had been withdrawn by the applicants.

He also notified Members that for Agenda Item 8/Schedule Item 5 (Watton) the recommendation had been changed from approval to refusal as the recently received report on noise had failed to address officers' concerns.

**72/08 URGENT BUSINESS (AGENDA ITEM 6)**

Swaffham: Proposed Residential Development, Brandon Road:  
Gladedale Homes: Application for Variation of S106 Agreement:  
Reference 3PL/2007/1436/H

The Principal Planning Officer (Major Projects) introduced this item which had been approved at Committee in November 2007 subject to a S106 agreement requiring affordable housing, Public Open Space, construction to Code Level 3 and various financial contributions to local services.

Since that time the developer had gone into partnership with a Housing Association and because of this and the current downturn in the housing market they were requesting changes to the terms of the S106 agreement.

The reason for the urgency was that the partnership would cease at the end of May if permission was not granted.

The developers were proposing to change the mix of social rented and shared ownership housing and bring elements forward into Phase 1 and 2 of the build (previously to be in Phase 3 and 4). These amendments had only been received last week and the Town Council, Highways and Norfolk Police were yet to be consulted on them.

The new proposal was that only the affordable housing element of the scheme should be built to Code Level 3, instead of the whole scheme. If the whole scheme was to be built to Code Level 3 then they proposed a significant decrease in financial contributions.

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It was explained that although the Code was voluntary at the moment it would become mandatory in 2010. Members were also reminded that with the recent adoption of the Regional Spatial Strategy there was now a policy requirement for 10% of any scheme to use renewable energy, along with an increase to 35% (from 30%) for affordable housing requirement.

In conclusion the Principal Planning Officer (Major Projects) told Members that despite the benefits of the affordable housing coming early, officers were not happy with the proposals. In particular, the suggestion not to build to Code Level 3 was unacceptable. No financial evidence had been provided to support this request and no offer made to build to Code Level 2 or 1 instead.

Mr Butters explained that he could not comment on the requested amendments as the Town Council had not yet been consulted, but mentioned that any archaeology found during the scheme had been promised to the town and reiterated concerns about contamination on the site.

Members discussed the proposals and supported the officer's conclusion. It was clarified that if the terms of the S106 were not agreed the application would return to Committee and could be refused.

It was further explained that due to current market conditions it was possible that the developer would 'mothball' the site and not commence building for some years. In that case Code Level 3 would be mandatory for the whole build.

It was **RESOLVED** to defer the application for further discussions.

**73/08 LOCAL DEVELOPMENT FRAMEWORK (AGENDA ITEM 7)**

The Environmental Planning Manager told Members that the Regional Spatial Strategy (RSS) had been published the previous week and that a paper would be presented to the next Development Control Committee to give background information.

The RSS was now adopted as part of the Council's policy. Under the Strategy there was a minimum of 35% affordable housing required in new developments and a requirement for the provision of 10% renewable energy on-site.

The Local Development Framework (LDF) was moving towards site specifics. All Town and Parish Councils and Ward Members would receive up to date base maps showing flood risk, outstanding planning applications, etc. They would also receive a topic paper on proposed Settlement Boundaries and any comments would be requested by September.

650 sites had been put forward and would be included in the consultation which commenced at the end of June. However, not all sites would be considered for development. They would be categorised as Performing, Un-conforming (could be suitable if 'tweaked') and Unreasonable. She stressed that there were many more sites proposed than were needed.

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**74/08 WATTON: RESIDENTIAL DEVELOPMENT: BRANDON ROAD:  
APPLICATION REFERENCE: 3PL/2008/0155/O (AGENDA ITEM 8)**

Cllr Bowes declared a personal and prejudicial interest and left the room whilst this item was discussed.

The Principal Planning Officer (Major Projects) introduced this outline application with all matters except access reserved. There were presently four bungalows and various commercial buildings on site. The proposal was to develop around 25 residential units.

