

BRECKLAND COUNCIL

At a Meeting of the

PLANNING COMMITTEE

**Held on Tuesday, 10 May 2022 at 10.00 am in
The Breckland Conference Centre, Anglia Room, Elizabeth House, Walpole Loke,
Dereham, NR19 1EE**

PRESENT

Cllr Nigel Wilkin (Chairman)
Cllr Peter Wilkinson (Vice-
Chairman)
Cllr Roger Atterwill
Cllr Harry Clarke
Cllr Helen Crane
Cllr Vera Dale

Cllr Keith Gilbert
Cllr Robert Kybird
Cllr Keith Martin
Cllr Marion Chapman-Allen (Substitute Member)
Cllr Linda Monument (Substitute Member)

In Attendance

Simon Wood
Rebecca Collins
Rebecca Harris
Julie Britton
Hugh Coggles

Director of Planning & Building Control
Head of Development Management
Technical Support Officer
Democratic Services Officer
Tree & Countryside Officer

38/22 MINUTES (AGENDA ITEM 1)

The Minutes of the meeting held on 12 April 2022 were agreed as a correct record and signed by the Chairman.

39/22 APOLOGIES & SUBSTITUTES (AGENDA ITEM 2)

Apologies for absence were received from Councillors Bowes, Duigan and Kiddle-Morris. Substitutes in attendance were Councillors Marion Chapman-Allen and Linda Monument.

**40/22 DECLARATION OF INTEREST AND OF REPRESENTATIONS RECEIVED
(AGENDA ITEM 3)**

None declared.

41/22 CHAIRMAN'S ANNOUNCEMENTS (AGENDA ITEM 4)

None.

**42/22 REQUESTS TO DEFER APPLICATIONS INCLUDED IN THIS AGENDA
(AGENDA ITEM 5)**

None.

43/22 URGENT BUSINESS (AGENDA ITEM 6)

None.

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44/22 LOCAL PLAN UPDATE (STANDING ITEM) (AGENDA ITEM 7)

Simon Wood the Director of Planning & Building Control provided Members with a Local Plan update.

Local Plan

The call for sites process would end on 20 May 2022 and the findings would be reported in due course. There had been a number of questions raised by Councillor Atterwill at the previous meeting in terms of clarification around the dates of some of the key elements of both the single policy review and the Local Plan update. The Director of Planning & Building Control advised that that Local Development Scheme was available on the website and was currently the definitive and published timeframe. However, another timeframe was being considered that had been highlighted in various meetings in relation to the partial review, and it was anticipated that a report in relation to the partial review would be taken to Cabinet in June 2022 that would be subsequently submitted to the Planning Inspectorate following a consultation period with possible adoption by April 2023.

In terms of the Local Plan update, it was currently anticipated that a report would be taken to Cabinet along with the final draft document in December 2024 with a submission date following various consultations in April 2025 looking at adoption in 2027.

Members would be kept updated if any of these dates changed. Members should also be aware that planning was expected to be highlighted in the forthcoming Queen's Speech that could possibly bring some changes and would have to be factored into the process.

In response to a question, it was confirmed that the dates that had been set at the recent Cabinet meeting were accurate; Members were asked to ignore the dates that had been provided at the subsequent Neighbourhood Plan meeting.

Nutrient Neutrality

In terms of nutrient neutrality, this was still a matter that was causing a great deal of upheaval within Norfolk. All were still in a position where planning authorities were not able to determine a substantial number of planning applications particularly those relating to residential development that provided additional overnight accommodation.

There was work being carried out by officers of all the Districts to seek to clarify with Natural England and with Anglian Water the types of development that authorities could seek to determine especially outside the catchment areas. The Director of Planning & Building Control would be attending an upcoming meeting to hopefully clarify such matters with the key aim being how Districts could move forward with an adopted consistent approach in relation to applications that were non-residential.

In terms of mid and long-term solutions, this subject was going to carry on for some considerable time before authorities could get into a position where normal service could be resumed. Information would be brought to this Committee on any key changes or steps forward made.

Councillor Atterwill had noticed that there had been a great deal of information in the local press about the 7 authorities getting together to employ a consultant to

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look at these matters and asked the Director of Planning & Building Control if he was able to provide Members with any details as to what this consultant's remit would be, and the possible timeline that he/she had been asked to work to.

