

BRECKLAND COUNCIL

At a Meeting of the

PLANNING COMMITTEE

**Held on Monday, 14 May 2012 at 9.30 am in
Anglia Room, The Conference Suite, Elizabeth House, Dereham**

PRESENT

Councillor C Bowes
Mr T R Carter
Mr C. S. Clark
Councillor E. Gould
(Chairman)
Mr T.J. Lamb
Mrs J A North

Mr W. R. J. Richmond
Mr M. S. Robinson
Mr F.J. Sharpe
Mrs P.A. Spencer
Mr N.C. Wilkin (Vice-Chairman)
Mr P.J. Duigan (Substitute Member)

Also Present

Mr A.C. Stasiak (Ward
Representative)
Mr A.P. Joel (Ward
Representative)

Mr S. Askew - Applicant
Mr J.P. Cowen (Ward Representative)

In Attendance

Paul Jackson
Heather Burlingham
John Chinnery
Jane Osborne
Jeff Upton

Mike Brennan
Nick Moys
Mr Higgins

Planning Manager
Assistant Development Control Officer*
Solicitor & Standards Consultant
Committee Officer
Interim Planning & Building Control
Manager*
Principal Planning Officer*
Principal Planning Officer (Major Projects)*
Norfolk County Council Highways

* Capita Symonds for Breckland Council

42/12 MINUTES

The Minutes of the meeting held on 11 April 2012 were confirmed as a correct record and signed by the Chairman.

43/12 APOLOGIES & SUBSTITUTES

Apologies for absence had been received from Cllr Wassell, Cllr Duigan was in attendance as his substitute.

**44/12 DECLARATION OF INTEREST AND OF REPRESENTATIONS
RECEIVED**

Cllr Sharpe declared a personal interest in Agenda item 8(a), Deferred Application, Attleborough, by virtue of being the Executive Support Member for Assets & Strategic Development.

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Cllr Bowes declared a personal interest in Agenda Item 9, Schedule of Planning Applications, Items No. 9 and 10, Old Buckenham, as some of her family knew members of the applicant's family. All the other Councillors declared a personal interest too, by virtue of the fact that the applicant was a fellow Councillor. Cllr Askew declared a personal and prejudicial interest by virtue of being the applicant.

Cllr Richmond declared a personal interest in Agenda Item 9, Schedule of Planning Applications, Item No. 11, North Elmham by virtue of knowing the applicant.

45/12CHAIRMAN'S ANNOUNCEMENTS

The Chairman advised Members that as she was now the Executive Member for Planning & Environmental Services portfolio holder, the meeting would be chaired by Cllr Wilkin, the current Vice-Chairman.

Cllr Duigan thanked Cllr Gould for all her hard work during her time as Chairman of the Planning Committee, which she had carried out in a firm and good humoured way, and that she would be missed, sentiments which were echoed by all the Members.

Cllr Gould left the meeting. Cllr Wilkin took over as Chairman.

46/12LOCAL DEVELOPMENT FRAMEWORK (STANDING ITEM)

A presentation was given to Members prior to the commencement of the Committee on the National Planning Policy Framework (NPPF) by Phil Mileham, Senior Planning Policy Officer.

47/12DEFERRED APPLICATIONS

48/12ATTLEBOROUGH : PROPOSED RESIDENTIAL/EMPLOYMENT DEVELOPMENT, LONDON ROAD : APPLICANT : TAYLOR WIMPEY LTD : REFERENCE : 3PL/2011/0528/H

Cllr Sharpe declared a personal interest by virtue of being the Executive Support Member for Assets & Strategic Development.

Correspondence had been received by Members of the Planning Committee about the application.

A mixed residential and employment development was proposed on land at London Road, Attleborough, with a full application for the residential development and with an outline employment development.

Further consideration had been given to transport matters, in consultation with the applicant and the Highway Authority, along with concerns about the potential amenity impact of 2½ storey houses on London Road, following the application being deferred by the

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Planning Committee on 11 April 2012.

Additional representations had been received which consisted of a number of letters from local residents with objections to the proposed access locations and more general concerns over additional traffic in the town. A further letter had been received from Attleborough Town Council in which they reiterated their concerns along with the impact of additional traffic in the town and the proposed changes to the junction.

Mr Middleton, Attleborough Town Council, stated that the traffic issues reinforced the need for wider discussion of the proposal and for the overall plans to develop Attleborough over the next 15 years. Residents' concerns were endorsed. The Connaught Road proposals would not solve the problem. Data submitted was selective. If the application was approved they would have had over 500 houses approved since 2011. Additional housing would impact on the town. Cycle routes and paths in the town centre were narrow. The application was premature, was outside the Settlement Boundary, would have a severe impact and should be included in ASHAAP.

