

BRECKLAND COUNCIL

At a Meeting of the

PLANNING COMMITTEE

**Held on Monday, 26 November 2018 at 9.30 am in
Anglia Room, The Conference Suite, Elizabeth House, Dereham**

PRESENT

Mr N.C. Wilkin (Chairman)	Mrs J. Hollis
Mr W. R. J. Richmond (Vice-Chairman)	Mr A.P. Joel
Councillor C. Bowes	Mr K. Martin
Councillor M. Chapman-Allen	Mr F.J. Sharpe
Mr H. E. J. Clarke	Mr P. S. Wilkinson
Mr P.J. Duigan	

Also Present

Mr S.G. Bambridge (Ward Representative)	Mrs L.H. Monument (Ward Representative)
Mr P. M. M. Dimoglou (Ward Representative)	

In Attendance

Michael Horn	Solicitor to the Council
Simon Wood	Interim Director of Planning
Carl Griffiths	Principal Development Management Planner
Fiona Hunter	Principal Development Management Planner
Naomi Minto	Development Management Planner
Tom Donnelly	Development Management Assistant
Natalie Wicks	Planning Assistant
Julie Britton	Democratic Services Officer
Liz Poole	Engineer (Major Developments)

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132/18 MINUTES (AGENDA ITEM 1)

The Minutes of the meeting held on 29 October 2018 were confirmed as a correct record and signed by the Chairman.

133/18 APOLOGIES & SUBSTITUTES (AGENDA ITEM 2)

An apology for absence was received from Councillor Brame.

134/18 DECLARATION OF INTEREST AND OF REPRESENTATIONS RECEIVED (AGENDA ITEM 3)

Agenda item 8(a): Toftwood: Land off Shipdham Road, Westfield Road and Westfield Lane: Reference: 3PL/2015/1490/O

Members had received direct correspondence in relation to this application.

135/18 CHAIRMAN'S ANNOUNCEMENTS (AGENDA ITEM 4)

Members were informed of a site visit that was taking place on Tuesday, 11 December 2018 at a site in Beeston. All Members were encouraged to attend -

refreshments would be available in the Norfolk Room from 9am for departure at 9.30am and car sharing was advised.

136/18 REQUESTS TO DEFER APPLICATIONS INCLUDED IN THIS AGENDA (AGENDA ITEM 5)

Councillor Duigan raised concerns about the deferred item in Hockering, listed on the schedule of deferred applications. He had been past the site on many occasions and was aware that most of the dwellings had been built. The Planning Business Manager, Mr Simon Wood, said that he would investigate.

The schedule of deferred applications was otherwise noted.

137/18 URGENT BUSINESS (AGENDA ITEM 6)

None.

138/18 LOCAL PLAN UPDATE (STANDING ITEM) (AGENDA ITEM 7)

Simon Wood, the Interim Director of Planning announced that there was a report going to Full Council on 6th December which would consider the main modifications required to the Breckland Local Plan following the Inspectors letter to the Council. The report should be published in the next few days as part of the agenda pack for that meeting, and would include a full schedule of modifications. The Council agenda would soon be published on the Breckland website and any questions relating to that report should be directed to the Planning Policy Team.

Councillor Clarke looked forward to further clarity on this matter.

Councillor Martin asked if there was any indication to when the Attleborough SUE would be discussed. Members were informed that significant discussions were still on-going but it was anticipated, although not definite, that the application would be included on the Planning Agenda early next year.

139/18 DEFERRED APPLICATIONS (AGENDA ITEM 8)

- (a) Toftwood: Land off Shipdham Road, Westfield Road and Westfield Lane:
Reference: 3PL/2015/1490/O

Residential development for a **maximum** of 291 dwellings, link roads, open space and recreational space. Amended proposal to include demolition of existing railway bridge at Westfield Lane and construction of a replacement two-way railway bridge (instead of traffic signalling works at the junction of South Green and Tavern Lane).

This application had been considered at the Planning Committee meeting on 15 January 2018 where it was refused planning permission for the following reasons:

1. The intrusion of built development into the open countryside and the creation of a hard edge to the town of Dereham; and
2. Significant visual impact and harm to the character and appearance of the site and surround landscape.

The vote had been tied, 5 x 5, and following the Chairman's casting vote, the application was refused on the above stated grounds together with a highway ground, including the impact of the junction on a 'C' Class road being used as an

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entrance/access point to the development.

