

AGENDA

NOTE: In the case of non-members, this agenda is for information only

- Committee** - **DEVELOPMENT CONTROL COMMITTEE**
- Date & Time** - MONDAY, 17TH DECEMBER, 2007 AT 9.30 am
- Venue** - ANGLIA ROOM, THE CONFERENCE SUITE, ELIZABETH HOUSE, DEREHAM

Members of the Committee requiring further information, or with specific questions, are asked to raise these with the appropriate officer at least two working days before the meeting. If the information requested is available, this will be provided, and reported to Committee.

NOTE

Ward Representatives wishing to speak on a particular application are asked to inform the Usher, Mrs H. Burlingham, well in advance and arrive at the meeting by **9.30am** as the items on which the public wish to speak will be taken first in order of the agenda.

LUNCH WILL BE PROVIDED FOR COMMITTEE MEMBERS

THE ORDER OF THE MEETING WILL VARY TO ALLOW FOR PUBLIC SPEAKING AND WILL NOT FOLLOW THAT OF THIS AGENDA

PERSONS ATTENDING THE MEETING ARE REQUESTED TO TURN OFF MOBILE PHONES

In the event of deferred items appearing on the agenda, Ward Representatives will be notified accordingly in advance.

Committee Services
Elizabeth House, Walpole Loke,
Dereham Norfolk, NR19 1EE

Date: Thursday, 6 December 2007

PLANNING POLICY NOTE

THE STRENGTH OF PLANNING POLICY IN DETERMINING PLANNING APPLICATIONS

The Planning process is set up, IN THE PUBLIC INTEREST, to protect the public from the unacceptable planning activities of private individuals and development companies. Planning is primarily concerned to deal with issues of land use and the way they affect the environment.

The Council has a DUTY, through the Town & Planning Acts, to prepare a "District Wide" Local Plan to provide a statutory framework for planning decisions.

Breckland's Plan contains the Council's planning policies, which must be consistent with Government guidance, particularly with the Planning Policy Guidance (PPGs). The Local Plan now carries significant weight as it was adopted in September 1999.

The full public scrutiny of the Council's proposals will give the Plan an exceptional weight when dealing with planning applications.

This shift towards a "Plan-led" planning system is a major feature of recent planning legislation. Under s54A of the Town & Country Planning Act 1990, ***planning applications should be determined in accordance with the policies of the Plan, unless material considerations which are relevant to planning indicate otherwise.***

PPG1 summarises the objectives of the "plan-led" system as:-

- achieving greater certainty;
- ensuring rational & consistent decisions;
- securing public involvement in shaping local planning policies;
- facilitating quicker planning decision; and
- reducing the number of misconceived planning applications and appeals.

Unless there are special reasons to do otherwise, planning permissions "run with the land", and are NOT personal licences.

The factors to be used in determining applications will relate to the effect on the "public at large" and will NOT be those that refer to private interests.

Personal circumstances of applicants "will rarely" be an influencing factor, **and then, only** when the planning issues are "finely balanced".

THEREFORE we will:

- **acknowledge the strength of our policies,**
- **be consistent in the application of our policy, and**
- **if we need to adapt our policy, we should do it through the Local Plan process.**

Decisions which are finely balanced, and which contradict policy will be recorded in detail, to explain and justify the decision, and the strength of the material planning reasons for doing so.

LOCAL COUNCILS

OCCASIONALLY, THERE ARE CONFLICTS WITH THE VIEWS OF THE PARISH OR TOWN COUNCIL. WHY IS THIS?

We ask local parish and town councils to recognise that all comments received are taken into account. In 2001, about 90% of cases had agreement.

Where we disagree it will be because:

- Districts look to "wider" policies, and national, regional and county planning strategy.
- Case law might dictate a course of action.
- There is extra information and views not available to the Local Council.
- There is an honest difference of opinion.