Mr. Matthews, Objector, represented residents of Kent Close, gardens of which backed onto the A11. He had witnessed accidents in the area. The application did nothing to protect their quality of life and urged that the application as presented be rejected.

Mr Osborn, Agent, advised that the scheme had to balance conflicting views. Traffic volumes had been surveyed and the scheme was based on facts, was cost effective and would have minimal affect on amenity. The Town Council and objectors had no objection to the principle of planning on the site. They appreciated that other developments would come forward in Attleborough. A financial contribution would be given. Designers had tried to exceed minimum standards and positive efforts had been made to be good neighbours. £49 million would be generated for the local economy which would be in the public interest.

Mr Stasiak, Ward Representative, gave apologies on behalf of Cllr Martin who was unable to attend. When asked whether NCC owned any land connected with the application, Mr Higgins, NCC Highways responded, that he was not aware of any. Mr Stasiak stated that the Town Council did not support the application. He queried information given by NCC Highways. A meeting had been held on 1 May 2012 when the pros and cons of the major traffic issues in Attleborough had been discussed. The old A11 was used by HGVs. At the Town Council meeting the Agent had scorned the idea of a roundabout. He believed it was a "cheap, quick fix". The applicant did not have land in their ownership to make a cycle way/footpath on that side of the road.

Some Members felt that traffic through Attleborough was far more

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excessive than that depicted on a photograph shown during the presentation.

It was one Councillor's belief that to place traffic lights outside the Post Office would create a worse situation than at present, and that traffic would back up even more. She was very disappointed that there had been no movement of the 2½ storey buildings on the frontage, and questioned why they could not be placed further into the site. She did not believe that issues previously raised had been addressed.

The NCC Highways Officer went through the methodology used with regard to traffic flow percentages, and stated that evidence submitted to them was sound. A 30mph speed limit would significantly improve safety and the additional traffic would not negate improvements.

The Agent stated that the applicant owned the frontage of the site, and that a plan would not have been submitted which could not be delivered.

Other Councillor comments were that, given that residents often know their local areas best, the Agent had been rather too dismissive of their comments, the development was being looked at in isolation, on the opposite side of the road there would be some commercial development, along with overwhelming objections of residents with regard to their comfort of life, and the nearest exit to the town centre had not been addressed.

The Principal Planning Officer (Major Projects) explained the situation with regard to Secured By Design Status and premature applications.

The recommendation for approval was not supported.

RESOLVED, that the application be deferred, to enable highways issues to be explored further. Members were unhappy with the potential effect of the traffic from the new development on the London Road and on the town's circulatory system, and asked that the traffic figures submitted be checked. Members wished to be satisfied that all possible traffic management solutions had been considered.

49/12 SCHEDULE OF PLANNING APPLICATIONS

RESOLVED that the applications be determined as follows :

- (a) Item 1 : Attleborough : Demolish 6 poultry houses & replace with 6 modern poultry houses & new office & staff amenities building : Applicant : P J Southgate : Reference : 3PL/2011/1246/F

Full planning permission was sought for the erection of 6

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poultry houses to replace 6 existing smaller ones, along with a new office and staff amenities building, feed bins and water tank outside the Settlement Boundary.

The applicant did not feel that the creation of a passing place on Swangey Lane, as required by the Highway Authority, was justified. If it was, it would remove a drainage ditch and hedge from his land. There was good visibility, with a passing place already located just passed the entrance.

Approved, as recommended but without a passing place condition being imposed.

- (b) Item 2 : Mattishall : Retention of 1 static home, 2 touring caravans, laundry room 2 sheds, fences, access/splays parking, c/u ag land to res : Applicant : Mr M Cawley & Mrs M-L Cawley : Reference : 3PL/2012/0080/F

Members has received correspondence on the application.

Retrospective planning permission was sought for the retention of one static home, two touring caravans, laundry room, two sheds, access splays, parking and the change of use from agricultural land to residential, the site being outside the Settlement Boundary. As detailed in the report, the original proposal had been amended which would result in the removal of the front fence to be replaced by a native hedge, and if Members were minded to approve the application, the Principal Planning Officer suggested that the other fence be removed.

Since the publication of the report two letters of objection had been received which raised concerns covering local amenity, the precedent permission might cause with regard to the remainder of the land, outside the Settlement Boundary and traffic generation issues.

The Solicitor brought Members' attention to Articles and Protocols in the Human Rights Act.