Members had received direct correspondence in relation to this application. A letter of objection from George Freeman MP was read aloud, this was a follow on letter from the one he had written in January 2018.

Councillor Dimoglou, a neighbouring Ward Representative for Yaxham, although in attendance, did not take part in the debate and left the room whilst this application was discussed.

Liz Poole, from Norfolk County Council Highways, was also in attendance.

Consideration was given to the report presented by Simon Wood, Interim Director of Planning. It was noted that the proposal was for a **maximum** of 291 dwellings and not for a minimum of 291 dwellings as stated on the report. It was further noted that the footway would form part of the bridge; there would not be a separate footpath.

Members considered the matter and fully explored the details of the application in light of prevailing policies and guidance.

Representations were made in respect of the application in accordance with the Council's scheme of public speaking at Planning Committee meetings:

Dereham Town Council:	Tony Needham
Applicant's Agent:	Jane Crichton & Philip Atkinson (Lanpro)
Transport Consultant:	Simon Clewlow
Norfolk County Council Highways:	Liz Poole
Neighbouring Ward Representative:	Cllr Linda Monument
Yaxham Parish Council:	Peter Lowings (Chairman)
Objector:	Philip Morton
Objector:	Valerie Baker (on behalf of Toftwood Life Community)
Objector:	Michelle Parnell

DECISION: Members voted 6 x 4 for approval of a maximum of 291 dwellings as recommended; subject to the conditions as listed in the report; and a S106 Agreement to secure:

- 1) the provision of onsite affordable housing at 40% (116 dwellings);**
- 2) contributions to Library services £17,460;**
- 3) contributions to local Primary Schools on a pro rata basis £980,089;**
- 4) public open space contribution;**

- 5) NHS contribution £91,740;
- 6) the removal of the requirement for a payment of £182,500 for the restoration works to the River Tud - these works would now be undertaken as part of the scheme agreed via the Unilateral Undertaking;
- 7) onsite open space totalling 12.63 hectare;
- 8) offsite green space to be reverted to low density grazing land totalling 13ha;
- 9) a roundabout to be constructed and open by the 50th built dwelling; and
- 10) the railway bridge and footpath to be constructed and open by the 50th built dwelling – no works shall take place to the railway bridge known as ‘Bridge 1692’, until a detailed report recording the construction methods, materials and architectural details of the bridge has been submitted to and approved in writing by the local planning authority.

The Chairman thanked Tony Needham, Dereham Town Council for his excellent representation. It was noted that the Town Council’s Sustainable Transport Study, in respect of cycle and footway links, which should be completed by December 2018, would be considered in relation to subsequent reserved matters applications.

140/18 SCHEDULE OF PLANNING APPLICATIONS (AGENDA ITEM 9)

RESOLVED that the applications be determined as follows:

- (a) Ashill: Land adjacent to Reeves Farm, Hale Road Reference: 3PL/2018/0764/O

Residential development.

Consideration was given to the report presented by Tom Donnelly, Development Management Assistant

Members considered the matter and fully explored the details of the application in light of prevailing policies and guidance.

A representation was made in respect of the application in accordance with the Council’s scheme of public speaking at Planning Committee meetings:

Ward Representative: Councillor Frank Sharpe (on behalf of the Parish Council)

Prior to the decision being made Councillor Sharpe asked for it to be noted that, on behalf of the Parish Council, he wanted the gas pipeline clarified as the gas main was preventing a footpath being installed. The Parish Council also wanted to know if a street light could be installed. Simon Wood, the Planning Business Manager advised that there had been no objection in principle to the installation of a footpath and an informative condition could be applied instructing the agents to contact the National Grid or Cadent. The Development Management Assistant was not aware of any street light proposal.

DECISION: Members voted unanimously for approval as recommended; subject to:

1. the conditions as listed in the report;
2. the ecology comments being received in relation to bats and other ecological receptors; and
3. an informative be added to the Decision Notice in relation to the gas pipeline being clarified to enable the provision of a possible footpath.

- (b) Attleborough: Land to the rear of Pixie Paddock, Leys Lane: Reference: 3PL/2018/0889/F

Erection of a 4 bed dwelling.

Consideration was given to the report presented by Tom Donnelly, Development Management Assistant.

