

BRECKLAND COUNCIL

At a Meeting of the

DEVELOPMENT CONTROL COMMITTEE

**Held on Monday, 23 November 2009 at 9.30 am in
Anglia Room, The Conference Suite, Elizabeth House, Dereham**

PRESENT

Councillor E. Gould (Chairman)	Mr J.P. Labouchere
Councillor Claire Bowes	Mr S. J. P. Rogers
Mr P.J. Duigan	Mr B. Rose
Mr P.S. Francis	Mr F.J. Sharpe
Mr M. Fanthorpe	Mr N.C. Wilkin (Vice-Chairman)
Mr R. Kemp	

Also Present

Mr S.G. Bambridge	Mr J.W. Nunn
Mr K.S. Gilbert	

In Attendance

Heather Burlingham	- Assistant Development Control Officer
John Chinnery	- Solicitor & Standards Consultant
Phil Daines	- Development Services Manager
Helen McAleer	- Member Services Officer
Phil Mileham	- Senior Planning Policy Officer
Nick Moys	- Principal Planning Officer (Major Projects)

174/09 MINUTES (AGENDA ITEM 1)

The minutes of the meeting held on 2 November 2009 were confirmed as a correct record and signed by the Chairman.

175/09 APOLOGIES (AGENDA ITEM 2)

Apologies for absence were received from Mr B Borrett, Mr A Byrne, Mrs M Chapman-Allen, Mrs D Irving, Mr M Kiddle-Morris Mr M Spencer and Mrs P Spencer.

**176/09 DECLARATION OF INTEREST AND OF REPRESENTATIONS
RECEIVED (AGENDA ITEM 3)**

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

Members noted that they had received direct representation for Agenda Item 8a (Swaffham) and Schedule Item 3 (Tittleshall).

The following declarations were made for Agenda Item 12:

Mr Francis declared a personal interest in sites in Shropham by virtue of living in the vicinity.

Mr Duigan declared a personal interest in MIN 28 (Hoe) by virtue of being a Dereham Town Councillor sent papers by Hoe Parish Council in respect of this site.

Mr Labouchere declared a personal interest in MIN 97 (Billingford and

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Bintree) by virtue of living in the vicinity.

Mr Shape declared a personal interest in WAS 84 (North Pickenham) by virtue of living in the vicinity.

Mr Wilkin declared a prejudicial interest in WAS 84 (North Pickenham) as his son ran a business from the site, and took no part in this item.

177/09 CHAIRMAN'S ANNOUNCEMENTS (AGENDA ITEM 4)

The Chairman congratulated Mr P Claussen on his appointment as Executive Member for Planning, Health and Housing.

178/09 LOCAL DEVELOPMENT FRAMEWORK (AGENDA ITEM 7)

The Development Services Manager advised Members that there had been only slight changes since the last update.

The Site Specifics meetings were continuing and resulting in some very positive discussions and were proving helpful to Town and Parish Councils. The next meeting would take place on Wednesday 25 November 2009 in the Memorial Hall, Dereham; and would be looking at villages in the North Eastern quadrant of the district. The following meeting, to be held on Friday 11 December in the Village Hall at Mundford, would consider villages in the South Western quadrant of the district.

179/09 DEFERRED APPLICATIONS (AGENDA ITEM 8)

The Development Services Manager updated Members on the second item in the Schedule of Deferred Applications at page 7 of the Agenda (Hockham).

The application for the demolition of a barn at Hockham had been deferred to allow the Parish Council time to apply to get the barn listed. They had been successful with the support of the District Council, and the application had therefore been withdrawn. Officers were now in conversation with the applicants regarding an alternative scheme.

180/09 SWAFFHAM: RETIREMENT VILLAGE, STANFIELD HOUSE, LYNN ROAD: APPLICATION REFERENCE: 3PL/2009/0331/F (AGENDA ITEM 8A)

This application sought full planning permission for a retirement village comprising a care home and dwellings. It had been deferred by the Committee, on 13 July 2009, to allow the impact of an existing underground pipeline to be assessed further.

As a result of discussions between the applicant and the pipeline operator some minor amendments had been made to the proposed access and parking arrangements to avoid any development over the pipeline.

The Council's Contaminated Land Officer had also requested site investigation work in the form of ground gas monitoring, in relation to a former landfill site in the vicinity. On the basis of the test results provided the Contaminated Land Officer had no objection subject to a condition requiring further investigation/monitoring.

The application was satisfactory in all other respects and was recommended for approval subject to conditions and a legal agreement.

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A Member asked about objections made by the three GP practices in Swaffham and was advised that they had raised concerns about the additional burden on the GP practices from the proposed development. The Principal Planning Officer (Major Projects) said that this was a difficult issue for the Committee to deal with as there were no policy reasons for refusal on these grounds and no mechanism in place to require contributions by developers for additional medical infrastructure.