Although the site was suitable for such development in policy terms there were some site specific concerns. The proposed housing would be immediately adjacent an abattoir operating 24 hours per day. There would be noise from animals and from plant and machinery. A noise assessment report had been submitted with the application suggesting a four metre high acoustic screen. The submitted proposals showed a one and a half metre bund topped by two and a half metre high planting. More details had been requested as to the types and effectiveness of acoustic screening.

There were also concerns about contamination on the site because of its previous commercial use. More information had been requested and had not been received in time to be assessed. It was therefore considered that there was insufficient information to make an informed decision. To meet the 13 week target date for the application it was necessary for the Committee to make a decision today. Therefore the recommendation was for refusal on noise and contamination grounds.

Mr Took (Agent) told Members that it was the principal of development that was being sought. The existing business had become unviable and the owner was looking for a way to dispose of the site. He was a local man not a developer and he did not have a lot of money.

He felt the site was suitable for development and could provide much needed affordable or shared ownership housing. The acoustic fencing could be conditioned and careful landscaping and orientation of the houses could improve amenity.

Members generally felt that this was not a suitable site for residential development. The adjacent site employed around 600 local people and it was considered that approving housing on the site might lead to conflict between the two uses in the future.

**RESOLVED** to refuse the application due to insufficient information on noise, and to suggest that industrial use might be more suitable on the site.

**75/08 CARBROOKE: PROPOSED NURSING CARE HOME: FORMER RAF  
WATTON TECHNICAL SITE: 3PL/2008/0304/D (AGENDA ITEM 9)**

This item was withdrawn (see Minute No 71/08 above).

**76/08 NORTH TUDDENHAM: PROPOSED 40 BED NURSING HOME:  
ADJACENT THE LODGE, MAIN ROAD: APPLICATION  
REFERENCE 3PL/2008/0321/F (AGENDA ITEM 10)**

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The Principal Planning Officer (Major Projects) introduced this full application for a 40 bed nursing home. A previous application for a 62 bed home had previously been refused by Committee. In this revised application the reasons for the previous refusal had been addressed.

The applicant had stated that the residents would be elderly and mentally infirm and that the peaceful, rural location would be suitable for them. A Green Travel Plan was included with the application which proposed to provide a mini-bus service to take staff to and from the site, thus reducing the number of vehicle movements.

As to the impact on the countryside, it was pointed out that a previous permission for a hotel/motel would have exactly the same impact. Additional landscaping was proposed and the building had been designed to provide screening to minimise noise problems.

To address drainage concerns a private treatment plant was also proposed which would discharge 'clean' water to reed beds and a water feature within the grounds.

Highways had raised concerns re visibility and more details had been provided which seemed to achieve the required standard of visibility splays.

There was scant evidence from Norfolk County Council about the need for this type of facility. It was suggested that the Dereham area was reasonably well provided for but a significant increase in elderly people requiring care was expected.

Finally he mentioned that the Ward Member, Mr Rose had written with his concerns about the position of the site, outside an allocated area and adjacent to a public house, farm and kennels. He was concerned about the scale of the proposal, the fact that it was only accessible by car and he questioned its sustainability.

The issues were finely balanced but after weighing up the arguments for and against, officers were recommending approval.

Mr Sharpe (Agent) was present to answer any questions.

Mr Wingate (representing the adjacent farmer) told Members that the scheme was unacceptable in principle and detail. His client was concerned about the possible effect of the development on his well and bore hole. He was also concerned that the noise and smells from his farm would be unpleasant for residents. Finally he was concerned that the proposal was unsustainable as the only means of transport for visitors was by car.

Mr Stapleton (representing North Tuddenham Parish Council) was also against the proposal. He argued that the need for the home had not been proved. There were concerns that the applicant intended to increase the facility to 80 beds if permission was granted.

Drainage was a problem and he asked about the possibility of medication from the home entering the water table. He also felt that not enough parking spaces were provided for the size of the home, which he considered too big for its rural location.

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Mr Claussen (Ward Representative) told Members that he had been to two public meetings attended by over 100 local people concerned about this proposal. He mentioned that the previous application had been refused on policy grounds and because of the conflict between the proposal and the adjacent farm, public house and kennels.