Members considered the matter and fully explored the details of the application in light of prevailing policies and guidance.

A representation was made in respect of the application in accordance with the Council's scheme of public speaking at Planning Committee meetings:

Agent: John Barbuck (Patterson Design)

DECISION: Members voted unanimously for approval as recommended; subject to the conditions as listed in the report.

- (c) Carbrooke: The Crown House, Meadow Lane: Reference: 3PL/2018/1244/F

Proposed 2 new bungalows.

Consideration was given to the report presented by Tom Donnelly, Development Management Assistant.

Members considered the matter and fully explored the details of the application in light of prevailing policies and guidance.

Updated representations had been included in the supplementary agenda (see page 171).

No representations were made in respect of the application.

DECISION: Members voted unanimously for approval as recommended; subject to the conditions as listed in the report.

- (d) Foxley: Old Fakenham Road: Reference: 3PL/2018/1053/O

Seven residential dwellings with associated gardens, garages and private drives.

Consideration was given to the report presented by Naomi Minto, Development Management Planner.

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Members considered the matter and fully explored the details of the application in light of prevailing policies and guidance.

Representations were made in respect of the application in accordance with the Council's scheme of public speaking at Planning Committee meetings:

Ward Representative: Councillor Gordon Bambridge

Agent: Russell de Beer

Foxley Parish Council: Nicholas Mears (Chairman)

Bawdeswell Parish Council: Bill Cuncliffe (Chairman)

Prior to the decision being made Members were informed that the words 'data error' would be removed from conditions 13 and 14.

DECISION: Members voted unanimously for approval as recommended; subject to the conditions as listed in the report; and subject to the issue of affordable housing provision being addressed.

(e) Litcham: Land off Weasenham Road : Reference: 3PL/2018/0694/O

Outline permission for the erection of 8 dwellings, with all matters except access reserved.

Consideration was given to the report presented by Carl Griffiths, Principal Development Management Planner.

Members considered the matter and fully explored the details of the application in light of prevailing policies and guidance.

Representations were made in respect of the application in accordance with the Council's scheme of public speaking at Planning Committee meetings:

Applicant's Agent: Sarah Hornbrook (Bidwells)

Engineering Consultant: Martin Doughty

An email from the Ward Member, Councillor Gould was read aloud. Councillor Gould was in support of the application.

Both applications 3PL/2018/694/O, agenda item 9(e) and 3PL/2018/0698/O, agenda item 9(f) were considered in conjunction with each other as both would constitute a major development.

DECISION: Members voted unanimously for approval contrary to the Officers recommendation of refusal.

REASON(S): on the grounds that the proposal was in a sustainable location and would contribute to the Council's five year housing land supply.

Members felt that the above reasons outweighed the Highway Authority's objections.

DECISION: Members voted unanimously to approve the application.

The application be approved; subject to:

1. delegated authority to be granted to the Executive Director of Place in consultation with the Applicant's Agent to identify and agree appropriate conditions; and
2. a S106 Agreement and Unilateral Undertaking be imposed in relation to affordable housing, play area and off-site highway works.

(f) Litcham: Land of Wellingham Road: Reference: 3PL/2018/0698/O

Outline permission for the erection of 8 dwellings, with all matters except access reserved.

Consideration was given to the report presented by Carl Griffiths, Principal Development Management Planner.

Members considered the matter and fully explored the details of the application in light of prevailing policies and guidance.

Representations were made in respect of the application in accordance with the Council's scheme of public speaking at Planning Committee meetings:

Applicant's Agent: Sarah Hornbrook (Bidwells)

Engineering Consultant Martin Doughty

An email from the Ward Member, Councillor Gould was read aloud. Councillor Gould was in support of the application.

Both applications 3PL/2018/0698/O, agenda item 9(f) and 3PL/2018/694/O, agenda item 9(e) and were considered in conjunction with each other as both constituted a major development.

DECISION: Members voted unanimously for approval contrary to the Officers recommendation of refusal.

REASON(S): on the grounds that the proposal was in a sustainable location and would contribute to the Council's five year housing land supply.

Members felt that the above reasons outweighed the Highway Authority's objections.

DECISION: Members voted unanimously to approve the application.

The application be approved; subject to:

1. delegated authority to be granted to the Executive Director of Place in consultation with the Applicant's Agent to identify and agree appropriate conditions; and
2. a S106 Agreement and Unilateral Undertaking be imposed in relation to affordable housing, play area and off-site highway works.

