

BRECKLAND COUNCIL

At a Meeting of the

PLANNING COMMITTEE

**Held on Monday, 17 March 2014 at 9.30 am in
Anglia Room, The Conference Suite, Elizabeth House, Dereham**

PRESENT

Mrs S Armes	Mr W. R. J. Richmond
Councillor C Bowes	Mr M. S. Robinson (Vice-Chairman)
Mr T R Carter	Mrs P.A. Spencer
Councillor M. Chapman-Allen	Mr N.C. Wilkin (Chairman)
Mr P.D. Claussen	Mr A.P. Joel (Substitute Member)
Mrs J A North	

Also Present

Mr P.J. Duigan (Ward Representative)

In Attendance

Viv Bebbington	Senior Planner*
Heather Burlingham	Assistant Development Control Officer*
John Chinnery	Solicitor & Standards Consultant
Paul Jackson	Planning Manager
Helen McAleer	Senior Committee Officer
Phil Mileham	Deputy Planning Manager
Martin Pendlebury	Director of Planning & Business Manager *
Chris Raine	Senior Planner*
Sarah Robertson	Planning Policy Officer*

* Capita for Breckland Council

23/14 MINUTES (AGENDA ITEM 1)

The Solicitor advised that Councillor Childerhouse had requested an amendment to the Minutes with regard to the comments he had made as Ward Representative on Schedule Item 3 (Croxtan). He had said that the Leisure Centre site was still available. Members agreed that the matter should be looked into and the point would be clarified when the matter was next discussed by the Committee.

Councillor North clarified that her declaration regarding Schedule Item 2 (Attleborough) had been that she had received a letter requesting support for the proposal which she had passed on to other local Ward Members.

Subject to that amendment, the Minutes of the meeting held on 17 February 2014 were confirmed as a correct record and signed by the Chairman.

24/14 APOLOGIES & SUBSTITUTES (AGENDA ITEM 2)

Apologies for absence had been received from Councillors Lamb and Sharpe. Councillor Joel was present as Substitute for Councillor Sharpe.

25/14 DECLARATION OF INTEREST AND OF REPRESENTATIONS RECEIVED (AGENDA ITEM 3)

Schedule Item 4 (Thetford) – Councillor Robinson declared that he had had

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dealings with the applicant and his business.

Schedule Item 5 (Great Ellingham) – Councillor North declared that she was acquainted with Mrs Banks (Objector).

26/14 CHAIRMAN'S ANNOUNCEMENTS (AGENDA ITEM 4)

The Chairman reminded Members that a previous meeting had been interrupted by the mobile phone of the press representative. It had been agreed that her line manager would attend to sing for the Committee in lieu of the usual £10 fine.

Chris Hill, Community Editor for the Eastern Daily Press and Editor of the Dereham Times then accompanied himself on guitar and sang 'This Old House' complete with an additional verse referring to applying for Planning Permission to replace the old house.

After warm applause from all present Mr Hill said that despite having paid the debt by performing he was pleased to also pay the £10 to the Chairman of the Council's charity – Caister Lifeboat.

The Chairman of the Planning Committee thanked Mr Hill and advised everyone present that the performance had been a 'one-off' and that in future the penalty for a mobile phone interrupting the meeting would be the £10 fine.

27/14 REQUESTS TO DEFER APPLICATIONS INCLUDED IN THIS AGENDA (AGENDA ITEM 5)

Schedule Item 2 (Necton) had been deferred from the agenda for further procedural matters.

Members had previously been advised that Agenda Item 8a (Croxton) had also been deferred from the agenda.

28/14 LOCAL PLAN UPDATE (AGENDA ITEM 7)

The Local Plan Issues and Options consultation was currently being developed. Public consultation was likely to occur in the Autumn, which would allow a number of key pieces of evidence base to be delivered to inform the first round of consultation. Updates to the evidence base would include: an Open Space Assessment, Retail and Town Centre Study and further Housing Studies.

Further amendments to the Community Infrastructure Levy (CIL) regulations had come into force at the end of February. The regulations were being reviewed by Team. The Draft Charging Schedule would be considered by Cabinet in May, with a timetable for adoption by March 2015, when the restrictions on s106 agreements would occur. That would allow the Council to start charging CIL shortly afterwards.

