

BRECKLAND COUNCIL

At a Meeting of the

PLANNING COMMITTEE

**Held on Monday, 3 June 2013 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)

Also Present

Mr K. Martin

Mrs S.M. Matthews

In Attendance

Mike Brennan

Heather Burlingham

John Chinnery

Helen McAleer

Nick Moys

Martin Pendlebury

David Spencer

Principal Planning Officer*

Assistant Development Control Officer*

Solicitor & Standards Consultant

Senior Committee Officer

Principal Planning Officer (Major Projects)*

Director of Planning & Business Manager *

Joint Deputy Planning Manager

* Capita Symonds for Breckland Council

52/13 MINUTES (AGENDA ITEM 1)

The Minutes of the meeting held on 8 May 2013 were confirmed as a correct record and signed by the Chairman.

53/13 CHAIRMAN'S ANNOUNCEMENTS (AGENDA ITEM 4)

The Chairman welcomed Councillor Robinson as the Vice-Chairman of the Committee and thanked the Councillor North for the work she had done as Vice-Chairman previously.

He mentioned that Nick Moys and David Spencer would be leaving the Council. Chris Curtis had been appointed as Obligations and Enforcement Team Leader. He would attend meetings periodically to answer questions and provide a more hands-on process for Members.

He then asked the Solicitor to clarify the position with regard to the Mattishall application discussed at the two previous meetings. The Solicitor explained that when the application had been determined at the previous meeting, Members and Officers had been unaware that the applicant had already lodged an appeal against non-determination. That being the case, the Council had no right to

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determine the application and could not therefore issue a decision. The matter would be decided by the Secretary of State.

It was confirmed that the recommendation to Cabinet made as part of the Minute to that application, would still proceed.

54/13 LOCAL DEVELOPMENT FRAMEWORK (STANDING ITEM)(AGENDA ITEM 7)

The Deputy Planning Manager updated Members on two areas:

- The consultation on the Preliminary Draft Charging Schedule for the Community Infrastructure Levy (CIL) had closed. 30 responses had been received. A report would be presented to the Overview & Scrutiny Commission on 18 July and the revised Schedule would be considered by Cabinet in September.
- The date for the next Local Plan Working Group had been set for 30 July and at that meeting the Attleborough Transport Studies and Housing numbers would be considered.

55/13 DEFERRED ITEM REPORT: NARBOROUGH: 55 DWELLINGS, OPEN SPACE AND ASSOCIATED ACCESS (OUTLINE) AT CHALK LANE, ATTLEBOROUGH: APPLICANT: GOODERSTONE FARMING COMPANY: REFERENCE: 3PL/2012/1093/O (AGENDA ITEM 8A)

The Principal Planning Officer (Major Projects) presented the report.

Members had previously been minded to approve the application, which was deferred pending the satisfactory resolution of some outstanding issues regarding viability and highways. The District Valuer had been asked to give an appraisal. He had confirmed that 35% affordable housing was not viable and that 25% was an appropriate requirement.

Highway concerns would be addressed by traffic calming measures including a vehicle activated speed sign. A £15,000 contribution was proposed and had been agreed by the Highway Authority.

Subject to those changes, approval was recommended.

Mr Bird (Agent) said that the affordable housing figure had received the full scrutiny of the District Valuer and 25% would make the scheme deliverable. He hoped to bring it forward quickly. A lot of work had been undertaken with the Parish Council regarding traffic concerns and he was pleased that agreement with the Highway Authority had been reached.

Mr Wilkinson (Parish Council) said they were in full agreement and happy with the proposals.

RESOLVED that the application be deferred and the officers

authorised to grant approval, subject to conditions, on completion of the section 106 agreement.

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56/13 SCHEDULE OF PLANNING APPLICATIONS (AGENDA ITEM 9)

RESOLVED that the applications be determined as follows:

- (a) Item 1: ATTLEBOROUGH: Land between London Road and New Road: Erection of 73 dwellings and associated access roads, public open space, play areas and landscaping: Applicant: Stepford Homes Ltd: Reference: 3PL/2012/1259/F

Members were advised of some consultation updates. The Town Council had raised no objection to amendments to off-site play equipment proposals. However, they maintained their original objection to the development as a whole.