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(g) North Tuddenham: Church Farm, Low Road: Reference: 3PL/2018/1057/F

Demolition of log store and barn and replacement with single dwelling and garage.

Consideration was given to the report presented by Naomi Minto, Development Management Planner.

Members considered the matter and fully explored the details of the application in light of prevailing policies and guidance.

Representations were made in respect of the application in accordance with the Council's scheme of public speaking at Planning Committee meetings:

Ward Representative: Councillor Gordon Bambridge (in support)

Applicant's Agent: Erica Whettingsteel (EJW Planning Ltd)

Parish Council: Mike Smith (Vice-Chairman)

Prior to the decision being made the Chairman asked if a suitable passing place could be installed. It was noted that the applicant's agent was waiting for correspondence and clarification of ownership of land from Norfolk County Council Highways Authority.

DECISION: Members voted unanimously for approval contrary to the Officer's recommendation of refusal.

REASON(S): on the grounds that the proposal was in a sustainable location, would enhance the hamlet and would contribute to the Council's five year housing land supply.

DECISION: Members voted unanimously to approve the application.

The application be approved and delegated authority be granted to the Executive Director of Place in consultation with the Applicant's Agent to identify and agree appropriate conditions and an additional condition to be imposed subject to land ownership being obtained for the provision of a passing place between Mattishall Lane and the development site.

(h) Old Buckenham: 9 The Old Yard: Reference: 3PL/2018/0887/F

Erection of an office building with first floor 2 bed residential accommodation.

Consideration was given to the report presented by Tom Donnelly, Development Management Assistant.

Members considered the matter and fully explored the details of the application in light of prevailing policies and guidance.

No representations were made in respect of the application.

DECISION: Members voted unanimously for approval as recommended; subject to the conditions as listed in the report.

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- (i) Shipdham: Land to the east of Pound Green Lane: Reference: 3PL/2018/1103/F

Residential development of four dwellings..

Consideration was given to the report presented by Naomi Minto, Development Management Planner.

Members considered the matter and fully explored the details of the application in light of prevailing policies and guidance.

Representations were made in respect of the application in accordance with the Council's scheme of public speaking at Planning Committee meetings:

Applicant's Agents: Abby Gretton and Melanie Tilley (Clayland Architects)

DECISION: Members voted unanimously for approval as recommended; subject to the conditions as listed in the report; and subject to additional conditions relating to foul sewage disposal and operational time in relation to movement of site traffic.

- (j) Whinburgh and Westfield: Lowdells House, Shop Street: Reference: 3PL/2017/1472/F

Two new detached 4 bedroom dwellings with detached double garages.

Consideration was given to the report presented by Naomi Minto, Development Management Planner.

Members considered the matter and fully explored the details of the application in light of prevailing policies and guidance.

Representations were made in respect of the application in accordance with the Council's scheme of public speaking at Planning Committee meetings:

Ward Representative: Councillor Pablo Dimoglou (in support)

Applicant's Agent: John Jenkins

Objectors: Stratton and Denise Humphrey

DECISION: Members voted 9 x 1 for approval as recommended; subject to the conditions as listed in the report and subject to a total of three owl boxes being installed.

- (k) Yaxham: Development Site, Land Off Elm Close: Reference: 3PL/2018/0024/VAR

Removal of conditions 13 and 21 and variation of conditions 12 and 16 of planning permission reference: 3PL/2014/0820/O.

Consideration was given to the report presented by Fiona Hunter, Principal Development Management Planner.

Members considered the matter and fully explored the details of the application in light of prevailing policies and guidance.

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Representations were made in respect of the application in accordance with the Council's scheme of public speaking at Planning Committee meetings:

Ward Representative: Councillor Pablo Dimoglou (in support)

NP4Yaxham: Maggie Oechsle

DECISION: Members voted 9 x 1 for approval as recommended; subject to the conditions as listed in the report.

141/18 APPLICATIONS DETERMINED BY THE EXECUTIVE DIRECTOR OF PLACE (AGENDA ITEM 10)

Noted.

142/18 APPEALS DECISIONS (FOR INFORMATION) (AGENDA ITEM 11)

Noted.

The meeting closed at 1.35 pm

CHAIRMAN