

BRECKLAND COUNCIL

At a Meeting of the

DEVELOPMENT CONTROL COMMITTEE

**Held on Monday, 13 July 2009 at 9.30 am in
Anglia Room, The Conference Suite, Elizabeth House, Dereham**

PRESENT

Councillor E. Gould (Chairman)	Mr R. Kemp
Mr W.P. Borrett	Mr M.A. Kiddle-Morris
Councillor Claire Bowes	Mr T.J. Lamb
Mr A.J. Byrne	Mr S. J. P. Rogers
Mr P.J. Duigan	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

Also Present

Mr R.W. Duffield	Mr C.R. Jordan
Mr J.R. Gretton	

In Attendance

Mike Brennan	- Principal Development Control Officer
Heather Burlingham	- Assistant Development Control Officer
John Chinnery	- Solicitor & Standards Consultant
Phil Daines	- Development Services Manager
Keith Eccles	- Building Services Manager
Nick Moys	- Principal Planning Officer (Major Projects)
Elaine Wilkes	- Senior Member Services Officer

105/09 MINUTES

The minutes of the meeting held on 22 June 2009 were confirmed as a correct record and signed by the Chairman.

106/09 APOLOGIES

Apologies for absence were received from Mrs. M. Chapman-Allen and Messrs. J. Labouchere and N. Wilkin. An apology for late arrival was received from Mr. A. Stasiak.

107/09 CHAIRMAN'S ANNOUNCEMENTS (IF ANY)

The Chairman welcomed Mr. Simon Rogers as newly appointed Member of the Committee.

**108/09 REQUESTS TO DEFER APPLICATIONS INCLUDED IN THIS
AGENDA (AGENDA ITEM 5)**

Item 8 of the schedule of planning applications was withdrawn at the request of the applicant.

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109/09 LOCAL DEVELOPMENT FRAMEWORK (STANDING ITEM) (AGENDA ITEM 7)

The Principal Planning Officer reported that the Public Examination was now in its final week and appeared to be progressing well.

110/09 DEREHAM: PROPOSED RESIDENTIAL DEVELOPMENT, FORMER CRANE FRUEHAUF SITE, SOUTH GREEN: APPLICANT: CITY & WEST END PROPERTY INVESTMENTS LTD: APPLICATION REFERENCE: 3PL/2009/0385/O (AGENDA ITEM 9)

The Principal Planning Officer (Major Projects) presented the details of this application for outline planning permission for residential development on land at South Green, Dereham, as set out in the report.

One letter of representations regarding issues of traffic had been received, which was addressed in the report. The Highways Agency had raised no objections to the proposal.

Issues raised by the Police concerning the footpath link had also been addressed.

A member was concerned that the site would be affected by the adjoining commercial development, both from the visual aspect and from noise. It was explained that, if approved, there would be conditions attached as to noise mitigation measures and screening, which would address any concerns in this regard.

Concerns about the risk of 'creeping residential' development from the other adjoining commercial sites were felt to be unfounded. The other commercial sites did not access into South Green and were therefore not constrained in the same way as the site in question.

A proposition that the application should be required to meet Sustainable Homes Level 4 standard was put to the vote but not carried.

RESOLVED that the application be deferred and the Deputy Chief Executive be authorised to grant permission, subject to conditions relating to the submission of reserved matters, layout/design details, tree protection, landscaping, access, drainage, contamination, noise mitigation, construction methods, fire hydrants and renewable energy, upon completion of a Section 106 Agreement relating to affordable housing, open space and contributions to recreation, education, libraries and transport facilities.

111/09 SWAFFHAM: PROPOSED RETIREMENT VILLAGE, HIGHFEILD HOUSE, LYNN ROAD: APPLICANT: MR J BALL: REFERENCE: 3PL/2009/0331/F (AGENDA ITEM 10)

The Principal Planning Officer (Major Applications) presented the details of the application for a "retirement village" on land at Lynn Road, Swaffham, as set out in the report.

During discussion, the impact on the development of the existing gas pipeline was questioned and it was explained that the developer would be obliged to obtain an easement and other consents for the works in relation to the pipeline, although it was noted that the pipeline authority had not

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raised any objection to the works.

Members felt that the uncertainty over the effect of the pipeline on the proposed development should be settled before making a decision on this application.

RESOLVED that consideration of this application be deferred to enable further information to be obtained on whether the existence of the pipeline across the site would, in effect, be a bar to the development taking place.

Note: The following declarations of interest were made at the commencement of this item:

- Mrs. D. Irving – Personal interest as a member of Adult Social Services
- Mr. F. Sharpe – Personal interest as Ward Member and had received a letter of representation from the applicant.

112/09 SCHEDULE OF PLANNING APPLICATIONS (AGENDA ITEM 11)

RESOLVED that the applications be determined as follows:

- (a) Item 1: 3PL/2009/0331/F: Swaffham: Stanfield House, Lynn Road: Retirement village comprising care home, cottages, access and parking for Mr. J. Ball

This application was dealt with under Agenda Item 10 (Minute 111/09) above.

- (b) Item 2: 3PL/2009/0355/F: Lynford: Lynford Hall Mobile Home Park, Lynford Hall: Continued use of site for 46 park homes for Lynford Hall Hotel

Approved temporary permission for a further two years as recommended.

- (c) Item 3: 3PL/2009/0371/F: Beeston: Norfolk Farm Produce Ltd., Herne Lane: Construction of new agricultural storage building and associated external hard-standing for Norfolk Farm Produce Ltd.

It was reported that the Highways Authority, while not objecting to the proposal, were of the view that off-site highway improvements were required. Members considered the Highway Authority's request and agreed that the highway improvements works should be provided.

