

**BRECKLAND COUNCIL**

**At a Meeting of the**

**PLANNING COMMITTEE**

**Held on Monday, 9 July 2012 at 9.30 am in  
Anglia Room, The Conference Suite, Elizabeth House, Dereham**

**PRESENT**

Mr S.G. Bambridge  
Councillor C Bowes

Mr T R Carter

Mr P.D. Claussen

Mr T.J. Lamb

Mrs J A North (Vice-Chairman)

Mr W. R. J. Richmond

Mr M. S. Robinson

Mr F.J. Sharpe

Mrs P.A. Spencer

Mr N.C. Wilkin (Chairman)

Mrs S Armes

**Also Present**

Mr C G Carter (Ward Representative)

**In Attendance**

Paul Jackson

Heather Burlingham

John Chinnery

David Spencer

Jane Osborne

Nick Moys

Mike Brennan

Sarah Robertson

James Stone

Andrew Grimley

Michael Horn

Mr Davis

Planning Manager

Assistant Development Control Officer\*

Solicitor & Standards Consultant

Joint Deputy Planning Manager

Committee Officer

Principal Planning Officer (Major Projects)\*

Principal Planning Officer\*

Planning Policy Officer\*

Senior Planner\*

Principal Environmental Health Officer

Solicitor to the Council

Noise Consultant

\* Capita Symonds for Breckland Council

**64/12 MINUTES**

It was noted that with regard to Minute No. 59/12 (a) Item 1 Snetterton, the job title of James Stone should be, Senior Planner. Page 6 paragraph 5, should read Anglia Farms and not Anglian Farms, and the Snetterton and Thetford Area Action Plan, should have read Attleborough and Snetterton Area Action Plan within paragraph 6 of the same item number.

Subject to the above, the Minutes of the meeting held on 11 June 2012 were confirmed as a correct record and signed by the Chairman.

**65/12 DECLARATIONS**

The Solicitor reminded Members of the changes made following the Council meeting held on 5 July 2012 with regard to the new Code of

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Conduct.

**66/12 CHAIRMAN'S ANNOUNCEMENTS**

Cllr S Armes was welcomed to the Planning Committee. The Chairman thanked Cllr C Clark for all his valuable work whilst being a member of the Planning Committee.

**67/12 REQUESTS TO DEFER APPLICATIONS INCLUDED IN THIS AGENDA**

Item 2 of Agenda Item 10, Schedule of Planning Applications, Old Buckenham 3PL/2012/0193/F had been deferred prior to the meeting.

**68/12 LOCAL DEVELOPMENT FRAMEWORK (STANDING ITEM)**

The Planning Manager advised that the Thetford Area Action Plan had been adopted by Council on 5 July 2012. Members would be updated as and when appropriate.

**69/12 FIVE YEAR HOUSING LAND SUPPLY STATEMENT 2012**

The purpose of the report was to update Members on Breckland's five year housing land supply, which was a requirement under the National Planning Policy Framework and was presented by Sarah Robertson, Planning Policy Officer.

Questions asked by Members covered the definition of an appropriate location, consultation with villages, and timescale.

Members noted the contents of the report. The five year housing land supply statement represented a factual statement on the existing situation and would need to be taken into consideration in the determination of planning applications, as set out within the housing implementation strategy.

**70/12 SCHEDULE OF PLANNING APPLICATIONS**

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

- (a) Item 1 : Bradenham : Erect 2 100m wind turbines, access tracks, crane pad areas, electricity sub-station & temp construction compound : Applicant : Ecotricity (Next Generation) Ltd : Reference : 3PL/2011/0854/F

The Principal Planning Officer presented the report, which was for the erection of 2 x 100m wind turbines, access tracks, crane pad areas, electricity sub-station and temporary construction compound, outside the Settlement Boundary. A previous application (3PL/2002/004/F) was refused on 17 December, 2002, as was 3PL/2004/0313/F on 4 January

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2005.

79 letters of objection had been received from local residents and the areas they referred to were outlined in the report. Additional objections received since the report was published covered issues of landscape impact, distraction to road users and inadequate access. 130 letters of support had been received.

It was considered by Officers that there would be no unacceptable impacts on the local area with regard to cultural heritage, landscape, visual amenity, aviation safety/radar and protected species. Furthermore, it was felt that the issues of noise and shadow flicker relating to local and residential amenity had been adequately addressed by the applicant, subject to appropriate conditions being imposed. The application was accordingly recommended for approval subject to conditions.

