

BRECKLAND COUNCIL

At a Meeting of the

PLANNING COMMITTEE

**Held on Monday, 7 March 2016 at 9.30 am in
Anglia Room, The Conference Suite, Elizabeth House, Dereham**

PRESENT

Councillor C Bowes
Mr R F W Brame
Mr H E J Clarke
Mr P.J. Duigan
Councillor E. Gould
Mr K. Martin

Mr A.P. Joel
Mr M. S. Robinson
Mr F.J. Sharpe (Vice-Chairman)
Mr N.C. Wilkin (Chairman)
Mr P R W Darby (Substitute Member)
Mrs J Hollis (Substitute Member)

Also Present

Mr P M M Dimoglou (Ward Representative)
Mrs E. M. Jolly (Ward Representative)

In Attendance

Cathey Rix
Mike Brennan
Neil Campbell
Hugh Coggles
Helen McAleer
Nick Moys
Nicola Swan
James Tipping
Simon Wood

Planning Assistant*
Operations & Contract Manager
Planning Policy Manager *
Tree & Countryside Officer
Senior Democratic Services Officer
Principal Planning Officer *
Locum Solicitor
Principal Planning Officer
Interim Business Manager (Capita)

* Capita for Breckland Council

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27/16 MINUTES (AGENDA ITEM 1)

The Minutes of the meeting held on 8 February 2016 were confirmed as a correct record and signed by the Chairman.

28/16 APOLOGIES & SUBSTITUTES (AGENDA ITEM 2)

Apologies for absence were received from Councillors Claussen and Newton. Councillors Darby and Hollis were present as their Substitutes.

**29/16 DECLARATION OF INTEREST AND OF REPRESENTATIONS RECEIVED
(AGENDA ITEM 3)**

Agenda Item 9:

- Schedule Item 7 (Bridgham) All Members had received direct representation.
- Schedule Item 9 (Ashill) Councillor Sharpe spoke as Ward Representative in support of the application and then left the room.
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30/16 CHAIRMAN'S ANNOUNCEMENTS (AGENDA ITEM 4)

The Chairman welcomed Councillor Gould back to the Committee. He reminded Members that the Local Lead Flood Authority would be giving a presentation after the next meeting and thanked those Members that had attended the visit to the

Highway Authority Operations Centre at NCC.

**31/16 REQUESTS TO DEFER APPLICATIONS INCLUDED IN THIS AGENDA
(AGENDA ITEM 5)**

None.

32/16 URGENT BUSINESS (AGENDA ITEM 6)

None.

33/16 LOCAL PLAN UPDATE (AGENDA ITEM 7)

The Planning Policy Manager gave a brief update on the information provided in the Agenda.

The Local Plan Preferred Options consultation had received 2,600 comments and 119 new sites had been put forward. Officers were preparing a report on the consultation which would be presented to the next meeting of the Local Plan Working Group (date to be arranged).

The second phase of the Dereham Transport Study had commenced looking at issues of junction capacity which had been highlighted in the initial study. It was expected to be completed in early May. The results of other evidence base studies were expected in March/April.

A new Neighbourhood Plan Officer had been appointed. Currently plans for Yaxham and Saham Toney were being progressed.

A draft response was being prepared on behalf of Members to a technical consultation on planning changes from the Government. The consultation would close on 18 April 2016.

Councillor Duigan asked when detailed plans for the Thetford Sue were expected. He was concerned that delays to that permission would have an effect on the housing numbers in the emerging Local Plan. He asked if the number of outstanding planning permissions was known.

The Operations & Contract Manager advised that a meeting had been held with the applicants to discuss the discharge of conditions and they were strongly marketing the site. Regular monthly meetings would be held in future and Members would be advised of progress.

The Planning Policy Manager noted that the figures for outstanding permissions would be included in the annual monitoring report.

34/16 DEFERRED APPLICATIONS (AGENDA ITEM 8)

- a) ATTLEBOROUGH: Coombe-Martin, Hargham Road: Erection of Two Bungalows: Applicant: Mr R Adcock: Reference: 3PL/2015/1186/O

Members were reminded that they had been minded to approve this application, but further ecological information had been required. A study had been carried out and no protected species had been identified.

The Chairman noted that Councillor Stasiak (Ward Representative) had phoned to say that he supported the application.