Mr Mason, Agent, stated he had met with his clients to make sure they knew what was required should planning permission be granted with regard to the removal of the front fence, soft landscaping and the entrance way surface, and he would see any conditions complied with.

A Councillor would have liked to see the fence remain until such time that the hedges had grown as she did not feel it secure, so was worthy of consideration.

Questions raised were with regard to the site being specifically for the family and how the level of caravans and visitors on

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site would be monitored, which the Principal Planning Officer answered.

Approved, as recommended.

- (c) Item 3 : Thompson : Demolition of existing detached dwelling and construction of replacement dwelling : Applicant : Lord Walsingham 1992 Trust : Reference : 3PL/2012/0150/F

The demolition of an existing detached dwelling and construction of a replacement dwelling was proposed outside the Settlement Boundary. No information on the intentions for the barn were part of the application.

Mr Cowen, Ward Representative was in attendance on behalf of Thompson Parish Council. Apart from the community being concerned that Thompson was losing a disproportionate amount of buildings through neglect, more important was the setting of the existing building. They wanted to see a replacement dwelling which was far more in keeping with the existing buildings and was more sympathetic. The proposal did not have the right character for the setting. The current farmhouse was part of an integral group of buildings and the proposal was alien for Thompson and in particular that part. Over the past 20-30 years many buildings of character had been lost.

Some Councillors agreed with the sentiments put forward by Mr Cowen on behalf of the Parish Council and it was questioned whether a similar dwelling could be re-created rather than the urbanised type dwelling proposed.

It was felt to be a shame by another Councillor that the building would go. Instead he wanted a build "like for like" and asked that barns be renovated for the whole to sit as it was originally.

A Councillor who knew the building felt that whilst the current design was attractive, she too would like to see a "like for like" build to include what was left of the old timber frame.

The current depth of the building was not a reason for it to be knocked down was a further comment made.

Given the original comments made by Norfolk Landscape Archaeology that any development which affected the current structure's significance should be wholly exceptional, a Councillor did not believe the proposal was.

The Chairman's view was that the application should have encapsulated the courtyard affect.

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The recommendation for approval was not supported by Members.

A new proposal was put forward to defer the application which was seconded.

Deferred, to allow the application to be re-submitted which should be in a design which more closely reflected the form and layout of the existing property.

- (d) Item 4 : Watton : Residential development (19 dwellings) :
Applicant : Messrs D & H Angel : Reference :
3PL/2012/0158/O

Outline planning permission was sought for a residential development of 19 dwellings, 40% of which would be affordable.

RESOLVED, that the application be deferred and the Officers be authorised to approve it as recommended, on completion of the legal agreement.

- (e) Item 5 : Snetterton : Raise eaves level, re-clad & extend existing warehouse (Unit 3) : Applicant : Richard Johnston Ltd : Reference : 3PL/2012/0173/F

The full planning permission application sought to extend and alter an existing warehouse building, by raising the eaves level, a rear extension and re-cladding of the building. The site was outside the Settlement Boundary.

Approved, as recommended.

- (f) Item 6 : Thetford : External repairs & redecoration : Applicant : Breckland Council : Reference : 3PL/2012/0187/LB

Listed Building consent for external repairs and redecoration to 2-10 Whitehart Street, Thetford was sought. Works involved roof works (retiling and realignments), clearing and fixing of gutters, repointing and replacement of damaged brickwork and renewal of windows.

Approved, as recommended.

- (g) Item 7 : Roudham/Larling : Erection of storage building : Applicant : Valley Traction Services Ltd : Reference : 3PL/2012/0189/F

The application sought full planning permission for the erection of a B8 storage unit with associated concrete hard standing and 21 parking spaces (1 disabled), the site was outside the Settlement Boundary.

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Approved, as recommended.

- (h) Item 8 : Dereham : Provision of concrete base and 3.0 x 3.9m metal shed : Applicant : Breckland Council : Reference : 3PL/2012/0248/F

Consent was sought for the provision of a concrete base and a green metal shed which would measure 3.9m in width, 3m in depth and 2.1m in height.

Approved, as recommended.

- (i) Item 9 : Old Buckenham : Erection of five new homes : Applicant : Messrs J A Askew & Partners : Reference : 3PL/2012/0252/O

Cllr Bowes declared a personal interest as some of her family knew members of the applicant's family. All the other Councillors declared a personal interest too, by virtue of the fact that the applicant was a fellow Councillor. Members had received correspondence about the application.

Cllr Askew declared a personal and prejudicial interest by virtue of being the applicant.

The application sought outline planning permission for 5 residential dwellings, two of which would be affordable, with all matters reserved except for means of access. The site, which was outside the Settlement Boundary, would be accessed from Hargham Road. Indicative supportive material was presented on slides.

