

BRECKLAND COUNCIL

At a Meeting of the

DEVELOPMENT CONTROL COMMITTEE

**Held on Monday, 13 December 2010 at 9.30 am in
Anglia Room, The Conference Suite, Elizabeth House, Dereham**

PRESENT

Councillor E. Gould (Chairman)	Mr T.J. Lamb
Councillor Claire Bowes	Mr S. J. F. Rogers
Mr P.J. Duigan	Mr F.J. Sharpe
Mr P.S. Francis	Mrs P.A. Spencer
Mr M. Fanthorpe	Mr N.C. Wilkin (Vice-Chairman)
Mrs D.K.R. Irving	

Also Present

Mr A P Joel - Ward Representative

In Attendance

Heather Burlingham	- Assistant Development Control Officer (Capita Symonds for Breckland Council)
John Chinnery	- Solicitor & Standards Consultant
Phil Daines	- Development Services Manager (Capita Symonds for Breckland Council)
Mike Brennan	- Principal Planning Officer (Capita Symonds for Breckland Council)
Nick Moys	- Principal Planning Officer (Major Projects) (Capita Symonds for Breckland Council)
Jon Durbin	- Capita Symonds
Jane Osborne	- Committee Officer

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219/10 MINUTES

The Minutes of the meeting held on 22 November 2010 were confirmed as a correct record and signed by the Chairman.

220/10 APOLOGIES & SUBSTITUTES

Apologies for absence had been received from Mr J Labouchere and Mrs M Chapman-Allen. Mr P Duigan was in attendance as substitute for Mr. Labouchere.

**221/10 DECLARATION OF INTEREST AND OF REPRESENTATIONS
RECEIVED**

Councillor N Wilkin declared a prejudicial interest in Agenda Item 11 (Watton) by virtue of a family member living on the frontage of the proposed development site.

222/10 CHAIRMAN'S ANNOUNCEMENTS

The Chairman made her usual announcements regarding the fire exits, mobile phones etc.

There would be English Heritage Training for Members and Officers all day on 8 February 2011.

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The second part of the CABE Training (Commission for Architecture and the Built Environment) would take place all day on 18 February. Members were advised that it was beneficial for them to attend, even if they had not attended the first part.

223/10 REQUESTS TO DEFER APPLICATIONS INCLUDED IN THIS AGENDA

There were none.

224/10 URGENT BUSINESS

There were none.

225/10 LOCAL DEVELOPMENT FRAMEWORK (STANDING ITEM)

In relation to Site Specifics, Cabinet had asked that the document was referred back to the LDF Panel to have a final look, and Members had asked for local factors to be taken into consideration. A meeting was being held at Breckland Council on 15 December at 3.30 p.m.

With regard to the Thetford Area Action Plan, the intension was that the document would go to Cabinet on 11 January with a four week period of consultation at the end of January. Once the consultation period had been completed, it would go back through the Committee process for a final review.

The Attleborough Area Action Plan consultation ends at the end of January, so there would still be time for comments to be received. Following that, consultation issues would be taken into account, with the first point into Attleborough Task Force at the end of February, then through the Committee process at Breckland for preferred options.

A question was asked with regard to administration, in that did it mean that Attleborough would be on one set of rules and Breckland another? It was advised that the Attleborough Action Plan was not due for completion until after the TAAP and site specifics, so yes broadly speaking this was correct, as the growth of the two towns warranted separate documents and consideration. The Member was advised with regard to the two Area Action Plans that if the stage was reached where it was felt there was agreement in how issues were taken forward, there would be no reason why the application could not be seen in the light of those documents. The Area Action Plan for Attleborough was at an earlier stage.

The Member was concerned and unclear that if one document was approved, how the CIL (Community Infrastructure Levy) arrangements would fit in. He was advised that if CIL went forward, there would be no reason why it could not pick up specific issues for towns such as Attleborough and Thetford.

226/10 DEFERRED APPLICATIONS

Noted.

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227/10 SPORLE : VARIATION OF SECTION 106 AGREEMENT : PROPOSED RESIDENTIAL DEVELOPMENT, HILL FARM. REFERENCE : 3PL/2007/1303/O & 3PL/2007/1305/O

The context and background to the formal request to vary the terms of a Section 106 agreement relating to the proposed residential development at Sporle were explained.

The proposed development would comprise of two linked elements :-

- i) an affordable housing scheme of 8 dwellings
- ii) an open market development of 9 houses

The requested variation related to the phasing of the affordable housing provision, in that the applicant had requested that the clause was varied to allow up to three open market units to be occupied before the completion of the affordable housing.

There was a requirement to construct quite a length of access road and associated with the costs this had been a factor in preventing the scheme coming forward to date. Finance had been secured for the road, but was subject to three open market units being available.

It was important that a strong link between the affordable and open market elements of the development was maintained and therefore suggested that the whole of the access road was constructed. It was felt that if the Agreement was not varied, there would be very little hope that the scheme would come forward.

A Member asked if the three units could be those at the far end of the site which would avoid construction traffic going past units at the beginning if those were done first.

A Member stated that if the variation was recommended, he wished it made clear that it was the only variation the Applicant could have. The Chairman explained that future variations could not be stopped.

RESOLVED that the application be approved as recommended but subject to the conditions that :-

- (i) negotiations take place that the three units at the top corner of the site were developed first;
- (ii) if the Applicant did not agree to develop those first, the application would be referred back to the Development Control Committee.