He was concerned that in the supporting information the applicant mentioned that the optimum number of beds to make such a facility financially viable was 80.

The County Councillor had wanted to be present to express her concerns and to confirm that there was already adequate care provision in the area.

Finally he felt that the previous approval for a motel had synergy with the public house and did not cause conflict.

A Member was concerned about the health implications on livestock, raised by the possibility of medication entering the water table. The Solicitor advised that this was a material consideration and more information was needed.

The Environment Agency considered the drainage proposals acceptable. Essentially clean water was discharged from the Water Treatment Plant.

Another Member was concerned that the parking provision was totally inadequate. The Agent explained that this was the number requested but that it would be possible to provide more by reconfiguring the layout if necessary.

The Development Services Manager told Members that the applicants had offered to enter an agreement restricting any further development on the site.

Members were unanimously against the recommendation for approval.

It was **RESOLVED** to refuse the application on the grounds that it was unsustainable and would conflict with national planning policy and be likely to result in conflicts with adjoining commercial and agricultural uses.

**77/08 SWAFFHAM: RESIDENTIAL DEVELOPMENT: CASTLE ACRE ROAD: APPLICATION REFERENCE: 3PL/2008/0345/F (AGENDA ITEM 11)**

Cllr Bowes declared a personal and prejudicial interest in this item and left the room while it was being discussed.

The Principal Planning Officer (Major Projects) introduced this full application for 51 dwellings located in a mixed commercial and residential area of Swaffham.

The proposal was considered to be a well designed scheme which would enhance the area and make use of an existing brownfield site within the settlement boundary. The layout gave potential for future

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development on adjacent land, not currently in the ownership of the applicant. A draft 106 agreement accompanied the application in respect of 30% affordable housing, contributions to education, library and recreation provision and a contribution to Norfolk County Council for transport (details waiting to be confirmed).

Anglian Water Services had commented in relation to drainage problems in the area and stated that these were caused by operational issues. They had confirmed that the existing system was adequate to deal with the proposed new development.

Mr Butters (speaking on behalf of the Town Council) showed photographs of flooding taken near the site last year. He was concerned that flooding occurred regularly and could only be exacerbated by additional development. He reminded Members that a large care home had been approved in the area recently.

Mr Bird (speaking for the applicant) explained to Members that considerable discussion and consultation had taken place. Residents had been approached individually and their concerns addressed. Highway objections had been overcome.

Foul and surface water issues had been thoroughly investigated and a Flood Risk Assessment had been submitted and the Environment Agency had no objection to the scheme. He considered that drainage problems in the area were due to the failure of the existing soakaways on site and that the new proposal would improve the situation.

A Member asked about site levels and it was pointed out that as the front half of the site sloped away from the highway, it was proposed to level this area.

Another Member asked if the 30% affordable housing this scheme included was acceptable now that the threshold had been raised to 35%. It was felt that it would be unfair to enforce the new threshold on an application that had been through weeks of negotiation and was approaching its conclusion.

The question of who would be responsible for maintaining the public open space was asked and it was confirmed that this would form part of the legal agreement, although it was likely that it would be adopted by the Council.

The Principal Planning Officer (Major Projects) asked Members to confirm that if agreement was not reached within 13 weeks, authority be given to refuse the application.

**RESOLVED** to approve the application subject to conditions and a S106 agreement and that if the legal agreement was not signed within the 13 week target period, the Development Services Manager had delegated authority to refuse the application.

**78/08 SCHEDULE OF PLANNING APPLICATIONS (AGENDA ITEM 12)**

**RESOLVED** that the applications be determined as follows:

- (a) Item 1: 3PL/2008/0026/F: Thetford: The Former Burrell House, Minstergate: Proposed residential conversion

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consisting of 6 No apartments and 4 No townhouses for  
Henstead Hall Estates Ltd

This full application and the listed building application at Item 2 for the same site were presented to Members jointly.