The end of the monitoring year was approaching. Site visits were being undertaken to review the level of housing completions within the District. The site visits would inform the Five Year Housing Land Supply statement which would be reported to the Planning Committee later in the year and would inform future planning decisions.

Croxton Parish Council had submitted a request for the designation of a Neighbourhood Area for the whole of the parish. The consultation period had

closed however, talks were currently occurring with Kilverstone & Brettenham Parish Council for a joint Neighbourhood Plan with Croxton which would effectively cover all three parishes and incorporate all of the Thetford Sustainable Urban Extension area.

29/14 DEFERRED APPLICATIONS (AGENDA ITEM 8)

- 29 .a CROXTON: Off Croxton Road: Erection of concrete skate park with associated lighting & fencing, access from Joe Blunts Lane: Applicant: Thetford Town Council: Reference: 3PL/2013/1108/F

This application had been deferred from the agenda at the request of the applicant.

30/14 SCHEDULE OF PLANNING APPLICATIONS (AGENDA ITEM 9)

RESOLVED that the applications be determined as follows:

- (a) Item 1: DEREHAM: 54 & 56 Yaxham Road: Proposed development of land for three new dwellings and detached single garage for each plot: Applicant: Mr Peter Anthony: Reference: 3PL/2013/0545/F

This application proposed three new dwellings on land to the rear of 54 and 56 Yaxham Road, accessed from the existing driveway to No 54. An existing doorway onto the drive would be blocked up and additional soundproofing would be provided to reduce noise from vehicles using the driveway.

Similar development had taken place to the north and it was considered that the separation distances were sufficient to protect amenity. A S106 agreement had been completed.

Mr Anthony (Applicant) noted that the nearest properties on the Industrial Estate over the railway line were for warehouse not manufacturing use. He also advised that the proposed density was lower than on a nearby site.

Councillors Spencer, North and Richmond raised queries about the access drive and whether it would be wide enough. It was confirmed that it had a type three turning head and complied with highway requirements.

Councillor Armes asked whether the driveway would be a permeable material and was advised that the tar sprayed shingle being used to reduce noise was not permeable but there was a surface water management scheme.

Approved, as recommended.

- (b) Item 2: NECTON: The Necton Diner, Norwich Road: Residential development: Applicant: Mr T Gray: Reference: 3PL/2013/0983/O

This application had been deferred for procedural matters.

- (c) Item 3: BEESTON: Valley Farm, Watery Lane: Proposed permanent agricultural dwelling: Applicant: Mr J Ogilvy: Reference: 3PL/2013/1104/O

This was an Outline application with all matters reserved and just the principle of a permanent agricultural dwelling to be considered.

Plans had been amended to move the proposed dwelling closer to existing buildings to minimise its impact on the landscape. Temporary permission for a mobile home had previously been granted, on appeal. Since then the enterprise had expanded beyond expected levels and the numbers of livestock had increased to a level requiring 24/7 care and supervision.

The Parish Council had requested more landscaping, and that permitted development rights should be removed. If Members were minded to approve the application those additional conditions would be included.

Councillor Bowes thought it was important to ensure that the house was of an attractive design rather than limiting it to a single storey.

Councillor North felt that as the dwelling was outside the Settlement Boundary on an exposed site it should be limited to a single storey. She also requested a condition requiring the removal of the existing mobile home.

Councillor Carter agreed that it should be a single storey dwelling as it would be visible from a long way away.

Approved, as recommended, subject to additional conditions including a condition for single storey.

- (d) Item 4: THETFORD: Land behind No 10 Bridge Street: Proposed two storey dwelling house: Applicant: Mr N Pettit: Reference: 3PL/2013/1159/F

Councillor Robinson declared that he had had dealings with the Applicant and his business.

This application proposed the infill of a space behind No 10 Bridge Street, which backed on to a supermarket car park. The new dwelling would have pedestrian access only through an archway to Bridge Street and would not be visible to the road. The proposed design was contemporary and would be a stark contrast to the surrounding Conservation Area and adjacent Listed Buildings. However, there would be little public view of the property and it was an innovative idea providing a modest property in the town centre with good access to all services and public transport.