Mrs Thompson, Objector, stated that the site was on the edge of the village beyond the Settlement Boundary. The width of the road was 15' which had a 1½ m bank above it. Houses opposite the proposal would be overlooked by the properties. The C138 was a dangerous road used by 7.5 tonne vehicles and as an access road for the A11, with the 30 mph speed limit not adhered to. There was no street lighting, gas, public transport or path.

Mr Askew, Applicant, advised that a lot of school traffic which used the C138 came from outside the village as there were not enough children in Old Buckenham. He left the meeting.

Mr Joel, Ward Representative, stated that the land was a used ploughed field and was part of the countryside. The proposed new dwellings would overlook bungalows. Part of the road narrowed down to two car widths. Despite the 30 mph speed limit, traffic travelled faster. The majority of people used cars to get to the village. It was 150m to get to the footpath, there

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were no street lights. Children come from the village and surrounding areas to the primary school which was at full capacity as was the high school. The 15 affordable houses already in the village were on the edge of the Settlement Boundary on an exception site, and all land for social housing was part of the local Connection Scheme.

Issues were raised by Members on the character and appearance of the countryside.

Refused, as recommended, with an additional ground relating to the effect on the setting of the village.

- (j) Item 10 : Old Buckenham : Five new homes : Applicant : Messrs J A Askew & Partners : Reference : 3PL/2012/0253/O

Cllr Bowes declared a personal interest as some of her family knew members of the applicant's family. All the other Councillors declared a personal interest too, by virtue of the fact that the applicant was a fellow Councillor. Members had received correspondence about the application.

Cllr Askew declared a personal and prejudicial interest by virtue of being the applicant.

The application sought outline planning permission for 5 residential dwellings, two of which would be affordable, with all matters reserved except for means of access. The site, which was outside the Settlement Boundary, would be accessed via the adjacent Fen Street carriageway. Indicative supportive material was presented on slides.

Mr Garwood, Supporter, stated that there were no problems with drainage, sewerage or any other services. Old Buckenham needed some small affordable and social housing, and it was the ideal situation for small properties to be built to allow young people into the village.

Mr Goode, Objector, had sought the views of the Fen Street residents, 25 of whom had raised concern with regard to the proposed development and signed a petition, with a further 8 having written as to why the development should not take place. Fen Street was a narrow country lane, which was less than 12' wide, cars could not pass, there were safety issues due to no footpath, and the situations would be made worse by more houses. There was a very poor visibility junction at Hargham Road. Norfolk County Council had designated the two narrow lanes as "quiet lanes" so anymore use must be discouraged. Nos. 44-47 Fen Street had suffered flooding and to build on more land, would take away drainage. The development was not sustainable; there was no regular public transport.

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Mr Askew, Applicant, pointed out Raggs Lane footpath on the map. Old Buckenham was in grave danger of becoming a village for the retired. The proposed small development offered 40% social housing and the opportunity to ensure a legacy of housing for young people, with prospects for them and villagers alike. 357 people had expressed a preference to live in Old Buckenham. It was a short walk to the pavement footpath on Hargham Road. He would be prepared to create a footpath to the rear of the site to link to the established Raggs Lane. He left the meeting.

Mr Joel, Ward Representative, stated that Old Buckenham was a designated service centre with no transport links, and the proposed development site was outside the Settlement Boundary. There were 15 affordable houses already in the village. Fen Street was an unclassified road of one vehicle width, where traffic had to pull into the driveways of residents to pass one another, and if the application was approved, there could be an additional 10 vehicle movements along it. Surface water in Fen Street had already resulted in flooding. Old Buckenham primary and high schools were oversubscribed.

Old Buckenham was not identified for growth. Issues were raised by Members on the character and appearance of the countryside.

Refused, as recommended, with an additional ground relating to the impact on the setting of the village.

- (k) Item 11 : North Elmham : Construction of an agricultural building of 1,093 sqm : Applicant : Mr Tim Mills : Reference : 3PL/2012/0284/F

Cllr Richmond declared a personal interest by virtue of knowing the applicant.

The construction outside the Settlement Boundary of a new agricultural building was proposed adjacent to existing grain store buildings at Foxburrow Farm to consolidate the storage and maintenance/repairs of agricultural machinery into a single location.

Approved, as recommended.

- (l) Item 12 : Mattishall : Proposed dwelling with roof mounted photovoltaic array, detached car port & improved access : Applicant : Miss M Cook : Reference : 3PL/2012/0296/F

Members had received correspondence on the application.