RESOLVED to approve the application subject to conditions in respect of highway safety and ecological enhancement.

35/16 SCHEDULE OF PLANNING APPLICATIONS (AGENDA ITEM 9)

RESOLVED that the applications be determined as follows:

- a) Item 1: SAHAM TONEY: Land adjacent Stanway Farm, Chequers Lane: Proposed 5 No residential dwellings with associated access drive, amenity space and garaging: Applicant: Mrs Anne Bowes: Reference: 3PL/2015/0242/F

Councillor Bowes took no part in the discussions and abstained from voting.

This was a full application for five dwellings centrally located to village services. The proposal would contribute to the housing land supply and offered a financial contribution towards affordable housing through a legal agreement.

Standing water on the site had been caused by works to ditches which were being addressed by the Lead Local Flood Authority.

Mr Creek (Parish Council) raised concerns about: the distance to bus stops and the lack of pavements; drainage issues; and the lack of need for more houses as there were already at least 15 houses on the market in the village.

Mr Taylor and Mr Steele (Objectors) raised concerns about the inadequate ecological survey which was inaccurate and not fit for purpose; and drainage issues caused by the lack of land drains from the site, leading to extensive flooding.

Mr Futter (for Applicant) referred to the high quality of the five individual homes on large plots. There had been no statutory objections. It was a well-conceived scheme with significant benefits which was sustainable and deliverable.

Councillor Gould asked about the sewage system and where surface water from driveways would go. The sewage would link to the mains and the driveways would have a crated drainage system.

There was discussion about ditches and riparian responsibilities which the Solicitor gave some assistance with. Councillor Duigan noted that the EA produced a very useful booklet on the matter.

Decision that authority be delegated to the Executive Director Place in consultation with the Chairman to grant approval, subject to the conditions in the report, on prior completion of the section 106 agreement.

- b) Item 2: SAHAM TONEY: Site adjacent Homelands, Ploughboy Lane: Proposed residential development: Applicant: Mr & Mrs S Skipper: Reference: 3PL/2015/0879/O

Councillor Bowes took no part in the discussions and abstained from

voting.

This was an outline application with all matters reserved. Indicative details had been provided showing two semi-detached affordable dwellings and three detached properties.

Mr Parsons (Agent) said it was infill development with road frontage plots. A previous application for 18 dwellings had been refused, this smaller scale proposal was more appropriate. There were no statutory objections and the highway improvements would be good for the wider community.

Mr Chapman (Objector) thought the development was detrimental to highway safety as there were no footways or lighting. The lane was narrow with no passing places. Local services were over-stretched. The school and doctors were full. It would have an adverse impact on a rural area of the village. It was remote from services and an unsustainable location.

Councillor Robinson noted that the affordable houses had no garages and it was pointed out that most affordable housing providers would not include garages due to cost implications.

Councillor Joel asked about highways conditions and was advised that visibility splays would be required along with improvements to widen the lane across the site frontage.

Decision that authority be delegated to the Executive Director Place in consultation with the Chairman to grant approval, subject to the conditions in the report, on prior completion of the section 106 agreement.

- c) Item 3: BEACHAMWELL: Land between Greenway Garage and October Cottage, Langwade Green, Shingham: Erection of eco lifetime home with stables, paddocks, grass riding areas, all weather riding surface and landscaping: Applicant: Mr John Rix: Reference: 3PL/2015/1049/F

This application was recommended for approval under paragraph 55 of the NPPF which extends special circumstances that might justify development to include, amongst other things, the exceptional quality or innovative nature of the design of the dwelling. The details of paragraph 55 were set out on screen and explained to Members.

It was acknowledged that assessing 'exceptional quality' was a subjective judgement, but in the Officers' opinion the proposal met the requirements. It was up to Members to decide if they agreed.

Ms Lambert (Parish Council) strongly opposed the proposal. They did not agree that it was an exceptional design. Although they might be willing to accept infill they would not welcome the joining of Beachamwell to Shingham. It was not wanted by the Parish and concern was voiced that it could set a precedent.

Ms Ives (Objector) lived in the dwelling in the corner of the site. She asked Members to consider the impact of the proposal on the village, homes and lives of residents. The area deserved protection. She urged Members to visit the site before making a decision.