RESOLVED that the application be deferred and the officers authorised to grant approval, subject to conditions, on completion of a section 106 agreement restricting the occupancy of the proposed retirement dwellings.

181/09 3PL/2009/0681/F: WATTON: BEECHWOOD HOUSE, HIGH STREET: ERECTION OF RESIDENTIAL CARE HOME FOR JETSPARK (AGENDA ITEM 9)

The Principal Planning Officer (Major Developments) introduced this item and explained that the application for a residential care home in Watton town centre did not necessarily mean it would be a home for the elderly. The C2 use class covered all forms of residential care homes.

The care home would provide 40 resident rooms and ancillary facilities, accommodated within a series of interconnected 2-storey blocks. The existing residential property, Beechwood House, would be retained for use in connection with the proposed care home.

The footprint was large but the building had been designed to reduce its bulk and volume. Views of the building from the surrounding area would be screened by trees except to the south.

A new access had been designed to avoid harm to the protected beech tree at the front of the site. The access would be set back and the existing boundary wall would be lowered to improve visibility for vehicles and pedestrians. A cobbled strip would warn drivers that they were crossing a footway. The Town Council and the Highways Authority both objected to the access on safety grounds.

Mr Worsfold, NCC Highways representative, explained that the site was currently a single dwelling with an expected trip-generation of eight to ten movements per day. A C2 use was likely to generate a significant increase in vehicle movements. The High Street was a busy shopping centre with a large number of pedestrian movements. The new access would be directly adjacent Beechwood Avenue and was likely to increase traffic conflict, detrimental to highway safety.

He concluded by saying that bin and cycle storage facilities on site were inadequate and that, in its current state, the application was unacceptable.

Mr Rudling, for the Town Council, strongly recommended refusal. The High Street was very congested and even gridlocked at times. There was a taxi rank immediately outside the site and a bus stop opposite. Beechwood Avenue was a popular area for parking and the car parks in the town were already full without additional cars from this development. He was concerned at the lack of recreational facilities on the site, with nowhere for residents to sit outside. He also felt that if the home was for the elderly they

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might be disturbed by the town centre activity and noise.

Miss Osborne, Business Manager of Watton Medical Practice, objected on behalf of the doctors. She said they already had 12,200 patients with a growing population due to the large number of additional dwellings to be built in Watton. There were also already seven care homes in Watton; over 30% of the population was over 60 and there was double the national average of patients with diabetes, respiratory and heart disease. There was already enormous pressure on the doctors to do home visits and the surgery would be unable to cope with another care home.

Mr Pettifer, Agent, said that C2 uses did not generate much traffic and the lack of on-site parking would encourage the use of public transport. He thought that the existing use, with its highly unsuitable access, generated more movements. He concluded by saying the care home would provide valuable employment for the area.

Mr Gilbert, Ward Representative, objected to the application. He said the access to Beechwood Avenue was already dangerous and that the new access adjacent to it would make it even worse. The limited parking on-site would generate extra movements, with visitors entering and having to leave again to park elsewhere. The building was too big; it filled the site and had very little garden space. There would be no outside area for residents to enjoy. Finally he referred to NCC's comments regarding care aspirations and said that higher standards should be required.

The Principal Planning Officer (Major Projects) clarified a couple of points raised. He explained that the NCC comments had referred to their preferred model for elderly care which was assisted living units. The building was capable of meeting the required standards but this was not an issue required to be addressed by planning policy.

The same was true of the effect on the medical practice. This was a very difficult issue. The doctors were saying that the development would impose an undue burden on their practice, but there was nothing in planning policy to address this or to require a financial contribution to medical services.

Members discussed the following:

- potential uses of the care home – with the agent being unable to give them any 'end-user' information;
- access – could this be controlled to avoid unnecessary entrances and exits; did it provide sufficient space for deliveries, etc;
- parking – insufficient space provided; unrealistic to say staff could use 'other means' of transport;
- insufficient amenity space for residents;
- loss of trees; and
- effect on the area.

The recommendation for approval was not supported.

RESOLVED to refuse the application due to the lack of adequate parking provided; overdevelopment of the site; highway safety issues with the access and egress; and the loss of trees.

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**182/09 3PL/2009/0715/F: LYNG: LAKESIDE COUNTRY CLUB, QUARRY
LANE: ERECTION OF HOLIDAY ACCOMMODATION FOR LAKESIDE
COUNTRY CLUB (AGENDA ITEM 10)**

The Principal Planning Officer (Major Projects) introduced this application for the erection of 10 units of additional holiday accommodation in two 3-storey blocks (designed to exactly match existing), with retrospective permission sought for an internal access road.