This listed building was on the Buildings at Risk Register.

Members were shown photographs of this former factory, now part boarded up and with structural defects and elevations of the proposed conversion. Windows at the front of the building would be retained.

The Town Council had no objections although they would prefer 10 parking spaces to be provided in place of the nine proposed.

The site was inside the Settlement Boundary and in the Conservation Area. The principle of conversion was considered acceptable and the applications were recommended for approval.

Mr King (representing the applicant) was available to answer questions.

The Chairman asked why the windows at the rear of the building were not being retained as she considered they were inherently associated with a factory building and without them the integrity of the building would be lost.

The Historic Buildings Officer explained that the building had been listed in 1971 and put on the At Risk Register in the early 80s. There had been many schemes proposed for this building over the past 20 years and none had come to fruition. During that time it had been vandalised and set on fire. The fabric of the building had decayed. It was no longer structurally sound.

If the windows could be removed and re-used, possibly as partitions within the building, their context would be retained. However, he considered that a balance had to be struck between retaining parts of the building and meeting modern day building regulation requirements. He thought that this was possibly the last opportunity for this building to be retained and re-used.

Mr King confirmed that as the rear boundary was close to Nicholas House, Building Regulations restricted the permitted window area. He did agree that the frames would be re-used within the building if possible.

A Member asked about outside space for the four townhouses and it was confirmed that there was almost none.

Another Member queried the safety of the retained front windows, being right on the street and asked if they could be protected from vandalism. However they were made from cast iron and had small panes of glass which made them relatively



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strong.

**Both applications were approved as recommended.**

- (b) Item 2: 3PL/2008/0027/LB: Thetford: The Former Burrell House, Minstergate: Proposed residential conversion consisting of 6 No apartments and 4 No townhouses for Henstead Hall Estates Ltd

**Approved, see Minute No 78/08 (a) above.**

- (c) Item 3: 3PL/2008/0114/O: Necton: Site Adjacent 18 Mill Street: Site for residential development for Mr T Wicks

This outline application for residential development, with only access to be considered, was the resubmission of a previous application refused on drainage grounds.

The application was accompanied by a full drainage scheme which had been checked by an Independent Consultant on behalf of the Council and was considered to be acceptable.

The previous application, now the subject of an appeal, had indicated a scheme for four houses, one of which would be positioned to the front of the site on what had previously been a pond. The resubmission omitted this dwelling and included an indicative plan showing three single storey dwellings set further back in the site. (The Inspector's decision would resolve whether the previous pond area was a suitable site for a dwelling.)

The proposal included an extension to an existing footway across the site frontage and improvements to an existing ditch within the site.

The principle issue had been the drainage problem and as the submitted scheme was considered acceptable, the application was recommended for approval.

Mr Woodward representing the Parish Council commented that although the extension to the footway was a good idea it ended at a very sharp bend in the road. He was also concerned that more development could only lead to more flooding problems.

Cllr Wilkin explained that although his address was 19 Mill Street, this was actually located at some distance from the site and on the opposite side of the road. He had previously looked at the existing bungalow at 18 Mill Street on behalf of his son when it was for sale and had expressed an interest in buying it, but the property had been removed from the market.

He said that in ten years on the Development Control Committee this was the first time he had ever seen a crated drainage driveway and suggested that such extreme measures were needed because of the flooding problem. Apart from that he commented on the narrowness of Mill Street and suggested that if permission were given the

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footway should be constructed, prior to the dwellings being built.

It was pointed out that although there may be a flooding problem in the area any new development could not be expected to resolve this. However, the crated drainage system was proposed to ensure that the new dwellings did not suffer from flooding and to reduce their impact on the area. Surface water would be collected in the system and released slowly by a valve into the ditch.

Discussion followed on the possible inclusion of a balancing pond on the site of the previous pond; on the possibility of re-using grey water within the site; and question possible liability if the development did flood.

In conclusion a Member pointed out that as the Council had consulted a Drainage Consultant notice should be taken of the technical advice given.