Mr Hewett, Shipdham Parish Council, advised Members why the previous applications had been dismissed. He believed that the express wishes of local residents could not be conditioned away. If localism meant anything, the proposal constituted an unacceptable planning application and should be rejected.

Mr Reading, Bradenham Parish Council, stated that they had unanimously declined the application on six policy grounds with the main objection being that of noise pollution. The development would be too close to neighbouring properties and would be visibly dominant and he urged Members to refuse the application due to the adverse affects it would have.

Mr Hinchliffe, Supporter, had been a village resident for 24 years and spoke on behalf of CANAS who believed that after 10 years all legitimate concerns had been met and satisfied and they fully supported the proposal. They did not believe that CATS represented the majority of village opinion.

Mr Hill, Objector, was a neighbouring farmer, who stated the application was opposed by both young and old. There would be constant noise intrusion and shadow flicker would affect working conditions. He questioned the applicant's interest in the environment. The proposal would be a personal tragedy for him as well as that of the landscape, due a woodland planted two years ago as a haven for wildlife which would be dominated by huge structures.

Dr Hoare, Objector, commented that there would be noise problems as the turbines would be too close to residential properties. The applicant had persisted in understating the noise impact. The proposed turbines would be louder than

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those in the previous applications. It was a very quiet area, and they had been told the noise would be audible indoors at night. The turbines would be much closer than those sited in Scotland and Wales (where there are minimum separation distances), and Lincolnshire, Milton Keynes and Wiltshire. Daffy Green's chief attraction was that of its tranquillity.

Mr Kite, CATS Objector (Campaign Against Turbines in Shipdham & Bradenham), believed they had been subjected to corporate bullying by the applicants. The majority of people objected. Reasons given by him to refuse were that there would be a loss of amenity, the proposal breached Breckland Council's landscape guidance, the turbines would be noisier than those previously applied for and would be audible in houses at night, along with localism.

Mr Muir, Applicant, stated that 130 letters of support had been received against 80 who were opposed. The proposal was different to those previously submitted. The Environmental Statement had covered all issues.

Breckland Council's Noise Consultant, Mr Davis explained that the turbines had been relocated to different positions to those previously submitted. Noise levels in this proposal would be significantly below those contained in Government guidance. Conditions imposed would be more restrictive than those referred to in ETSU-R-97.

Mr Carter, Ward Representative was present on behalf of Bradenham Parish Council who opposed the application. He had received no less than 62 letters of objection from public in his Ward. No letters in favour had been received apart from the landowner himself where the turbines were proposed. The issue that had gone on for 10 years wasted time and effort. He stood strongly opposed to the development.

The Solicitor to the Council advised Members that, on the landscape issue, they needed to consider whether the change in the position of the wind turbines changed the situation from the previous applications to such an extent that a refusal would now be merited. In achieving an improvement in the noise issue, there was a consequential issue of landscape impact.

In answer to clarification requested by a Member on the measure of noise, Mr Davis answered that the turbines would be slightly noisier than those in the previous application. But also, they would be located further away from residential properties.

Given Members' concern over background noise and the landscape differential, it was proposed and seconded that a

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site visit took place. The Solicitor to the Council advised that at the site visit, the area be pegged out to show the site of both the old application and the new one and in relation to how the electricity pylons were located, and that the differences in the two be considered. He asked Members to remember that what they heard on the day of their site visit at other existing turbines would be completely arbitrary, and that they would have to rely on the expert evidence of the acoustic consultant.

For the benefit of Members, Mr Muir explained the difference between shadow flicker and shadow casting.

The Planning Manager advised Members that whilst on their site visit they should also look at any effect on the settings of the listed buildings and conservation area.

**RESOLVED**, to defer the application to allow Members only to undertake a site visit.

- (b) Item 2 : Old Buckenham : Remove steel grain store, demo. of 4 bungalows, convert agric. barns to 8 residential units & erect 10 dwellings : Applicant : David Alston (Norfolk) Ltd : Reference : 3PL/2012/0193/F

The application had been deferred prior to the meeting.

- (c) Item 3 : Swaffham : Demolish buildings & erect new supermarket (1) landscaping, servicing, parking & highway improvements/new access : Applicant : Millngate Swaffham Ltd & Tesco Stores Ltd : Reference : 3PL/2012/0269/F

Members had received correspondence about the proposal.