Councillor Robinson knew the area well and was concerned about the lack of amenity space and car parking provision. The access passageway was in an area of anti-social behaviour and he also thought the design was out of keeping with the area.

Councillor Spencer upheld the Town Council's views. She was not against small buildings but not of this design which she did not consider would fit well in the Conservation Area.

Councillor Carter pointed out that the building would not be contributing to the street scene. It was hidden and would therefore not affect the Conservation Area. It had to fit the space available and he thought it might work.

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Councillor Chapman-Allen asked for clarification of the term 'air tight' in the application. The Officer explained that the aim was to prevent loss of heat from the building thereby improving its eco-credentials.

Councillor North could see both sides of the argument and had concerns about the access especially during construction.

Councillor Claussen did not have problems with the design but was concerned about the existing walls which had lime mortar which would not survive without air.

Councillor Bowes was concerned about setting a precedent of infilling between Listed Buildings.

Councillor Armes was also concerned about the ancient walls. The Historic Buildings Officer had been against such a scheme in the past and she wondered why he had not objected to the proposal.

The Planning Manager asked Members if they would have the same concerns if the proposal was to extend the existing building into the space. In that case they would not be expecting amenity space or parking. It was not the applicant's fault that the area was subject to anti-social behaviour and filling in the space might limit that in future.

With regard to the design, he asked Members to look again at the elevations. Only one wall would be visible. Conservation Area legislation required applications to conserve or enhance the area. The existing space was 'scruffy' and did nothing for the Conservation Area so the new building would not detract from it. That was why the Historic Buildings Officer had not objected to the application.

He asked Members to reconsider their objections because he was struggling to find sound planning grounds to refuse the application.

The Chairman asked about the possible problems with neighbouring walls being sealed in without ventilation.

The Planning Manager advised that water was one of the biggest problems. The walls had been frequently patched and the lime had already been partially covered. The new building would only be fixed to the back wall. It was set apart from the rest. He accepted that conventional plastering could damage an internal lime wall and suggested that battens could be used then insulation and plaster to maintain ventilation.

Mr Petit (Applicant, who had arrived late) confirmed that a ventilated void had been designed to protect the stability of the existing wall and box guttering would overlap the wall to keep it dry and protected. He was also able to confirm that large materials, such as roof trusses would be delivered to site from the supermarket car park to avoid traffic disruption. He was applying for permission from the supermarket to do that.

Approved, as recommended.

- (e) Item 5: GREAT ELLINGHAM: Bow Street (adjacent to The Bungalows): Erection of a four bedroom bungalow and new vehicular access:

Applicant: Mr Barrie Hall: Reference: 3PL/2014/0077/O

This was an Outline application with all matters reserved to establish the principle of development on the site and providing a new access. The existing field access was not part of the application site.

The site was within a loose knit development of traditional farmhouses, cottages and barn conversions and close to a development of five, large, new houses on a former sawmill site. A nearby bungalow was in the process of being replaced by a large two storey dwelling. Officers considered that single storey development was inappropriate in the area.

Officers felt that the site did not meet the required criteria in the National Planning Policy Framework with regard to sustainability. The new access would also lead to the loss of most of the trees to the frontage.

Mrs Hall (Applicant) addressed the objections raised.

1. There was a need for one, four and five bedroom homes and single storey was more appropriate for older people.
2. The site did meet sustainable requirements; economic – it was the right type of land; social – sited in amongst other dwellings; environment – eco-friendly and energy efficient design with woodland to be planted to the rear.
3. Rural character – the precedent had already been set with 19 properties allowed in the last 15 years. There had also been two properties on the land in living memory.
4. Insufficient Housing Land Supply – better to develop outside the Settlement Boundary on unproductive land.
5. Visual intrusion – the site was bordered on three sides by properties.
6. Highways – the lane had been used by articulated lorries accessing the wood yard until the year 2000.

Mrs Banks (Objector) had lived in the adjacent dwelling since 1984. The land had previously been cropped and had only been laid to meadow for two years. She was concerned that the drainage ditches were overstretched and she did not know if they would cope with the additional inflow. They had already overflowed onto the road. The trees would be lost. They acted as a wind break and also took up water from the ditch. Land was needed to feed the population there were other brownfield sites available. The development might cause damage to her ancient dwelling. It was a single track road with no passing places.