Evidence of the need for the additional accommodation had been supplied by the applicant and this met the policy requirements. The club was within walking distance of the village and the units would be built to a good standard, so sustainability requirements were also met. The effect on the surrounding area was considered to be minimal although it was acknowledged that the new internal road passed close to two residential properties. The applicant operated a one way system on this road, which accessed one wing of accommodation and had offered to provide further planting to the boundary to mitigate its effects; it was not considered a sufficient reason for refusal.

The main issue was the fact that the blocks were to be positioned on the edge of an area classified as Flood Zone 2. Part of the site was in Flood Zone 1 where risk was lower and development should be encouraged to take place. However, as the new blocks were a continuation of previous development and placed to maximise the benefits of fishing and wildlife for visitors, Officers considered that it was acceptable and were recommending approval.

Mr Lumbley, for the Parish Council, objected to the development which he said was on an urban scale. The buildings would impact on the village and the Wensum Valley. The new road was too close to the neighbouring properties to allow for additional landscaping. The camp caused light pollution and the site had previously been flooded.

Mr Clarke, Agent, said that there had been huge investment over the last 12 months with rebranding and new management. The lakes had been restocked and a strict maintenance programme introduced. Trail walks around the lakes were open to locals. They were working with professionals to market the camp through the website, promoting the park and the Wensum Valley. The apartments were being upgraded using sustainable materials and solar panels and the development would provide employment for local people.

Mr Bambridge, Ward Representative, said that he normally supported local businesses but there were a number of issues in this case. He did not feel that the need for the extra accommodation had been proven; he was concerned about the flood risk; and he was also concerned about the long term effects on the Wensum Valley. There had been complaints about the condition of the original access road, which should be conditioned for improvement if approval was given and the problems of the new road needed to be addressed.

Members discussed occupancy figures, future bookings and potential conditions.

The Principal Planning Officer (Major Projects) suggested that any approval should be subject to confirmation that the Environment Agency did not

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object. He agreed that the internal access road did not have much room for additional planting and said that acoustic fencing could be conditioned. He suggested that the applicant could be invited to address the external lighting and existing access road issues.

Mr Clarke, Agent, said that they were already preparing to improve the road surface and would be willing to look at providing hoods to the lights to reduce pollution. He also mentioned that in March 2009 when restocking the lakes, they had been required to ensure that the bunding around the lakes could cope with a one in one hundred year plus climate change flood.

RESOLVED that the application be deferred and the officers authorised to grant approval, subject to conditions, on completion of a section 106 agreement limiting the occupancy of the units to holiday accommodation only.

183/09 SCHEDULE OF PLANNING APPLICATIONS (AGENDA ITEM 11)

RESOLVED that the applications be determined as follows:

- (a) Item 1: Watton: Beechwood House, High Street: Erection of residential care home for Jetspark: Reference: 3PL/2009/0618/F:

Refused, see Minute No 181/09.

- (b) Item 2: Lyng: Lakeside Country Club, Quarry Lane: Erection of additional holiday accommodation in two blocks for Lakeside Country Club: Reference: 3PL/2009/0715/F

Approved, see Minute No 182/09.

- (c) Item 3: Tittleshall: 13 High Street: Domestic extension and wall and pedestrian entrance for Mr N Medler: Reference: 3PL/2009/0887/F

This application sought permission for the erection of a single storey side and rear extension to an existing two storey end of terrace dwelling. This development would require the removal of a protected tree.

Officers considered this to be a well designed scheme, but the loss of the protected tree would be detrimental to the Conservation Area and to the streetscene and on that basis alone the application was recommended for refusal.

Mr Garner, for the Parish Council, said that this was the last plot needing improvement in the High Street. The Parish Council fully supported the application which would provide accommodation for a young couple to settle in the village. The protected tree was in a position which might cause problems to drainage in the future, it was not a very attractive tree and the applicant had offered to replace it with two new trees which would be very acceptable.

Mr Payne, Agent, said that the tree had only recently been protected. The right trees needed to be grown in the right places and this tree was too big and did not fit in the domestic space. It would be better to put an appropriate tree in the right place.

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The Development Services Manager pointed out that this permission would not be personal to the young couple, who could sell the property on at any time. He asked Members to bear that in mind.

Members were divided on the importance of retaining the tree and the vote on the recommendation was tied. The Chairman's casting vote supported the recommendation.

Refused, as recommended.

- (d) Item 4: South Lopham: The Lilacs, Low Common: Amendments to existing dormers and amendments to dormer, front door and porch of previous approval 3PL/2006/0680/F (retrospective) for Mr G Foulger: Reference: 3PL/2009/0926/F

This application sought to regularise work carried out which was not in accordance with an earlier approval. The changes related to two existing dormers and a new dormer in the approved extension which had been raised to incorporate higher eaves; and minor changes to the front porch and a chimney.

The dwelling was one side of a pair of semi detached cottages. The occupant of the other cottage and the Parish Council objected to the changes.