PART A
ITEMS OPEN TO THE PUBLIC

	<u>Page(s)</u> <u>herewith</u>
1. <u>MINUTES</u> To confirm the minutes of the meeting held on 26 th November 2007.	1 - 14
2. <u>APOLOGIES</u> To receive apologies for absence.	
3. <u>DECLARATION OF INTEREST</u> Members are asked at this stage to declare any interests they may have in any of the following items on the agenda. The Members' Code of Conduct requires that declarations include the nature of the interest and whether it is personal or prejudicial.	
4. <u>CHAIRMAN'S ANNOUNCEMENTS (IF ANY)</u>	
5. <u>REQUESTS TO DEFER APPLICATIONS INCLUDED IN THIS AGENDA</u> To consider any requests from Ward Members, officers or applicants to defer an application included in this agenda, so as to save any unnecessary waiting by members of the public attending for such applications.	
6. <u>URGENT BUSINESS</u> To note whether the Chairman proposes to accept any item as urgent business, pursuant to Section 100(B)(4)(b) of the Local Government Act 1972.	
7. <u>LOCAL DEVELOPMENT FRAMEWORK (STANDARD ITEM)</u> To receive an update.	
8. <u>DEFERRED APPLICATIONS</u> To consider applications deferred at previous meetings including some, but not all, of those shown on the attached Schedule of Deferred Applications.	15
9. <u>SWAFFHAM AND SPORLE: A WIND ENERGY DEVELOPMENT COMPRISING OF SIX TURBINES AND ASSOCIATED WORKS ON LAND OFF SPORLE ROAD: REFERENCE: 3PL/2007/0314/F</u> Report of the Development Services Manager.	16 - 20
10. <u>SHIPDHAM: TWO WIND TURBINES AT LAND NEAR WOOD FARM: ECOTRICITY: APPLICATION NO. 3PL/2004/0313/F</u> Report of the Head of Legal Services.	21 - 22
11. <u>SNETTERTON: PROPOSED HOTEL/RESTAURANT, THE FLAME RESTAURANT, ADJACENT A11: REFERENCE: 3PL/2007/1568/F</u>	23 - 25

Report of the Development Services Manager.

12. SCHEDULE OF PLANNING APPLICATIONS

26 - 56

To consider the Schedule of Planning Applications:

<u>Item No</u>	<u>Applicant</u>	<u>Parish</u>	<u>Page No</u>
1	Next Generation Ltd	Swaffham	27
2	Mrs N Lond-Caulk	Caston	28 - 33
3	Mundford Poultry Ltd	Mundford	34 - 36
4	THPD Properties Ltd	Yaxham	37 - 42
5	R J Holbrook	Attleborough	43 - 44
6	Hastoe Housing Association	Ashill	45 - 47
7	Mr & Mrs D Leer	Snetterton	48
8	A Sacharczuk	Attleborough	49 - 51
9	Mr P Gilchrist	Attleborough	52 - 53
10	Mr Philip Hodson	Brettenham	54 - 56

13. ENFORCEMENT ITEMS (FOR INFORMATION)

57 - 60

14. APPLICATIONS DETERMINED BY THE DEVELOPMENT SERVICES MANAGER (FOR INFORMATION)

61 - 74

Report of the Development Services Manager.

15. APPEALS DECISIONS (FOR INFORMATION)

APP/F2605/A/07/2045567: Swaffham: The Coach House, 23 Station Street: Appeal against a refusal to grant planning permission for Mr and Mrs R Chapman. Application reference: 3PL/2006/1622/F

Decision: Dismissed

APP/F2605/A/07/2050447: Carbrooke: Site adjacent to Fen Farm, Willow Corner: Appeal against a refusal to grant planning permission for Dawe Estates Ltd: Application reference: 3PL/2007/0661/F

Decision: Dismissed

APP/F2605/A/07/2051427: South Lopham: Brick Kiln Lane, Low Common Road: Appeal against a refusal to grant planning permission for Mr Alan Powley: Application Reference: 3PL/2007/0405/F

Decision: Dismissed

APP/F2605/C/07/2040848: Bawdeswell: Wood Farm, Reepham Road: Appeal against an enforcement notice for Mr Stephen Martin Vince: Application Reference: ENF/2006/0536

Decision: Enforcement Notice upheld subject to variations