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BRECKLAND COUNCIL

At a Meeting of the

DEVELOPMENT CONTROL COMMITTEE

Held on Monday, 23 July 2007 at 9.30 am in
Anglia Room, The Conference Suite, Elizabeth House, Dereham

PRESENT

Councillor E. Gould (Chairman)	Mrs D.K.R. Irving
Mr W.P. Borrett	Mr M.A. Kiddle-Morris
Councillor Claire Bowes	Mr J.P. Labouchere
Mrs M.P. Chapman-Allen	Mr T.J. Lamb
Mr P.J. Duigan	Mr B. Rose
Mr P.S. Francis	Mr F.J. Sharpe
Mr M. Fanthorpe	Mrs P.A. Spencer
Mrs S.R. Howard-Alpe	Mr N.C. Wilkin (Vice-Chairman)

Also Present

Mr J.W. Nunn	Mr J.D. Rogers
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In Attendance

Julie Britton	- Committee Services Officer
Greg Britton	- Principal Planning Officer
Heather Burlingham	- Assistant Development Control Officer
John Chinnery	- Solicitor & Monitoring Officer
Phil Daines	- Development Services Manager
Zoe Footer	- Land Management Officer
Lisa Hendry	- Assistant Development Control Officer
Ray Johnson	- Acting Operations Manager (Commercial Services)
Nick Moys	- Principal Planning Officer (Major Projects)

113/07 MINUTES (AGENDA ITEM 2)

The Minutes of the meeting held on 2 July 2007 were confirmed as a correct record and signed by the Chairman.

114/07 APOLOGIES (AGENDA ITEM 3)

An apology for absence was received from Mr M Spencer.

115/07 DECLARATION OF INTEREST (AGENDA ITEM 4)

Members and Officers were asked to declare any interests as appropriate at the time the applications were made.

Mr P Francis and Mrs S Howard-Alpe declared personal interests in item 15 of the Schedule of Applications (Attleborough). The nature of their interests related to them being political colleagues of the applicant.

Mr T Lamb declared a prejudicial interest in Agenda item 8 (Thetford) for the reason that he was a trustee of the Charles Burrell Museum. Mr Lamb left the room whilst this item was being

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discussed.

Mr F Sharpe declared a personal interest in item 14 of the Schedule of Applications (Swaffham). The nature of his interest related to him being a Member of Swaffham Town Council.

116/07 CHAIRMAN'S ANNOUNCEMENTS (AGENDA ITEM 5)

- 1) The Chairman advised that another tour of the district had been arranged for Monday 1 October 2007. Further details would be issued nearer the time.
- 2) The Chairman informed Members of a proposed change to procedures for public speaking.

In future, once all relevant persons had been notified of this new procedure, a closing date for public speaking would be applied; therefore all persons wishing to speak would be asked to inform the Usher by 4pm on the Friday before the day of the Committee meeting. If circumstances had not allowed a person to inform the Usher in advance of the meeting that person would only be allowed to speak at the Chairman's discretion.

It was anticipated that this new process would prevent the start of the Development Control Committee meetings from being constantly delayed and help improve its administration.

- 3) The Chairman requested that the Highways Authority and the Environment Agency be invited to a future meeting of the Development Control Committee to discuss highways drainage and flooding issues.

117/07 REQUESTS TO DEFER APPLICATIONS INCLUDED IN THIS AGENDA (AGENDA ITEM 6)

The Committee was informed that the applicant had requested that item 12 of the Schedule of Applications (Dereham) be deferred; however, in the light of an objection being received from the Highways Authority the recommendation had been changed to one of refusal and therefore the application would be discussed.

118/07 URGENT BUSINESS (AGENDA ITEM 7)

Variation of Section 106 Agreement: Land at Charlock Road, Thetford

The Operations Manager for Asset Management advised that the report sought the Committee's approval to vary the terms of the Agreement by the deletion of the existing covenants contained in clauses 7.5, 7.6 and 10.6. To vary these terms would protect the Council in the future and would provide the Council with greater flexibility to vary the use of the land on which the all weather ball park and the adjacent open space stood.