228/10 NEW BUCKENHAM: THE OLD PIGGERY, MARSH LANE: RESIDENTIAL DEVELOPMENT AND ANCILLARY WORKS TO PROVIDE 6 LOW COST AND 5 AFFORDABLE SINGLE STOREY DWELLINGS FOR C & D BAILEY: REFERENCE: 3PL/2010/0924/O

The application sought outline planning permission (with only access to be considered) for a proposed residential development of 11 dwellings, including five affordable units situated within a Conservation Area on the edge of New Buckenham. The scheme included a new site entrance, parking areas and ancillary works. The matters of scale, appearance, layout and landscaping were reserved for future consideration.

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The dwellings would be constructed outside of the Settlement Boundary, although the indicative plan illustrated that the access and some of the parking spaces would be within the Settlement Boundary. Key issues related to development outside of the Settlement Boundary, highway safety and access, residential amenity and the character of the Conservation area.

Although the Parish Council strongly supported in principle low cost housing, it had objected strongly due to inadequate highway provision especially access.

The Housing Officer had supported the application because there was no affordable housing provision in the area.

The Highways Authority had raised strong objections in terms of the narrowness of Marsh Lane, inadequate parking on site, no footway for pedestrians, and absence of full details for surface water disposal.

Five letters of objection had been received, and policies that required consideration were as stated in the report.

The Applicant's case was that there was a clear lack of affordable dwellings in the village and an overall shortfall of housing in the district.

Mr Farnell, Objector said that whilst there had been some infill in the village, to have such a development stuck on the edge would impact greatly even destroy the character of a medieval village and might result in a "two village syndrome". The new development would take some of the parking area from the five cottages, with the conservation area roughly in front of the sheds.

Mr Farnell questioned that if the outline planning permission for access was refused, would another meeting be convened if different access proposals were submitted. He was advised that that was the correct process.

Mr A Joel, Ward Representative stated that there was no social housing provision in the village and there was a need for bungalows for the elderly. However, the development was too big for the village and it would spoil the character, the access was very difficult and there was no public footway. The proposed development equated to a 4.4% increase. He would support it just for social housing and an exception scheme for local people.

RESOLVED that, the application be refused for the reasons as recommended in the report.

**229/10 WATTON: 43 NORWICH ROAD: PROPOSED DEMOLITION OF 43
NORWICH ROAD AND NEW RESIDENTIAL DEVELOPMENT - 14 NO 1
BED UNITS (FOR THE OVER 60S) FOR MR & MRS N DYE:
REFERENCE: 3PL/2010/0983/O**

Mr N Wilkin declared a prejudicial interest by virtue of a family member living on the frontage of the proposed development site, so left the room for the agenda item.

The application sought outline planning permission (including access, scale and landscape) for the erection of 14 one-bed units for the over 60s. Plans showed single storey units in four blocks, 2 pairs of semis, a terrace of 4 and a terrace of 6. The site was to the rear of existing dwellings on Norwich

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Road and to the South of Linden Court, a residential care home. Access to the scheme would be created by demolishing a semi-detached dwelling at number 43 Norwich Road.

The view was that it would do very little to enhance the character of the area and no affordable housing was proposed. The scheme would conflict with existing trees and would harm local amenities.

Access to the development would be substandard. The Applicant had stated the development would be almost car free with parking limited to the warden, visitors and service vehicles, but enforcement and practicality was of concern, and a convincing case had not been made.

RESOLVED that the application be refused as recommended.

230/10 SCHEDULE OF PLANNING APPLICATIONS

RESOLVED that the applications be determined as follows :-

- a) Item 1 : New Buckenham : The Old Piggery, Marsh Lane : Residential development and ancillary works to provide 6 low cost and 5 affordable single storey dwellings for C & D Bailey. Reference : 3PL/2010/0924/0

Refused, see Minute No. /10

- b) Item 2 : Watton : 43 Norwich Road : Proposed demolition of 43 Norwich Road and new residential development of 14 no 1 bed units (for over 60s) for Mr & Mrs N Dye. Reference : 3PL/2010/0983/0

Refused, see Minute No. /10

- c) Item 3 : Oxborough : Field View Barn, Swaffham Road : Open fronted domestic garage (retrospective) for Mr R Aldridge. Reference : 3PL/2010/1150/F

The Applicant sought retrospective planning permission for an open fronted domestic garage. The building was finished in timber boarding over a brick base with pantiles to the roof.

The Parish Council objected on the basis that the Applicant pre-empted planning permission and the garage was visually intrusive.

The Chairman read out comments received from Mr I Monson, Ward Representative, as follows :-

“Unfortunately no-one is available to speak against the retrospective application. However, the wishes of the majority of the people of Oxborough should be taken into account as reflected in the comments of the Parish Council which you should now have received”.

Approved, as recommended.

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Notes to the Schedule

Item No.	Speaker
1	Mr Joel – Ward Representative Mr Farnell - Objector

Written Representations Taken Into Account

Reference No.	No. of Representations
3PL/2010/0924/O	6
3PL/2010/0983/O	3

**231/10 APPLICATIONS DETERMINED BY THE DEPUTY CHIEF EXECUTIVE
(FOR INFORMATION)**

Noted.

232/10 APPEAL DECISIONS (FOR INFORMATION)

Noted.

In response to a comment made about the ever increasing length of the Discharge of Condition Lists, the Development Services Manager explained the formal process these had to go through.

The meeting closed at 10.40 am

CHAIRMAN