

AGENDA

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

- Committee** - **DEVELOPMENT CONTROL COMMITTEE**
- Date & Time** - MONDAY 20TH SEPTEMBER 2010 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, 9 September 2010

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 Planning & Compulsory Purchase Act 2004, to prepare a Local Development Framework (LDF) to provide a statutory framework for planning decisions. The Breckland LDF consists of a suite of documents. The primary document which sets out the overarching planning strategy for the District and the local planning policies is the Core Strategy and Development Control Policies document. This was adopted by Breckland Council on 17 December 2009 and is the local starting point in the determination of planning applications. Breckland Council is also preparing a Site Specific Policies and Proposals document which will allocate land for development and review settlement boundaries. Some policies and proposals in this document now carry weight following consultation in summer 2010.

Breckland's Plan contains the Council's planning policies, which must be consistent with Government guidance, particularly with the Planning Policy Guidance (PPGs) and Planning Policy Statements (PPSs).

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 planning legislation. The Planning & Compulsory Purchase Act 2004, states that ***planning applications should be determined in accordance with the policies of the Plan, unless material considerations which are relevant to planning indicate otherwise.***

PPS1 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 LDF 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. Where we disagree with those comments it will be because:

- Districts look to "wider" policies, and national, regional and county planning strategy.
- Other consultation responses may have affected our recommendation.
- 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 1 September 2010.	1 - 13
2. <u>APOLOGIES & SUBSTITUTES</u> To receive apologies for absence.	
3. <u>DECLARATION OF INTEREST AND OF REPRESENTATIONS RECEIVED</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</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.	14
9. <u>ATTLEBOROUGH: PROPOSED RESIDENTIAL DEVELOPMENT, NEW ROAD/LONDON ROAD FOR R FOULGER, E SPIN, M GOLDSMITH, H WOOLSTON</u> <u>APPLICATION REFERENCE: 3PL/2010/0427/O</u> Report of the Deputy Chief Executive.	15 - 18

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10. <u>SCHEDULE OF PLANNING APPLICATIONS</u>	19 - 41																								
To consider the Schedule of Planning Applications:																									
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11. <u>RETAIL STUDY (FOR INFORMATION)</u>	42 - 200																								
To brief Members on the findings of the Study.																									
12. <u>APPLICATIONS DETERMINED BY THE DEPUTY CHIEF EXECUTIVE (FOR INFORMATION)</u>	201 - 210																								
Report of the Deputy Chief Executive.																									
13. <u>APPEAL DECISIONS (FOR INFORMATION)</u>																									
APP/F2605/A/10/2122630: Beetley, Fakenham Road: Appeal against a refusal to grant outline planning permission for the erection of a single detached dwelling and garage by Mr Anthony Turner: Application Reference: 3PL/2009/0867/O. Decision: Appeal Dismissed.																									
APP/F2605/A/10/2127140: Merton, Home Farm: Appeal against a refusal to grant planning permission for change of use from stables to holiday let without complying with a condition attached to planning permission 3PL/2004/1408/CU by Mr Terry Lourdan: Application Reference: 3PL/2009/1120/F. Decision: Appeal Dismissed.																									
APP/F2605/Q/10/2123616: Shipdham: West End Cottage, High Street: Appeal against a refusal to discharge a planning condition by Mr Adrian Hall-Carpenter: Application Reference: 30B/2009/0004/OB. Decision: Appeal Dismissed.																									