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Planning permission had been granted to Ashwell Homes Ltd for the residential development subject to a S106 Agreement requiring the provision of public open space including the construction of an all weather surface. The Operations Manager for Asset Management explained that the developers were now asking the Council to adopt the said land; however, the Council wished to vary the terms to which it would be adopting so that the ball park could be closed and the sum of money (payable to the Council by the developers upon adoption) could be used to provide facilities elsewhere.

The all weather ball park and the open space at Charlock Road had been a cause of great concern to both the Council and local residents. The Council had continued to receive complaints from local residents. Windows in their properties had been broken and the all weather ball park had been subjected to vandalism and graffiti. On many occasions, the police had been called in to deal with anti-social behaviour and a dispersal area status had recently been agreed which could have an adverse effect on the value of surrounding properties.

Having regard to the fact that the ball park was causing considerable problems to the residents, the Committee

RESOLVED that the Section 106 Agreement be varied in accordance with paragraph 4.2 of the report.

119/07 DEFERRED APPLICATIONS (AGENDA ITEM 8)

- (a) Thetford: 3 Minstergate - Convert house to provide 2 no. one bed apartments, new build block to provide 11 no. one bed apartments: Reference 3PL/2007/0686 - Applicant: Henstead Hall Estates Ltd

The Principal Planning Officer presented the details of the application which had been deferred from the meeting held on 2 July 2007 to enable the dimensions of the proposal to be compared with the previously approved scheme on the site.

Comparisons between the dimensions of the two schemes were provided.

Members had considerable concerns in relation to traffic issues, parking and how the rear of the Museum would be accessed if the Committee was mindful to grant permission.

In conclusion, it was

RESOLVED that the application be refused, contrary to the recommendation, on the grounds that the proposal would have a detrimental effect on both adjacent Listed Buildings and the Conservation Area as a whole and was unsuitable on the grounds of scale, massing, proportion and architectural detail.

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120/07 SCHEDULE OF PLANNING APPLICATIONS

RESOLVED that the applications be determined in accordance with the recommendations contained in the schedule, subject to the following conditions and amendments:

- (a) Item 1: 3PL/2006/1934/F: Thetford: 74a Magdalen Street: Demolish existing carpet store for 6 no. residential flats for Mr T Davidge

Approved as recommended subject to the front façade of the buildings being predominantly flint.

- (b) Item 3: 3PL/2007/0652/O: Dereham: Dereham Swimming Pool, De Narde Road: Residential Development for Norfolk County Council

Deferred; however, the Development Services Manager be authorised to grant outline planning permission subject to appropriate conditions as follows:

- 1) a Section 106 Agreement to include:
 - i) the provision of affordable housing;
 - ii) the provision of a small amount of open space on the site;
 - iii) contributions towards recreation, education, library and transport facilities.
- 2) the density of development to be no more than 25 dwellings;
- 3) the dwellings adjacent to the existing properties to be single storey and the remainder to be no more than two storeys;
- 4) the further open space at the site frontage to remain as garden land;
- 5) the existing embankment to be re-graded;
- 6) a slab level condition to be included;
- 7) a contamination land survey to be carried out; and
- 8) the details of the design and layout of the dwellings to be brought back to this Committee.

Members were made aware that reducing the amount of housing would limit the amount of open space and affordable housing to be provided.

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- (c) Item 5: Necton: Site adjacent to 18 Mill Street: Residential Development for Mr T Wicks

Following a proposal to defer this item to allow the Highways Authority to attend, the vote was lost and the application was refused, contrary to the recommendation.

Members were convinced that the existing flooding problems in that area would not cease if the development was approved and the site would continue to flood.

- (d) Item 7: Thetford: 3 Minstergate: Convert house to provide 2 no. one bed apartments, new build block to provide 11 no. one bed apartments for Henstead Hall Estates Ltd

This item was considered in conjunction with Agenda item 8 (Minute No. 119/07(a) above refers).