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Mrs Rix (Applicant) said her husband was a third generation resident of Beachamwell. The proposal was their ultimate, future-proof retirement home and the design had been amended to address concerns. It was an innovative eco-build using the best materials which would be sourced locally where possible.

Councillor Gould thought it was a house to be proud of and could not see how it would affect the lives of neighbours.

Councillor Martin was impressed with the design but understood the concerns of residents. He asked what screening would be provided for the rear gardens that backed on to the site. It was noted that some fencing and hedging was already in place.

Councillor Bowes thought it was a difficult decision. Beachamwell was a beautiful village and to her the design looked like a Mediterranean villa.

Approved, as recommended, subject to the conditions in the report.

- d) Item 4: SWANTON MORLEY: New House, Gooseberry Hill: Erection of 9 dwellings: Applicant: Ms Sara Large: Reference: 3PL/2015/1066/O

This was an outline application with all matters reserved except access. The site extended behind and would be accessed between existing dwellings. Visibility splays were acceptable and a new footway link would be provided to access local facilities.

The Parish Council had raised a number of concerns which were shared by Officers. The housing mix, provision of affordable houses and size and layout would be addressed at Reserved Matters stage.

Mr Atterwill (Parish Council) said the land was part of a larger site put forward in the Local Plan which could accommodate 73 houses. He referred to a precedent set by a decision made by the Secretary of State on Appeal that, notwithstanding the five year housing land supply shortage a piecemeal approach outweighed the benefits of development. It was the Applicant's clear intention to develop the whole site and piecemeal development could prejudice that. Weight should also be given to the emerging Neighbourhood Plan to allow a planned approach, sustainable for the village.

Councillor Duigan agreed that there should be a masterplan for the whole site.

The Operations & Contract Manager pointed out that the Local Plan could be given more weight if it was further advanced but at the present time Members had to consider the application before them.

The recommendation of approval was not supported.

Councillor Sharpe proposed refusal on grounds of overdevelopment of the site. Councillor Duigan seconded that proposal.

Refused, on grounds of overdevelopment.

- e) Item 5: GREAT CRESSINGHAM: Land between Harvest Lodge and Old School, The Street: Erection of dwelling: Applicant: Dr Sophie North:

Reference: 3PL/2015/1131/F

This site had previous approval for two houses, one of which had been built. The new proposal was for a substantial dwelling in the same location as the unbuilt house.

Councillor Bowes was concerned about the small distance between the proposal and the existing house but it was pointed out that due to the design and orientation of the dwellings it would not appear cramped.

Approved as recommended, subject to the conditions in the report.

- f) Item 6: BESTHORPE: Land east of Northview Cottage, Norwich Road: Erection of dwelling and detached garage: Applicant: Mr & Mrs D Stebbings: Reference: 3PL/2015/1233/F

This was a full application for a detached dwelling on a site outside the Settlement Boundary but well related to the buildings around it. There was a previous permission for a holiday caravan on the site. Approval would result in its removal.

Councillor Martin noted that approval had recently been given for two dwellings close by. It was an ideal site for infill.

Approved as recommended, subject to the conditions in the report.

- g) Item 7: BRIDGHAM: Camp Farm, Roudham/Bridgham: Install anaerobic digestion plant: Applicant: Strutt & Parker Farms Ltd: Reference: 3PL/2015/1262/F

All Members had received direct representation on this item.

This was a full application which had generated a good deal of local objections. However, National Policy strongly supported this type of development. The site was well screened and additional landscaping in the form of bunding and tree planting was proposed. The impact on the Scheduled Ancient Monument (SAM) was small but Historic England had raised concerns about nearby flooding which might cause damage in future. The causes of the flooding were not known, further investigation would be required, but it was the officer's opinion that the proposal would not make the existing situation worse as run-off would be controlled to equal that of the existing green field run-off rate. There was however, a large area of hardstanding on Camp Farm for which no planning permission was apparent and that might be connected to the flooding.

Traffic concerns had been raised by local residents but it was considered that the proposal would reduce the amount of movements. Currently crops were transported to other anaerobic digestion (AD) plants; under the proposal 70% of material for the scheme would be provided by Camp Farm using mainly internal roads to access the site.

The pipeline route had been amended to avoid sensitive areas.

Mr Keymer (Agent) confirmed that there would be a reduction in traffic movements. The majority of crops would no longer leave the site and the liquid digestate would be transported off site by pipeline.