Full planning permission for the demolition of existing buildings and the erection of a new food supermarket was proposed, with the total gross external area of the building 3,417 sq m. The proposal also included associated parking, servicing and landscaping and highways improvements to provide a new access. It was noted, that the original scheme had been slightly amended due to Norfolk County Council Highway Authority comments resulting in improved access arrangements.

The Principal Planning Officer advised that a draft S106 had been submitted by the applicant and if Members were minded to approve the application, it would need more detail.

Many letters of representation both in favour of the development and objecting to it had been received as advised within the report. A late submission had been received from Asda on 6 July 2012 whose comments were very similar to those raised by the Co-op. Two residents who could not

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attend the meeting had sent in summaries which acknowledged strong support for the application, the additional people and jobs it would bring to the town, although a degree of caution would be required with regard to the impact on the town centre.

It was concluded that the proposed supermarket would not be overly detrimental to the vitality and viability of the town centre. The applicant had demonstrated that there were no other suitable sites in, or closer to the town centre. The scheme would not be harmful to the residential amenity of the locality whilst the applicant would provide adequate financial support to enhance public transport and was therefore recommended for approval subject to conditions listed in the report.

Mr Bishop, Swaffham Town Council, advised that Tesco/Millingate had been proactive in their consultation. The Town Council were concerned with retaining the vitality of the town centre. They felt the store would be positioned close enough to draw people to the town as a whole. Subject to agreement of an appropriate S106 which dealt with public transport improvements, town centre vitality issues, and improved walking and cycling routes they supported the application. When asked if there was a need for a fourth major supermarket in the town he replied yes with regard to non food items and the lack of good clothing shops.

Ms Gosling, Applicant, stated that Swaffham would benefit from the proposal which was within 5 minutes walk of the town. Local suppliers would be supported and additional jobs would be created. 250 people had already registered interest in the 50 full time and 100 part time posts. She did not believe there would be any negative impact on jobs in the town. The Town centre would benefit from the S106 payment of which a £150k contribution would go to the local bus service. The proposed store would not be open 24 hours and the anticipated opening would be summer/autumn 2013.

Concerns raised by Councillors were with regard to the town centre suffering from large stores selling electrical and white goods along with clothing, and questioned if a restriction could be imposed on the sale of those commodities, and the fact that as Swaffham was a quintessential market town what impact the proposal would have on town centre traders, and what consideration had been given to future shop keepers wanting to set up in the town centre.

National contractors would be employed who would then use local sub-contractors on the site. Tesco used environmentally friendly materials to cut down their carbon footprint, and larch wood was used for external cladding. Their national policy was for a time limit of 3 hours on their car parks. No café was

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proposed.

The effect on retail in the town centre was a major factor for one Member who hoped that as part of the S106 a bus service would be provided for three years which would bring people into the area from other regions, and stop in the town to enable others to catch the bus. Tesco had listened to members of the public who wanted clothing available in the store. He believed the proposal would be beneficial for the town and hoped it would encourage other big companies to come into the town.

**RESOLVED**, that the application be deferred and the Officers be authorised to approve it as recommended, on completion of the legal agreement.

- (d) Item 4 : Carbrooke : Re-plan and substitution of revised house types to plots 19-29 : Applicant : Taylor Wimpey East Anglia : Reference : 3PL/2012/0406/F

The application sought planning permission to revise part of a consented housing estate and proposed the reconfiguration of the layout of the plots to increase the consented number of dwellings from 7 to 11 and in turn it would require alternative house types to be used. The 11 units would consist of 2 x 2 bedroom units and 9 x 3 bedroom units. The proposal had its own parking and two accesses.

The Principal Planning Officer advised that the scheme was considered to acceptably relate to its surroundings and satisfactorily safeguard neighbour amenity and was therefore, recommended for approval.

Ms Cooke, was present on behalf of residents who objected, and re-iterated their concerns which covered the increase from 7 dwellings to 11 and access issues along the private road which had no drainage in it. They had been without their main through road for 18 months and questioned how much longer it would be. It was felt that smaller size properties could be sold to Housing Associations.

A Councillor did not believe the proposal met the needs of the local community and could not support it.