The Attleborough Community Team (ACT) objected to the application on grounds of the loss of Open Space, density and impact on the town's infrastructure.

The Environment Agency had withdrawn their objection.

The key issue was that the site had a long-standing allocation as Open Space. It was noted that there had been no successful attempts to deliver the Open Space, which was currently in agricultural use. The application proposed a financial contribution to provide play equipment and enhancements to two other existing play areas in the town. That would improve the quality rather than increase the quantity of Open Space for the town.

Other issues were the impact of the development on the character of the area and potential congestion from the additional traffic.

There were strong arguments for and against the development. There had been previous refusals for applications on the site, but in this instance Officers felt that the balance of arguments had changed in favour of approval.

Mr Hall (Objector) representing ACT said they had received a 3000 signature petition. Residents were concerned about infrastructure issues. They were not against growth but it had to be sustainable. They were against the loss of Open Space and felt that the density was out of keeping with the area and would cause anti-social behaviour and parking problems. The Town Council were preparing a Neighbourhood Plan and any major applications should form part of that process.

Mr Sykes Popham (Agent) doubted that the Open Space allocation would ever be delivered. The development would provide one third of it as well as enhancing other areas. The

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new dwellings would address the housing shortfall, had good sustainability credentials and would deliver 40% affordable housing.

Mr Wright (Town Council) objected on three grounds: loss of Open Space, density and traffic. The Town Council had not been consulted on proposals to enhance existing play areas and had no money for on-going maintenance. The houses were crammed together in much higher density than the surrounding area. The development together with other approvals given in the past 18 months would have a severe impact on infrastructure.

Councillor Martin (Ward Representative) thought that the Open Space provided a cushion for surrounding areas and on behalf of residents he asked for it to remain as it was.

Councillor North noted that she had received direct representation on this application. She was dismayed at the potential loss of the site as Attleborough had a dearth of Open Space. She thought that the Highways Authority had failed to consider the cumulative effect of developments on the town's infrastructure and that the combined effect would be very noticeable.

The areas of Open Space owned by the Council and those areas to be enhanced were clarified.

Councillor Claussen believed that Attleborough residents should be given the opportunity to prepare their Neighbourhood Plan and decide what they wanted for the site. Other Members felt that the Open Space should be retained.

Councillor Bambridge raised concerns about drainage and was advised that the drainage strategy was sustainable and would provide attenuation on site.

The Chairman was concerned about traffic safety. Conditions had been applied to the approval for the large development opposite to improve safety, but work had not started there. The Principal Planning Officer said that some proportionate conditions could be applied to the development.

Councillor Lamb was surprised that several accesses had been included off the London Road. He was advised that each development was looked at individually.

In response to an enquiry about the time line of the Neighbourhood Plan Mr Middleton advised that it was hoped to complete it within a year. However, the Deputy Planning Manager thought that was an ambitious timeframe and that 18 months would be more realistic. He also advised that as there was no Highway objection to the scheme it would be difficult to

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support a refusal on those grounds.

Councillor Sharpe asked if the 73 houses would be deducted from the total allocated for Attleborough and was advised that as the site was within the Settlement Boundary the houses were considered as 'windfall' and would not lower the allocation total.

The recommendation of approval was not supported.

Refused, contrary to the recommendation, on grounds that the site was designated as Open Space within the saved policies and Local Development Framework and should be safeguarded to remain as an open area.

- (b) Item 2: BRIDGHAM: High Bridgham Road: Proposed construction of a 65 million gallon irrigation water reservoir: Applicant: Wrights of Brettenham: Reference: 3PL/2013/0072/F

This application proposed the construction of a reservoir on a sloping site which was currently in agricultural use. The reservoir would be bunded with grassed sides and a deer proof fence.

Councillor North asked if the reservoir could be recharged to drain water from the River Thet to minimise flood risk. The Principal Planning Officer thought that could happen if the reservoir had sufficient capacity.