**Approved subject to an additional condition re slab levels and a legal agreement requiring the construction of the footway, prior to commencement of work on the dwellings.**

- (d) Item 4: Snetterton: Chalk Lane: Erection of second and third (blocks A & C) single storey commercial units replacing Romney Huts for Ralph Firman

This full application for the demolition of two Romney Huts and replacement with two commercial units followed an earlier outline approval for three commercial units, one of which had already been constructed.

The new buildings would closely resemble the one already built.

An archaeological condition was proposed to address any historical interest on site.

**Approved as recommended.**

- (e) Item 5: Watton: Abbey Engineering, 123 Brandon Road, Watton: Residential Development for Abbey Engineering

**Refused, see Minute No 74/08.**

- (f) Item 6: Carbrooke: Site adjacent RAF Watton Base: Proposed 70 bed nursing home for Zest Partnership

**Withdrawn, see Minute No 71/08.**

- (g) Item 7: North Tuddenham: Land adjoining The Old Mine Bar, The Lodge, Main Road: Erection of new 40 bedroom residential nursing home for Express Care (Guest Services)

**Refused, see Minute No 76/08.**

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- (h) Item 8: Swaffham: Bernard Matthews Hatchery, Castle Acre Road: Demolition of redundant warehouse building and house for the erection of 51 dwellings for Abel Homes Ltd

**Approved, see Minute No 77/08.**

- (i) Item 9: Swanton Morley: South of Jacobs, Woodgate Lane: Proposed new dwelling and garage for R W Duffield Limited

Cllr Wilkin declared a personal interest in this item as he knew the applicant.

This full application for a new dwelling set 30m into the site with a garage to the front. Outline permission had previously been granted on the site for a cottage style dwelling.

A neighbour had requested the reinstatement of a partially filled ditch on-site, but this was not considered to form part of the drainage system for the area.

A Member pointed out that the neighbour would not have bothered to write in if there was not a problem. It was noted that a surface water condition was proposed if the application received approval.

Some Members found the design of the proposed dwelling uninspiring and not in keeping with the area. However the Solicitor advised that the Committee must make their decision based on the acceptability of the proposal and not on personal taste.

**Approved, as recommended.**

- (j) Item 10: Hardingham: 67 Low Street: Parking space and vehicular access for Miss K Taylor

This full application proposed the provision of a parking space in front of the property to allow off-street parking. The road had a 40 mph limit and visibility was poor due to bends in both directions. The Parish Council and Norfolk County Council Highways objected on highway safety grounds and six letters of objection had been received.

Mrs Dunthorne speaking on behalf of the residents of Low Street, said that visibility was poor and traffic often exceeded the 40 mph speed limit. She felt that there was insufficient space to park in the proposed space without obstructing the verge and said that a local landowner was willing to sell a strip of land to provide rear access to the property.

Mr Took, speaking on behalf of the agent, said that he understood the reason for Highway's objection but that common sense should prevail. The cottage had recently been modernised and was perfect for a first time buyer. The young lady purchasing the property would have to use her car as there were no local facilities. He believed a small car could park safely in the proposed parking area. The only other option was to park on the road which was detrimental to

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highway safety.

Mr Jordan (Ward Representative) said this was a vexed problem. It was a dangerous stretch of road which needed a 30 mph limit – but Highways did not consider it to be dangerous enough. There were driveways either side of the site and visibility problems were the same in many villages. He concluded by saying that residents considered that this extra drive would damage their quality of life.

Members discussed the dangers associated with parking on the road and the Development Services Manager pointed out the increased problem caused by reversing into or out of the driveway.

**Approved, against the recommendation as it was considered safer to have the car parked off the road than on it.**

(k) Item 11: Yaxham: Down Ampney, Well Hill: Proposed link detached dwelling and garage for Mr Colin Smith

This full application proposed the sub-division of the garden and the erection of a linked chalet style dwelling. There was a previous refusal on the site. The use of obscure glazing at first floor level was designed to avoid overlooking.