The Principal Planning Officer suggested that dialogue was put in place with Taylor Wimpey with regard to their timeframe proposals and the closure of the road whilst the proposed dwellings were under construction, which most Members welcomed.

**Approved, as recommended.**

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- (e) Item 5 : Quidenham : Proposed extension to industrial development (Mixed Use) : Applicant : Richard Johnston Ltd : Reference : 3PL/2012/0476/O

The application outside the Settlement Boundary sought outline planning permission with all matters reserved, for an extension to an existing industrial estate in Snetterton. It proposed the creation of 5,650m<sup>2</sup> of both B1c light industrial and B2 general industrial and 16,600m<sup>2</sup> of B8 storage and distribution.

Despite its location outside the defined employment area, the proposal was considered to be acceptable as no significant adverse environmental or amenity effects were likely. The development would be compatible with adjacent business uses. There was a need to provide for continued economic growth pending the establishment of new employment area boundaries through the ASHAAP. There being no objection from Norfolk County Council as the local Highway Authority, or the Highways Agency, the scheme was considered to be acceptable in transport terms, and outline planning permission was recommended for approval.

**Approved, as recommended.**

- (f) Item 6 : Quidenham : Erection of 2 warehouse buildings (units 15 & 16) : Applicant : Richard Johnston Ltd : Reference : 3PL/2012/0477/F

The application sought full planning permission for the erection of two warehouse buildings (B8 use) on commercial land in Snetterton, outside the Settlement Boundary. The buildings would have pitched roofs and would be constructed using a steel frame construction with external cladding. The total floor footprint would be 6000 sqm.

As the proposal was consistent with Policy DC6 of the Core Strategy in providing additional business premises on a General Employment Area, and it would not cause any localised harm, the application was recommended for approval.

**Approved, as recommended.**

- (g) Item 7 : Swaffham : Provision of a pair of semi detached two storey dwellings : Applicant : Breckland Council : Reference : 3PL/2012/0557/O

Outline planning permission was sought which included access, appearance, landscaping and layout to construct a pair of semi-detached two storey dwellings on land owned by Breckland Council at Sandringham Way, Swaffham. Parking



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for two vehicles for each dwelling would be provided to the front of the site.

It was considered that the proposed dwellings were acceptable in terms of design, layout and siting and would be in keeping with the existing built form. They would have no significant impact with respect to existing residential amenity and no objections had been raised on highway safety grounds. Proposed materials would match existing dwellings in Sandringham Way. The application accorded with national and local planning policies and was recommended for outline planning permission subject to conditions.

**Approved, as recommended subject to conditions as detailed in the report with the additional condition that obscure glazing be used in the gable windows.**

- (h) Item 8 : Yaxham : Two storey extension to side and first floor extension including dormer window to rear : Applicant : Mr & Mrs R Wragg : Reference : 3PL/2012/0577/F

The application proposed an extension to form a new entrance hall and wc at ground floor level with a new bathroom above and a new enlarged dormer window to the rear elevation. As the design and appearance were considered to be acceptable and there would be no adverse impact upon residential amenity, the scheme was recommended for approval.

**Approved, as recommended.**

**Notes to Schedule**

<b>Item No.</b>	<b>Speaker</b>
1	Mr Hewett – Shipdham PC Mr Reading – Bradenham PC Mr Hinchliffe – Supporter Mr Hill – Objector Dr Hoare – Objector/Daffy Green Residents Mr Kite – CATS Objector Mr Muir – Applicant Mr Davis – Noise Consultant Mr Carter – Ward Representative
3	Mr Bishop – Town Council Ms Gosling - Applicant
4	Ms Cooke - Objector

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**Written Representations Taken Into Account**

<b>Reference No.</b>	<b>No. of Representations</b>
3PL/2011/0854/F	194
3PL/2012/0193/F	4
3PL/2012/0269/F	33
3PL/2012/0406/F	5
3PL/2012/0476/O	
3PL/2012/0477/F	
3PL/2012/0557/O	1
3PL/2012/0577/F	

**71/12 APPLICATIONS DETERMINED BY THE DIRECTOR OF COMMISSIONING**

Noted.

**72/12 APPLICATIONS DETERMINED BY NORFOLK COUNTY COUNCIL (FOR INFORMATION)**

Noted.

**73/12 APPEAL DECISIONS (FOR INFORMATION)**

Noted.

The meeting closed at 15.05 p.m.

CHAIRMAN