In response, the Director of Planning & Building Control advised that the timelines would be agreed in discussion with the said authorities; it was hoped that it would be a short piece of work; however, this might not be the case. In terms of remit, this would be to look at the 2019 evidence provided by Natural England that underpinned its approach sent to local authorities in March 2022. Additionally, the remit would be to understand the scale of the issue in relation to Norfolk as a County and the number of residential units that the County was looking to provide over the various plan periods and arising from that the level of mitigation required and how such mitigation measures could be provided for such developments. It would be a fairly wide brief but what was also being looked at was whether there was a methodology that could be taken to allow a risk-based approach to decision making within the catchment area in the short term.

Councillor Atterwill also asked a question about Anglian Water, and the lack of communication between various bodies. He had developers and landowners approach him about the state of the sewage works in Swanton Morley and how the sewage treatment plant could not cope and was flowing into the River Wensum. He asked the Chairman if it would be possible to invite an Anglian Water representative to a future Committee meeting to discuss various issues across the District and ask them how they intended to move forward. Alternatively, he could submit a 'Councillor Call for Action' to be brought to an Overview & Scrutiny Commission meeting.

The Director of Planning & Building Control understood that Anglian Water had been invited to the next Overview & Scrutiny Commission meeting on 26 May 2022. An agenda had already been indicated to them that covered areas such as the sewage works in Swanton Morley, flooding issues and Nutrient Neutrality. In the last few weeks, Anglian Water had been extremely supportive in terms of discussing such issues and concerns and was helping to move matters forward in terms of information sharing.

Councillor Wilkinson asked the Director of Planning & Building Control if he expected developers to leave areas that had Nutrient Neutrality issues and build on land that did not. He felt that if this were to be the case it could have a detrimental effect on Local Plans going forward.

Members were informed that if this Council moved into a position where a part of the District was relatively free from Nutrient Neutrality, he expected that there would be pressure from some developers to look at such areas where it was easier to develop but such land would still have to be assessed against the Local Plan. He assured Members that it would not end up being a free for all to keep development going and the position of the 5-year housing land supply would also have to be taken into account.

45/22 DEFERRED APPLICATIONS (AGENDA ITEM 8)

a) TPO 2021 No.15: Rookery Farm Barns, Elsing Lane, Dereham

Formal objection to the serving of Tree Preservation Order (TPO) 2021 No. 15, Rookery Farm Barns, Elsing Lane, Dereham.

Consideration was given to the report presented by Hugh Coggles, Tree & Countryside Officer.

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Members considered the matter and fully explored the details of the report 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:

Objectors: Jason & Jemma Hammond

DECISION: Members voted 6 x 4 against the Officers recommendation to confirm the Order.

REASONS: Members felt that the tree in question did not have sufficient amenity value given the location of the tree.

DECISION: Members voted 7 x 3 not to confirm the Order.

b) Colkirk: Land Off Whissonsett Road: Reference: 3PL/2022/0132/VAR

Variation of Condition No 22 of planning permission 3PL/2021/1265/VAR - to vary the wording to enable works to continue up to slab level across all plots, in advance of this condition being discharged.

Consideration was given to the report presented by Rebecca Collins, Head of Development Management.

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:

Parish Council: Cllr Jeanette Paul

Applicant: David Winch (on behalf of Breckland Bridge)

DECISION: Members voted 6 x 3 for approval in support of the Officer's recommendation; subject to:

1. the conditions as listed in the report;
2. delegated authority to be given to Officers to grant planning permission on the receipt of a satisfactory Unilateral Undertaking in respect of GIRAMs payment;
3. full consideration by Officers of the issue of nutrient pollution and its impacts to the integrity of protected habitats; and
4. delegated authority also be given to Officers to refuse planning permission if after full consideration by Officers – they are of the opinion that due to nutrient pollution, the integrity of protected habitats has not been satisfactorily secured..

46/22 SCHEDULE OF PLANNING APPLICATIONS (AGENDA ITEM 9)

None.

47/22 APPLICATIONS DETERMINED BY THE EXECUTIVE DIRECTOR OF PLACE (AGENDA ITEM 10)

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Noted.

48/22 APPEALS (APRIL) (AGENDA ITEM 11)

Noted.

The meeting closed at 11.20 am

CHAIRMAN