- (e) Item 8: Thetford: Land between A134 Mundford Road and the A11 Thetford By-Pass: Renewal of pp 3PL/2004/0331/F to develop land as business park including land use class B1, B2, B8 and site for hotel for The Crown Estate

Approved as recommended subject to the Health and Safety Executive raising no objections to the proposal. Members were made aware that, since the publication of the report, the Environment Agency had withdrawn its objection to the proposal, subject to appropriate conditions.

- (f) Item 11: Attleborough: Rear of Woodsplace and The Nurseries, London Road: Proposed dwelling for Mr M Woodrow

Approved as recommended subject to further conditions requiring appropriate tree planting and landscaping. Members requested that the Council's Tree and Countryside Officer be asked to look into the issue of the trees.

- (g) Item 12: Dereham: 7 Stone Road, Toftwood: To build a garden wall 1.8 metres high across the front of the site for R A Fletcher

The Principal Planning Officer (Major Projects) advised that, since the publication of the report, an objection had been received from the Highways Authority. The objection related to what distance the wall should be positioned away from the road. Accordingly, the recommendation had been changed to one of refusal, to which the Members agreed.

- (h) Item 15: Attleborough: Entrance to Rosecroft: Change of use from grass verge to garden/allotment for A C Stasiak

Refused, contrary to the recommendation. It was felt that the land in question should remain as open space as the change in use would adversely affect the appearance of the area.

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- (i) Item 16: Carbrooke and Griston: Former RAF Watton Technical Site, Norwich Road: Variation of condition 5 on 3PL/2005/0477/O to omit ref. to Site Development Framework

Approved as recommended. Members were made aware that the site actually fell within the Parishes of Carbrooke and Griston and not in Watton and accordingly it was requested that a letter be sent to Norfolk County Council and the developers of the site with regard to appropriate signage.

Notes to the Schedule

The following persons were in attendance to speak on the following items:

<u>Schedule Item No.</u>	<u>Speaker</u>
Agenda item 7 (Thetford)	Mr Nunn
1	Mr Green, Objector Mr Davidge, Applicant
2	Mr Kennell, Parish Council Mr Hoare, Applicant's Agent
3	Mrs Walker, Objector Mr Scales, Applicant's Agent
4	Mr Irvine, Applicant's Agent
5	Mr Woodward, Parish Council Mr Retchless, Applicant's Agent
6	Ms Bernard, on behalf of the Objector Mr Stubbington, Applicant
9	Mr Rogers, Ward Representative
12	Mr Fletcher, Applicant
13	Mr Hodson, for the Applicant Mrs Walsh, Applicant
15	Mr Stannard, Objector
16	Mr Rogers, Ward Representative

The Committee was made aware of the following amendments to the Agenda:

- a) Item 3: Dereham - the Environment Agency had not raised an objection to the proposal.

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- b) Item 8: Thetford – the recommendation should have been one of outline planning permission.
- c) Item 12: Dereham – the recommendation had been changed to one of refusal.

Written Representations taken into account

<u>Reference No.</u>	<u>No. of Representations</u>
3PL/2006/1934/F	12
3PL/2007/0611/F	9
3PL/2007/0664/F	2
3PL/2007/0676/O	6
3PL/2007/0683/CU	3
3PL/2007/0772/O	2
3PL/2007/0916/CU	10
3PL/2007/0941/CU	1
3PL/2007/0652/O	11

121/07 APPLICATIONS DETERMINED BY THE DEVELOPMENT SERVICES MANAGER (FOR INFORMATION)

This item was noted.

122/07 APPEALS DECISIONS (FOR INFORMATION)

The Development Services Manager drew the Committee's attention to appeal reference no. App/F2605/C/06/2019058 where an appeal against an enforcement notice had been served. Although the appeal had been dismissed, the appellant had now taken the case to the High Court and the application was now a matter of judicial review.

The meeting closed at 2.35 pm

CHAIRMAN