Councillor Richmond asked what the six letters of support had said and it was explained that they were on a printed proforma with the option to agree or disagree with the development.

Several Councillors thought that one more dwelling would not make a difference. However, the Planning Manager advised that the Local Plan aimed to concentrate new dwellings in towns and service centres. The five new properties on a former sawmill site had been granted as they had a better impact on the environment and reduced vehicular movements. He thought that the Committee needed to be consistent. He pointed out that they were looking at a single new dwelling in the countryside but nearby sites had the opportunity for two or three dwellings. The Council had been consistent in the past. This was a new dwelling on a Greenfield site.

Members were split five against and five for the recommendation of refusal. The Chairman agreed with the Planning Manager's comments and used his casting vote to support the recommendation.

Refused, as recommended.

Notes to the Schedule

Item No	Speaker
1	Mr Anthony – Applicant Mr Bix - Agent
3	Mr Ogilvy - Applicant
4	Mr Pettit - Applicant
5	Mrs Hall – Applicant Mr & Mrs Banks - Objectors

Written Representations taken into Account

Reference No	No of Representations
3PL/2013/1159/F	1
3PL/2013/0545/F	2
3PL/2014/0077/O	4

31/14 NORFOLK AND SUFFOLK BRECKS LANDSCAPE CHARACTER ASSESSMENT (AGENDA ITEM 10)

The Planning Policy Officer advised Members that the report had been previously presented to the Local Plan Working Group and they had asked for it to be referred to the Planning Committee.

The study covered all of the Brecks national character area and built on the existing Breckland Landscape Assessment. It presented a holistic view of the Brecks landscape which had previously been considered at the individual Local Authority's level through their own Landscape Character Assessments.

The dual aim of the study was to provide a narrative of how the Brecks had developed for the public and also to provide a technical assessment. The study had been done at a scale of 1:10000 which provided much greater detail than had previously been available. It identified eight character landscape types across the Brecks.

Within the Core Strategy, Policy CP11 identified the most important landscape types for the highest protection. The study gave advice on what to look at in landscape terms when considering planning applications.

Councillor North asked what the £1.5million grant for the Brecks would be spent on and the Deputy Planning Manager advised that it was too early to say. The current study had been paid for with money from other funding streams. It would provide useful guidance as part of the Local Plan process.

Councillor Claussen thought it was a shame that the Study had been done just as the Brecks Partnership had been wound up.

The Deputy Planning Manager did not disagree. It was a legacy item from the Brecks Partnership and a new delivery vehicle would need to be found moving forward.

The report was noted.

**32/14 APPLICATIONS DETERMINED BY THE DIRECTOR OF COMMISSIONING
(AGENDA ITEM 11)**

Noted.

33/14 APPEAL DECISIONS (AGENDA ITEM 12)

Noted.

John Chinnery

The Chairman noted that it was the Solicitor's final Planning Committee in Dereham (although he would be attending the Special Planning Committee on 4 April 2014 in Thetford). He wanted to personally thank Mr Chinnery for his legal advice which had been very useful.

Councillor Armes had known Mr Chinnery for a long time and said that he was always quiet, courteous and efficient. She respected him immensely and thanked him for all he had done and wished him all the best for the future.

Councillor Claussen also thanked Mr Chinnery who he said had understood Members and whose legacy would be how little the Council had had to pay in compensation, which was largely thanks to his advice.

Councillors North and Carter were both relatively new Councillors. They had found Mr Chinnery's advice very helpful. When they had needed guidance it had been delivered in a quiet and understandable way.

Councillor Spencer also thanked Mr Chinnery for the Standards training he had given which had been a great help.

Mr Chinnery responded with thanks for the kind comments. When he had originally left Breckland he had done work on Planning Committees at a lot of other Authorities and he believed that the Breckland Planning Committee were the most sensible he had come across. This time he would be retiring properly to spend time in his garden and with his grandchildren. He thanked the Members for their good wishes.

The meeting closed at 11.35 am

CHAIRMAN