Councillor Lamb was concerned that water levels in the River Thet were often low and might be affected by the reservoir. It was clarified that abstraction would only take place during winter months.

Approved, as recommended.

- (c) Item 3: WEETING: 3 Angerstein Close: First Floor extension to rear, sun room and porch: Applicant: Mr Robert Childerhouse: Reference: 3PL/2013/0245/F

In the interest of transparency Councillor Bowes declared that she served on a local fundraising committee with the applicant.

This proposal for a two storey extension to the rear of a bungalow raised concerns about design and amenity. Its visual impact was only significant to the immediate area. The design did not relate well or sit comfortably on the back of a bungalow.

Ms Whettingsteel (on behalf of the applicant) said the site was a substantial corner plot in a cul-de-sac and the majority of the

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extension would be well screened by trees. There had been no formal objections from neighbours or the Parish Council. A similar application in the vicinity which had been refused had been overturned on appeal where the Inspector had said there was no structured, uniform development to harm.

Various Members felt that the extension did not fit the location and looked out of place.

Refused, as recommended.

- (d) Item 4: SWAFFHAM: 38 Mill Farm Nurseries: Construction of detached dwelling and garage: Applicant: Mr & Mrs D Maclean: Reference: 3PL/2013/0285/F

This application proposed a dwelling on the side garden of an existing property on an estate of bungalows. The new dwelling would be marginally higher than neighbouring bungalows. Concerns had been raised about potential overlooking from velux windows in the roof. A drawing was shown demonstrating sight lines from the windows and also to show that if the kitchen had a mezzanine floor it would not provide useable space.

Mr Birtill (Objector) said the development in the centre of a number of two bedroom bungalows would be too big and overpowering. The fully glazed gable end would be obtrusive. A sympathetic smaller development leaving more space to the side and rear would be acceptable.

Councillor Matthews (Ward Representative) said the estate had a strong, overall impression of neat, low-level dwellings with good spacing and this intrusion would be really market. The Town Council felt strongly that it was a cramped form of development and the scale and bulk of the building was not in harmony with adjacent properties. The large window to the rear would be overpowering. Only one other dwelling on the estate had a window in the front roof elevation, this proposal had three.

Several Members liked the design of the dwelling but most agreed that it was not right in this location.

It was clarified that there was no specific Council Policy regarding building on garden space.

The recommendation for approval was tied and was defeated by the Chairman's casting vote.

Refused, contrary to recommendation, on the grounds of inappropriate design and scale.

- (e) Item 5: EAST TUDDENHAM: Ailwyn Hall, Berrys Lane:

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Extension of time limit pp 3PL/2010/0227 (Extend care home inc new main entrance, enlarge and formalise car parking): Applicant: Ashley Care Group: Reference: 3TL/2013/0002/TL

This previously approved application sought an extension of time for works to commence.

Councillor Carter asked if there was still a requirement for the extension and wondered whether a further time extension would be sought. It was explained that under the current Policy only one extension to a time limit was permitted.

Approved, as recommended.

Notes to the Schedule

Item No	Speaker
1	Mr Hall – Objector ACT Mr Sykes Popham – Agent Mr Wright – Town Council Mr Martin – Ward Representative
3	Ms Whettingsteel – for applicant
4	Mr Birtill – Objector Mrs Matthews – Ward Representative
Deferred Item 8a	Mr Wilkinson – Parish Council Mr Bird - Agent

Written Representations Taken into Account

Reference No	No of Representations
3PL/2012/1259/F	7
3PI/2013/0285/F	4
3PL/2012/1093/O	4

57/13 APPLICATIONS DETERMINED BY THE DIRECTOR OF COMMISSIONING (AGENDA ITEM 9)

Noted.

58/13 APPEAL DECISIONS (FOR INFORMATION)(AGENDA ITEM 10)

Noted.

Fire Alarm Testing

Councillor Claussen noted that the meeting had been interrupted several times by the fire alarm sounding. He was joined by other Members in requesting that future maintenance should be scheduled to avoid the disruption of public meetings.

The meeting closed at 12.10 pm

CHAIRMAN