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Full planning permission was sought to construct a chalet bungalow with two bedrooms at ground floor level and two bedrooms above, with detached double carport and improved access, on a site outside the Settlement Boundary. The house would be of a Passivhaus construction which was a factory based construction system, as detailed in the report. As it was not considered that sufficient justification had been put forward to demonstrate that there was an essential need for a permanent dwelling to be located in the location, refusal was recommended.

Mrs Youell, Objector, objected on the grounds that it was outside the Settlement Boundary, was agricultural land, countryside should be protected and kept rural, the narrow road was used by cyclists and walkers, access outside the property was not good and the road became impassable when it flooded. The area suffered with electricity power cuts and telephone connections.

Mr Swaby, Agent, challenged the way the Policy had been interpreted. The proposed application sat next to a house which should be taken into account and not considered isolated. It was an innovative and exceptional scheme as it would be the only Passivhaus in Breckland and the only Passivhaus Plus in Norfolk, and added it would be the only one of its construction type in England, Scotland and Wales. It was an opportunity for Breckland to be at the forefront of England in trying out a self build scheme.

The Planning Manager disagreed with the Agent's comments and stated the proposed dwelling was an isolated house in the countryside, was not of truly outstanding design and was not sustainable.

Miss Cook, Applicant, advised she had no other property. She travelled to Lincolnshire with her endurance horses which needed care after events.

Whilst a Councillor had sympathy with the applicant in her desire to be close to her livestock for security reasons, she believed the design of the proposed dwelling would "stand out like a sore thumb" due to its location.

Refused, as recommended and enforcement action authorised.

The occupant was invited to make an application in respect of her caravan within the next six months, and enforcement action, if necessary thereafter, should give a period of two years for compliance.

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- (m) Item 13 : Cranworth : Single storey extension to front :
Applicant : Mr P Carter & Ms S Wright : Reference :
3PL/2012/0327/F

Consent for an extension and alterations to 1 Rectory Villas was sought on a site outside the Settlement Boundary. The proposal had been revised to take into account the Historic Buildings Consultant's concerns over a previous application which had been refused.

Approved, as recommended.

- (n) Item 14 : Dereham : 2 Breckland Council flags and 2 no flag poles displayed at the front of Elizabeth Houses (retrospective) :
Applicant : Breckland Council : Reference :
3PL/2012/0342/A

Retrospective consent was sought for 2 flag poles and flags either side of the entrance of Elizabeth House, the offices of Breckland Council in Dereham.

Approved, as recommended.

Notes to Schedule

Item No.	Speaker
1	
2	Mr Mason - Agent
3	Mr Cowen – Ward Representative
4	
5	
6	
7	
8	
9	Mr Davies – Agent Mr Askew – Applicant Mr Joel – Ward Representative Mrs Thompson - Objector
10	Mr Davies – Agent Mr Askew – Applicant Mr Joel – Ward Representative Mr Garwood – Supporter Mr Goode - Objector
11	
12	Mrs Youell – Objector Mr Swaby – Agent Miss Cook - Applicant
13	
14	

Written Representations Taken Into Account

Reference No.	No. of Representations
3PL/2011/1246/F	
3PL/2012/0080/F	
3PL/2012/0150/F	
3PL/2012/0158/O	1
3PL/2012/0173/F	
3PL/2012/0187/LB	
3PL/2012/0189/F	
3PL/2012/0248/F	
3PL/2012/0252/O	4
3PL/2012/0253/O	10
3PL/2012/0284/F	
3PL/2012/0296/F	2
3PL/2012/0327/F	
3PL/2012/0342/A	

50/12 VARIATION OF SECTION 106 AGREEMENT : PROPOSED RESIDENTIAL DEVELOPMENT, HILL FARM, SPORLE : APPLICANT : MRS E GENT : REFERENCE : 3PL/2007/1303/O & 3PL/2007/1305/O

The report detailed the request to vary the terms of a Section 106 Agreement relating to a proposed residential development at Sporle. The applicant had requested that the current legal agreement be varied to require a financial contribution to be paid to the Council to enable affordable housing to be provided elsewhere, instead of providing units on-site. The sum payable would be £100,000, and would be triggered by the occupation of the seventh dwelling.

RESOLVED as recommended, that the Section 106 Agreement be varied to allow the commuted sum of £100,000 be paid instead of the provision of on-site affordable housing.

51/12 APPLICATIONS DETERMINED BY THE DIRECTOR OF COMMISSIONING

Noted.

52/12 APPLICATIONS DETERMINED BY NORFOLK COUNTY COUNCIL (FOR INFORMATION)

Noted.

The meeting closed at 1.45 pm

CHAIRMAN