The Parish Council objected on grounds that the proposal did not enhance the form and character of the area and on its impact on neighbours. Various letters of objection had also been received.

Officers considered that the proposal was in keeping with the area, had a reasonable relationship with the existing dwelling and did not cause overlooking. Therefore it was recommended for approval subject to conditions to avoid noise and disturbance during the construction phase.

Mr Jordan (Ward Representative) spoke on behalf of the Parish Council and Objectors and also on behalf of the Applicant.

He said that he had received two letters of objection this time as opposed to nine for the previously refused application.

The applicant had listened to previous comments of the Committee and worked hard to overcome previous objection. He had moved the garage and provided plenty of parking for visitors.

The Chairman told Members that she considered they had achieved something as this proposal did not take up so much of the site as the previous one. It was inside the Settlement Boundary and considered brownfield land by government policy.

A Member requested that a condition be added to prevent future extensions.

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**Approved, subject to an additional condition restricting permitted development rights.**

- (l) Item 12: Kilverstone: Opposite Farm Gate Cottages, Adj Kilverstone Hall Farm Gate: Erection of estate agent's advert board for commercial premises for The Kilverstone 1989 Settlement

**Withdrawn, see Minute No 71/08**

- (m) Item 13: Kilverstone: East of Norwich Road/A11 Roundabout: Erection of estate agent's advertisement board for The Kilverstone 1989 Settlement

**Withdrawn, see Minute No 71/08**

- (n) Item 14: Kilverstone: Corner of Brettenham Road and Norwich Road: Erection of estate agent's advertisement board for The Blakeney Park Settlement

**Withdrawn, see Minute No 71/08**

- (o) Item 15: Dereham: Springfield, Mattishall Road: Removal of agricultural condition for Mr Hannant

This application to remove the agricultural restriction attached to the dwelling followed a change in circumstances for the applicant. He had previously worked a holding of approximately 55 acres, a large element of which was rented. The current site was much reduced. Following a serious head injury to the applicant he had been unable to work and had had to release the rented land.

He had previously applied to have the restriction lifted and the condition had been varied to allow him and his wife to remain in the dwelling for their lifetime. A further application to lift the restriction had been refused in March 2008.

This new application had been submitted as the mortgage company were applying a loading to their rates because of the restriction and the applicant felt he was being penalised. He wished to convert the existing garage on site to an annexe for his daughter to live in and she would help out on the holding.

Having taken the applicant's personal circumstances into consideration the application was recommended for refusal as no marketing campaign had been carried out to prove that there was no need for an agricultural dwelling in the area.

Mr Hannant explained that most of the land was in a family trust. He was unable to make a living from it. The land had lost money for the last five years. Things had deteriorated since his accident, when he had been unable to work for eight months. Since then he had to avoid stress and heavy manual work. If the restriction was lifted he would be able to carry on. As it was, due to the small size of the holding, it was no longer viable.

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Mrs Monument (Ward Representative) spoke in support of the applicant. She said he had worked hard for years and supplemented the farm with HGV driving but due to the accident he had lost his license.

He could not sell the property as a going concern as there was not enough land. Other farms in the area were closed and empty. There was not likely to be much demand for this property with the agricultural restriction, which was why the mortgage company were loading the premium.

Mr Griffin (Ward Member) had also written in supporting Mr Hannant.

A Member told the Committee that at a meeting of Dereham Town Council every member had voted in favour of Mr Hannant. He also drew attention to a letter from Case & Dewing confirming that the holding was not viable.

The Chairman told Members they needed to be consistent. On a previous application for another dwelling they had insisted that the property be advertised in line with policy.

**Refused, as per recommendation.**

- (p) Item 16: Swaffham: 108 London Street and 110 Brandon Road: Redevelopment to form 26 sheltered apartments, communal facilities, car parking and landscaping for The Planning Bureau

Mr Sharpe declared a personal and prejudicial interest in this item and left the room while it was discussed.

This full application proposed the demolition of two existing bungalows and the erection of sheltered one and two bedroom accommodation including a communal lounge and laundry, for occupants aged over 55.

