

AGENDA

NOTE: In the case of non-members, this agenda is for information only

- Committee** - **DEVELOPMENT CONTROL COMMITTEE**
- Date & Time** - MONDAY, 30TH MARCH, 2009 AT 9.30 am
- Venue** - ANGLIA ROOM, THE CONFERENCE SUITE, ELIZABETH HOUSE, DEREHAM

Members of the Committee requiring further information, or with specific questions, are asked to raise these with the appropriate officer at least two working days before the meeting. If the information requested is available, this will be provided, and reported to Committee.

NOTE

Ward Representatives wishing to speak on a particular application are asked to inform the Usher, Mrs H. Burlingham, well in advance and arrive at the meeting by **9.30am** as the items on which the public wish to speak will be taken first in order of the agenda.

IN THE EVENT OF DEFERRED ITEMS APPEARING ON THE AGENDA, WARD REPRESENTATIVES WILL BE NOTIFIED ACCORDINGLY IN ADVANCE.

THE ORDER OF THE MEETING WILL VARY TO ALLOW FOR PUBLIC SPEAKING AND WILL NOT FOLLOW THAT OF THIS AGENDA

PERSONS ATTENDING THE MEETING ARE REQUESTED TO TURN OFF MOBILE PHONES

VOTING:

If the first vote is lost in considering an application, a new proposal will be requested (eg a vote for approval, if lost, does not automatically mean "refused"). On a tied vote, the Chairman has a casting vote, if he/she wishes to use it. It is necessary for summary reasons for approvals or refusals to be identified in each case.

Member Services
Elizabeth House, Walpole Loke,
Dereham Norfolk, NR19 1EE

Date: Thursday, 19 March 2009

PLANNING POLICY NOTE

THE STRENGTH OF PLANNING POLICY IN DETERMINING PLANNING APPLICATIONS

The Planning process is set up, IN THE PUBLIC INTEREST, to protect the public from the unacceptable planning activities of private individuals and development companies. Planning is primarily concerned to deal with issues of land use and the way they affect the environment.

The Council has a DUTY, through the Town & Planning Acts, to prepare a "District Wide" Local Plan to provide a statutory framework for planning decisions.

Breckland's Plan contains the Council's planning policies, which must be consistent with Government guidance, particularly with the Planning Policy Guidance (PPGs). The Local Plan now carries significant weight as it was adopted in September 1999.

The full public scrutiny of the Council's proposals will give the Plan an exceptional weight when dealing with planning applications.

This shift towards a "Plan-led" planning system is a major feature of recent planning legislation. Under s54A of the Town & Country Planning Act 1990, ***planning applications should be determined in accordance with the policies of the Plan, unless material considerations which are relevant to planning indicate otherwise.***

PPG1 summarises the objectives of the "plan-led" system as:-

- achieving greater certainty;
- ensuring rational & consistent decisions;
- securing public involvement in shaping local planning policies;
- facilitating quicker planning decision; and
- reducing the number of misconceived planning applications and appeals.

Unless there are special reasons to do otherwise, planning permissions "run with the land", and are NOT personal licences.

The factors to be used in determining applications will relate to the effect on the "public at large" and will NOT be those that refer to private interests.

Personal circumstances of applicants "will rarely" be an influencing factor, **and then, only** when the planning issues are "finely balanced".

THEREFORE we will:

- **acknowledge the strength of our policies,**
- **be consistent in the application of our policy, and**
- **if we need to adapt our policy, we should do it through the Local Plan process.**

Decisions which are finely balanced, and which contradict policy will be recorded in detail, to explain and justify the decision, and the strength of the material planning reasons for doing so.

LOCAL COUNCILS

OCCASIONALLY, THERE ARE CONFLICTS WITH THE VIEWS OF THE PARISH OR TOWN COUNCIL. WHY IS THIS?

We ask local parish and town councils to recognise that all comments received are taken into account. In 2001, about 90% of cases had agreement.

Where we disagree it will be because:

- Districts look to "wider" policies, and national, regional and county planning strategy.
- Case law might dictate a course of action.
- There is extra information and views not available to the Local Council.
- There is an honest difference of opinion.