Members were reminded that the fact that the application was retrospective was not relevant to the consideration. They must decide whether the changes to the appearance of the two properties caused significant harm. It would be better if all the dormers matched, but the two cottages had not exactly matched before the development. Officers did not consider that the changes were significant enough to warrant refusal.

Miss Buxton, applicant, addressed the objections. The chimney had been replaced because the wall had been unsafe. It had been replaced on a like for like basis.

The dwellings had originally been split in 1947 and since then there had been changes to windows and a door had been moved. The changes to the porch were in keeping with others in the area and could have been added after the build without the need for permission.

She concluded by saying that the changes had arisen due to inaccuracies in the original plans.

Mr Morley, objector, said that the original approval had been in keeping with the adjacent cottage. The changes affected the profile and pitch of the front roof. There was no longer a continuous roof line and the heights differed.

Mr Nunn, Ward Representative, said that the original permission had been granted on the basis that the changes were in keeping with the existing cottage. The development had changed over time and no longer matched. He had no problem with the changes to the

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porch, but felt that it would be preferable if all the dormers matched.

One Member pointed out that the two cottages were different and it was not for the Committee to try to make them look like one building. Members discussed the changes and agreed that the original dormers were better. They were also concerned that it had taken so long for a new application to be submitted.

The Development Services Manager explained that there had been lengthy discussions with the applicant prior to the submission of the application.

Approved, as recommended.

Notes to the Schedule

Item No	Speaker
1 (Agenda Item 9)	Mr Gilbert – Ward Representative Mr Rudling – Town Council Mrs Osborne - Objector Mr Pettifer – Agent Mr Worsfold – NCC Highways
2 (Agenda Item 10)	Mr Bambridge – Ward Representative Mr Lumbley – Parish Council Mr Clarke - Agent
3	Mr Garner – Parish Council Mr Payne - Agent
4	Mr Nunn – Ward Representative Mr Morley – Objector Miss Buxton – for Applicant

Written Representations taken into account

Reference No	No of Representatives
3PL/2009/0331/F	4
3PL/2009/0715/F	4
3PL/2009/0926/F	1

**184/09 NORFOLK MINERALS AND WASTE LOCAL DEVELOPMENT
FRAMEWORK, SITE ALLOCATIONS ISSUES AND OPTIONS
(PREFERRED OPTIONS) CONSULTATION (AGENDA ITEM 12)**

Mr Duigan, Mr Francis, Mr Labouchere and Mr Sharpe declared personal interests in particular sites in the report, and Mr Wilkin declared a prejudicial interest in WAS 84 (see Minute No 176/09).

The Senior Planning Policy Officer introduced his report and explained that Norfolk County Council were carrying out a second round of consultation on proposals for mineral and waste sites in the district. The report summarised the content of the consultation document and provided the officer's recommendations on Breckland's response to the consultation. The appendices summarised what Breckland Council had said at the previous consultation stage and considered the County Council's response and whether there was agreement with their assessment.

A number of sites in the consultation had previously been considered by Committee. He proposed to only look at the new sites added and at those

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where Norfolk County Council's assessment differed from the Council's.

Members were in agreement with all proposed responses with the exception of WAS 84 (North Pickenham) and WAS 19 (Snetterton).

Members discussed the significant access constraints surrounding WAS 84 (North Pickenham) and commented on the proximity of the existing Household Waste Recycling Centre at Ashill close by. They considered that the possible expansion of this facility might be more desirable than opening a new site in North Pickenham. Members recommended that site WAS 84 be objected to and suggested re-classification by NCC as 'Not Acceptable'.

Site WAS 19 (Snetterton) was also recommended for reclassification at 'Not Acceptable' for the expansion of waste uses, due to concerns about the impact on the amenity of residents of Eccles Road, as well as compromising the Strategic Vision for Snetterton Heath Employment Area.

RESOLVED with the amendments noted above, to agree that the comments and recommendations listed in the proposed response column of Appendices B and C, form Breckland Council's response to the Minerals and Waste Local Development Framework consultation. In addition Members requested that minerals sites in close proximity to each other should be phased, in order to ensure that the cumulative impact of increased noise, dust, light and transport movements and other issues did not cause unacceptable harm to local infrastructure and residential amenity.

185/09 APPLICATIONS DETERMINED BY THE DEPUTY CHIEF EXECUTIVE (FOR INFORMATION)

This item was noted.

186/09 APPLICATIONS DETERMINED BY NORFOLK COUNTY COUNCIL (FOR INFORMATION)

This item was noted.

187/09 APPEAL DECISIONS (FOR INFORMATION)

This item was noted.

Member Briefing

Due to unforeseen circumstances the speaker was unable to attend and this item was postponed until a future meeting.

The meeting closed at 1.30 pm

CHAIRMAN