The design of the proposed building gave it the appearance of three large houses facing the street. The rear elevation showed a substantial building.

The building was cut into the site to reduce its impact however there were concerns of overlooking at either end.

The Parish Council had objected on terms of impact on the adjacent properties, highway safety and pressure on sewage system concerns.

Objections from others covered loss of habitat, inadequate parking and unsafe access. Neighbours were also worried about noise and disturbance during construction.

Overall it was considered that the scheme did not enhance the area, due to its scale, design and massing; that neighbours would suffer a loss of amenity due to overlooking and because the developers had failed to enter into a legal agreement in

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respect of affordable housing although they had offered a discounted scheme for seven units.

Mr Butters representing the Town Council agreed with the officer's comments and explained that the overlooking windows were in corridors so anyone would be able to stand and look out of them.

The Chairman commented that the developer usually provided good schemes but in this case she did not feel the design was in keeping at all.

Another Member said that although it was a big site the building was enormous and was more than half the site deep. If the applicant's were to come back to Committee proposing a smaller building he would be willing to support it.

**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>   |
|---------------------------|--|
| 1 & 2                     | Mr King – for Applicant  |
| 3                         | Mr Woodward – Parish Council   |
| 5                         | Mr Took - Agent  |
| 7                         | Mr Claussen – Ward Representative<br>Mr Stapleton – Parish Council<br>Mr Wingate – for Objector<br>Mr Sharpe - Agent |
| 8                         | Mr Butters – Town Council<br>Mr Bird – for Applicant   |
| 10                        | Mr Jordan – Ward Representative<br>Mrs Dunthorne – Objector<br>Mr Took – for Agent                                   |
| 11                        | Mr Jordan – Ward Representative<br>Mr Smith - Applicant  |
| 15                        | Mrs Monument – Ward Representative<br>Mr Hannant - Applicant   |
| 16                        | Mr Butters – Town Council<br>Mr Broadhead – for Applicant  |
| Report Item<br>(Swaffham) | Mr Butters – Town Council  |

**Written representations taken into account**

| <u>Reference No</u> | <u>No of Representations</u> |
|---------------------|------------------------------|
| 3PL/2008/0026/F     |                              |
| 3PL/2008/0027/LB    |                              |
| 3PL/2008/0114/O     | 7                            |
| 3PL/2008/0137/F     |                              |
| 3PL/2008/0155/O     | 3                            |
| 3PL/2008/0321/F     | 14                           |
| 3PL/2008/0345/F     | 3                            |

|                 |   |
|-----------------|---|
| 3PL/2008/0425/F | 1 |
| 3PL/2008/0482/F | 6 |
| 3PL/2008/0515/F | 3 |
| 3PL/2008/0185/F | 2 |

**Action By**

**79/08 ENFORCEMENT ITEMS (FOR INFORMATION)**

This item was noted.

**80/08 APPEAL DECISIONS (FOR INFORMATION)**

This item was noted.

**81/08 APPLICATIONS DETERMINED BY THE DEVELOPMENT SERVICES  
MANAGER (FOR INFORMATION)**

This item was noted.

**82/08 APPLICATIONS DETERMINED BY NORFOLK COUNTY COUNCIL  
(FOR INFORMATION)**

This item was noted.

**83/08 NORTH LOPHAM: MEADOW FARM**

The Principal Planning Officer told Members that this item was brought to their attention prior to the two applications coming before the next Development Control Committee as the Ward Representative had suggested that a site visit be made.

The Chairman offered Members the option of a site visit or of an officer visiting site with the video camera. She pointed out that if the latter were chosen it would have the advantage that all Committee Members at the next meeting would see the video of the site, whereas if a site visit was arranged, some Members might not be able to attend.

**RESOLVED** that an officer would film the site with the video camera to present to Members at the next Committee meeting and that the Ward Representative would be informed and invited to accompany the officer if they so wished.

The meeting closed at 3.00 pm

CHAIRMAN