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Mr Mumford (Objector) was in favour of renewable energy but concerned that the proposal used crops to feed the digester when land was needed to grow food. He was concerned about safety as the gas produced was volatile; there had been explosions and leaks from other sites causing pollution.

Councillor Jolly (Ward Representative) represented the views of three Parish Councils. They raised concerns about: industrialisation of an area of Brecks landscape which should be given high protection; urbanising impact on the countryside as the digesters were 50 feet high and would be clearly seen from the A11; the volume of crops required could not be provided on site and repeated maize crops would degrade the land and lead to more flooding.

Councillor Sharpe suggested that the concerns about the height of the domes could be mitigated by lowering them into the ground as had been done at North Pickenham. The Agent said they would do so if necessary but the site was generally well screened and the domes would be dark green to blend in.

Councillor Joel was concerned about contamination as two important local businesses relied on a good water supply. He also asked about smell.

The Principal Planning Officer explained that the site would be subject to an Environment Agency (EA) permit requiring a separate consent process. They could apply detailed and rigorous conditions regarding emissions, smell and pollution and had the power to cease operations if those conditions were not complied with. Protecting the water environment was high on the EA agenda.

Councillor Bowes noted that it was proposed to condition that the majority of crops would be from Camp Farm. She asked how that condition would be enforced. She was advised that it would not be difficult to establish where the crops were coming from and it could be monitored. It was a routine condition used on other AD plants.

Councillor Robinson asked the Ward Representative about a study of HGV movements through Harling. There had been 1400 HGV movements in a five day period through the village. He asked the Agent which route HGVs would use to access the AD.

Mr Keymer confirmed that 70% would be provided internally and reiterated that currently a huge tonnage was moved off-site and those movements would reduce.

It was confirmed that the pipeline was all on Camp Farm land and would connect to an existing low pressure main. Some of the energy generated on site would be used to power the plant the rest would go to the grid.

Approved, as recommended, subject to conditions.

- h) Item 8: MATTISHALL: The Paddocks, Mill Road: Erection of self-build eco passive-house, car port and roof mounted photovoltaic array: Applicant: Miss Margaret Cook: Reference: 3PL/2015/1337/F

This was a finely balanced application which was recommended for

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refusal as it was not considered to be outstanding design and would be car reliant. The caravan on-site was subject to Enforcement Action for removal, held in abeyance whilst the application was determined.

Councillor Dimoglou (Ward Representative) said the Applicant had owned the site for twelve years and lived on it in a static caravan since 2007. There were plenty of other houses in Mill Road and another house had been approved recently further outside the Settlement Boundary. There were lots of services in the village which were easily accessible on foot. The substitute for Councillor Claussen, (also a Ward Representative) reported that he also supported the application, as did the Parish Council and most of the neighbours as it was the sort of small scale development the village preferred.

Ms Hunton (Parish Council) supported the application which would provide an environmentally friendly home. It was not an isolated site. Car travel already happened and might decrease if permission was granted. There were no objections from local people.

Miss Cook (Applicant) confirmed she had neighbours on either side and there was a bus stop close by. It would be easier to care for her horses if she could live on site. She bred endurance horses and helped neighbouring horse owners. The proposal was for a bespoke, high quality design that would blend in well.

Councillor Gould was concerned that the reason for refusal was car reliance. She said it was difficult to live in Norfolk without a car. She also queried how it was possible to achieve outstanding design. This proposal was modern, level 6, attractive and not impacting on the landscape.

Councillor Clarke agreed with those comments and felt that such properties should be encouraged.

It was confirmed that if approval was granted the Enforcement Action would cease and a condition would be applied for the removal of the caravan once the house was built.

The recommendation of refusal was not supported. Councillor Gould proposed approval, subject to a condition for the removal of the caravan once the dwelling was habitable, as the application was justifiable in a rural community. Councillor Darby seconded the proposal.

Approved, subject to a condition for the removal of the static caravan within two years.

- j) Item 9: ASHILL: Land adjacent to Redmoor, Cressingham Road: Erection of dwelling: Applicant: Mr Andrew Yeomans & Mrs A Pickering: Reference: 3PL/2015/1387/F

This site was not considered as infill due to its extensive width. The proposal was visible, prominent and taller than adjacent dwellings. It was isolated from services and on balance was recommended for refusal.