PART A
ITEMS OPEN TO THE PUBLIC

	<u>Page(s)</u> <u>herewith</u>
1. <u>MINUTES</u> To confirm the minutes of the meeting held on 9 March 2009.	1 - 5
2. <u>APOLOGIES</u> To receive apologies for absence.	
3. <u>DECLARATION OF INTEREST</u> Members are asked at this stage to declare any interests they may have in any of the following items on the agenda. The Members' Code of Conduct requires that declarations include the nature of the interest and whether it is personal or prejudicial.	
4. <u>CHAIRMAN'S ANNOUNCEMENTS (IF ANY)</u>	
5. <u>REQUESTS TO DEFER APPLICATIONS INCLUDED IN THIS AGENDA</u> To consider any requests from Ward Members, officers or applicants to defer an application included in this agenda, so as to save any unnecessary waiting by members of the public attending for such applications.	
6. <u>URGENT BUSINESS</u> To note whether the Chairman proposes to accept any item as urgent business, pursuant to Section 100(B)(4)(b) of the Local Government Act 1972.	
7. <u>LOCAL DEVELOPMENT FRAMEWORK (STANDING ITEM)</u> To receive an update.	
8. <u>DEFERRED APPLICATIONS</u> To consider applications deferred at previous meetings including some, but not all, of those shown on the attached Schedule of Deferred Applications.	6 - 7
9. <u>BRETENHAM: HOME FARM, SHADWELL: CHANGE OF USE FROM AGRICULTURE FIELDS TO EQUINE USE INCORPORATING AN ALL WEATHER GALLOP AND TWO STABLES CONSISTING OF SIX BOXES EACH FOR MR PHILIP HODSON: REFERENCE: 3PL/2008/1419/F</u> Report of the Development Services Manager.	8 - 12

10. SCHEDULE OF PLANNING APPLICATIONS

13 - 43

To consider the Schedule of Planning Applications:

<u>Item No</u>	<u>Applicant</u>	<u>Parish</u>	<u>Page No</u>
1	H Irwin Ltd	Griston	14-18
2	Mr Philip Hodson	Brettenham	19
3	Mr I Haynes	Attleborough	20-23
4	Mr T Wells	Watton	24-27
5	Mr T H & Mr P H Day	Besthorpe	28-31
6	Mr R Storey & Ms S Moden	Horningtoft	32-36
7	Mr S Mellor	Great Ellingham	37-39
8	Miss Anne Bustard	Caston	40-43

11. APPLICATIONS DETERMINED BY THE DEVELOPMENT SERVICES MANAGER (FOR INFORMATION)

44 - 50

Report of the Development Services Manager.

12. ENFORCEMENT ITEMS (FOR INFORMATION)

51 - 53

Report of the Development Services Manager.

13. APPEAL DECISIONS (FOR INFORMATION)

APP/F2605/A/08/2089942: Dereham: 16A Westfield Road: Appeal against the refusal to grant planning permission for the change of use of an existing artist studio along with extension to form a dwelling by Mr and Mrs William Cooper: Application Reference: 3PL/2008/1048/F

Decision: Appeal Allowed.

APP/F2605/A/08/2089580: Dereham: Lyndon, Mary Unwin Road: Appeal against the refusal to grant planning permission for the erection of 8 apartments following demolition of existing by Peartree Property Company: Application Reference: 3PL/2008/0988/F

Decision: Appeal Dismissed.

APP/F2605/A/08/2089810 (ex 1174295): Shipdham: Near Wood Farm: Appeal against the refusal to grant planning permission for the erection of two wind turbine generators, each with a maximum hub height of 65m and a maximum tip height of 100m by Ecotricity: Application Reference: 3PL/2004/0313/F

Decision: Appeal Dismissed.

14. APPLICATIONS DETERMINED BY NORFOLK COUNTY COUNCIL (FOR INFORMATION)

3CM/2005/0010/F: Longham: Longham Quarry, Reed Lane: Recycled aggregates facility for Tarmac Ltd.

Decision: Conditional Approval.

3CM/2009/0003/F: Watton: Westfield Infants and Nursery School, West Road: Installation of a canopy for Children's Services.

Decision: Conditional Approval.

	<u>Page(s)</u> <u>herewith</u>
15. <u>MEMBERS' INTERESTS / PROTOCOL</u>	
a) <u>Interests of Development Control Members</u> For the solicitor to remind Members of the provisions in the Code of Conduct relating to interests and to answer any questions. A copy of the Interests Flowchart (previously circulated) is attached.	54
b) <u>Draft Planning Protocol</u> To consider the attached draft Planning Protocol for recommendation to Council.	55 - 58