Approved, subject to conditions, including the delivery of off-site highway works.

Note: The following declarations of interest were made in respect of this item:

- Mr. M. Kiddle-Morris – Personal interest as Ward Member known to the applicant and had been lobbied on the application. Mr. Kiddle-Morris left the room during

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the discussion on this item.

- Councillor C. Bowes – Personal interest as the applicant was known to her.
- Mr. W.P. Borrett – Personal interest as the applicant was known to him.

- (d) Item 4: 3PL/2009/0384/O: Gressenhall: Land adjacent to Hall Farm Cottages, Church Lane: Single detached dwelling for farm managers for Gorgate Ltd.

Refused as recommended.

Note: The following declarations of interest were made in respect of this application:

- Mr. M. Kiddle-Morris – Personal interest as the applicant was known to him.
- Mr. W.P. Borrett – Personal interest as the applicant was known to him.

- (e) Item 5: 3PL/2009/0385/O: Dereham: Crane Fruehauf Site, South Green: Demolition of existing factory buildings, residential redevelopment with access roads and landscaping for City & West End Property Investors

This application was dealt with under Agenda Item 9 (Minute 110/09) above.

- (f) Item 6: 3PL/2009/0418/F: Great Dunham: Great Dunham Hall: Proposed grain storage building for Roger Warnes Transport Ltd.

Approved as recommended.

Note: Mr. M. Kiddle-Morris declared that he had been lobbied on this item as to its position in the agenda for discussion at the meeting.

- (g) Item 7: 3PL/2009/0443/F: Garvestone: The Round House, Hingham Road, Reymerston: Proposed new bungalow for Mr. A. Worby

Refused as recommended.

- (h) Item 8: 3PL/2009/0445/F: Stow Bedon/Breckles: The Laurels, Mere Road: Erection of detached 1 1/2 storey dwelling & detached garage together with detached garage for existing dwelling for Rowling Building Services Ltd.

Application withdrawn at the request of the Applicants.

- (i) Item 9: 3PL/2009/0499/F: Harling: Site at Lopham Road: Variation of condition 21 on Pl. Per 3PL/2008/0579/F to specify code level 3 instead of 4 (Sustainable Homes)

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Details of the differences between the Sustainable Homes levels were given, from which it was noted that there was a substantial increase in the building costs between code levels 3, 4 and 5. Level 3 represented a 25% energy efficient improvement compared to current Building Regulations, together with a requirement for a reduction in water use and the inclusion of other sustainable construction measures. Accordingly, building to code level 3 significantly exceeded current planning policy requirements, which sought energy efficiency improvements of 10%. Members asked that details of this information be sent to them for future reference purposes.

Approved as recommended.

Notes to the schedule:

<u>Item No.</u>	<u>Speaker</u>
4	Mr. J. Gretton, Ward Member – in support Mr. Cross, Applicant
6	Mr. Moulton – Applicant’s Agent
7	Mr. C.R. Jordan – Ward Member, in support Mrs. Worby - Applicant

Written Representations taken into account

<u>Reference No.</u>	<u>No. of Representations</u>
3PL/2009/0331/F	4
3PL/2009/0355/F	1
3PL/2009/0384/O	2
3PL/2009/0385/O	1
3PL/2009/0443/F	6

113/09 EAST HARLING: LAND AT KEMPS MEADOW: RELEASE FROM S.106 AGREEMENT (AGENDA ITEM 12)

Mr. R. Kemp declared a prejudicial interest as a landowner in the village and left the meeting while this item was considered.

The Solicitor presented the report and explained that the original reason for the Section 106 Agreement had been met. It was also noted that the Housing Association had not purchased the whole of the land covered by the Section 106 and therefore it was felt reasonable for the two remaining unused areas not forming part of the original development to be released from this obligation.

Any proposals for development of these remaining areas of land in future would be dealt with on their merits.

RESOLVED that the application be approved and the two pieces of land in question be released from the Section 106 Agreement.

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**114/09 APPLICATIONS DETERMINED BY THE DEVELOPMENT SERVICES
MANAGER AND THE DEPUTY CHIEF EXECUTIVE (AGENDA ITEM 13)**

The report was noted.

115/09 APPEAL DECISIONS (AGENDA ITEM 14)

The information was noted.

**116/09 APPLICATIONS DETERMINED BY NORFOLK COUNTY COUNCIL
(AGENDA ITEM 15)**

The details were noted.

117/09 EXCLUSION OF PRESS AND PUBLIC (AGENDA ITEM 16)

RESOLVED that under Section 100(A)(4) of the Local Government Act 1972, the press and the public be excluded from the meeting for the following item of business on the grounds that it involves the disclosure of exempt information as defined in paragraphs 5 and 6 of Schedule 12A to the Act.

**118/09 ENFORCEMENT ACTION: CHURCH HOUSE, CHURCH STREET,
BRISLEY (AGENDA ITEM 17)**

The Principal Planning Officer presented the details of this case, including plans and photographs, as set out in the report.

The report concluded that there was insufficient evidence available in respect of the cause of any drainage problem and, therefore, no further action could be recommended on planning grounds.

The Ward Member, Mr. R. Duffield, attended for this item and declared a personal interest as he had known the neighbouring occupiers over many years. Mr. Duffield spoke on behalf of the neighbouring occupiers in support of the case for enforcement action and presented photographic evidence. He then left the meeting.

The Committee noted the contradictory evidence between the two neighbours concerned.

After debate, the Committee concluded by concurring with the views of the officers that there was insufficient evidence to warrant action by the Committee.

RESOLVED that given the information made available to the Council and following due investigation of the matter, no action be taken.

The meeting closed at 1.55 pm

CHAIRMAN