Councillor Sharpe spoke as Ward Representative in support of the application. The distance between the existing dwellings was due to large gardens. Services were already on site. Ashill had a convenience store but there was an essential need for a car. He asked Members to interpret

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policy according to the special conditions in Breckland.

Councillor Sharpe then left the room.

Mrs Pickering (Applicant) wanted a home for her family in the village in which she had grown up. Four generations of her family had lived in the village. They currently rented a cottage which was needed for a farm worker. They would self-build their 'forever' family home using local materials where possible. Her brother was willing to sell the land as it was too small for agricultural use.

Mr Ketteringham (Supporter) explained that the piece of land was unsuitable for large, modern agricultural machinery. The site was obvious infill. The village needed a good mix of young families and older people.

Members discussed the area of land which appeared to have been ploughed. They were advised that it had been used for storing sugar beet and was muddy, not ploughed.

Councillor Gould asked if there had been consultation with officers about the design as she felt it was out of keeping with others in the area. Other Members disagreed and it was noted that the Parish Council considered it would enhance the area.

The recommendation for refusal was not supported.

Councillor Duigan proposed approval on the grounds that it was in character with the area. Councillor Hollis seconded that proposal.

Approved, subject to conditions.

Councillor Sharpe rejoined the meeting.

- j) Item 10: Garvestone: Adjacent Thorncroft, The Lings: Erection of bungalow and garaging: Applicant: Mr & Mrs Gooch: Reference: 3PL/2015/1502/F

This application was recommended for refusal as it was unsustainable development with poor access to services. There was a history of recent refusals nearby.

Councillor Gould pointed out that there had also been some dwellings approved nearby which were not mentioned in the report. The Operations & Contract Manager explained that both had been recommended for refusal but approved by the Committee.

Councillor Dimoglou (Ward Representative) said the Applicant had operated the adjacent clematis nursery for 30 years. It was important for them to live close by. Their current dwelling was unsuitable for their son to stay with them, due to his medical condition. Two new houses had been approved close by. The Parish council unanimously supported the proposal. It was reiterated that a car was needed in a rural district.

Mr Gooch (Applicant) said the site was unused land and the house was for their own occupation and would enable their son to visit, and be more suitable for their retirement. The proposal would also provide a much safer access for the adjacent dwelling. It would use traditional materials

and would enhance the character of the area.

Mr Cutting (Agent) said the proposal was a natural infill and the precedent had been set by the other approvals. He asked Members to approve the application due to the specific needs of the applicant; the extenuating circumstances and the improvements to highway safety.

The recommendation for refusal was not supported.

Councillor Gould proposed approval as the site was natural infill; the local need and relative sustainability. Councillor Clarke seconded the proposal and added that the nursery made an economic contribution.

Approved, subject to conditions.

36/16 APPLICATIONS DETERMINED BY THE EXECUTIVE DIRECTOR OF PLACE (AGENDA ITEM 10)

Noted.

37/16 APPEAL DECISIONS (AGENDA ITEM 11)

Noted.

38/16 TREE PRESERVATION ORDERS (TPO) (AGENDA ITEM 12)

The Tree & Countryside Officer explained the process he followed to protect a tree. Usually Tree Protections Orders (TPOs) were applied if it was felt that a tree was under threat. He would visit the site and carry out an assessment using the TEMPO method (template tabled for Members). If the tree scored highly enough a TPO was served and the tree was immediately protected. There was then a 28 day period for comments and or appeals against the Order. If no objections were made the Order would be confirmed after six months.

Where an objection was raised a report was written explaining why the tree had been protected. The appellant would usually attend the meeting to explain the reasons for their objection and then it was up to Members to make a judgement.

The Operations & Contract Manager noted that Members would determine the appeal in public and that the process would be basically the same as that for a planning application. Members would receive a presentation including photographs of the tree, listen to the objections and then make their decision.

Councillor Gould noted that the Planning Committee had been responsible for such appeals previously but the responsibility had been passed to the Appeals Committee to avoid conflicts of interest where planning applications were dependent upon the removal of trees.

The Solicitor advised that legally the Committee were required to consider the objections and representations before confirming or not confirming a TPO.

The meeting closed at 3.05 pm