

**BRECKLAND COUNCIL**

**At a Meeting of the**

**DEVELOPMENT CONTROL COMMITTEE**

**Held on Monday, 21 July 2008 at 9.30 am in  
Anglia Room, The Conference Suite, Elizabeth House, Dereham**

**PRESENT**

Councillor E. Gould (Chairman)	Mr R. Kemp
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 F.J. Sharpe
Mr P.S. Francis	Mrs P.A. Spencer
Mr M. Fanthorpe	Mr M. Spencer
Mrs S.R. Howard-Alpe	Mr N.C. Wilkin (Vice-Chairman)
Mrs D.K.R. Irving	

**Also Present**

Mr S. Askew (Ward Representative)	Mrs A.L. Steward (Planning and the Environment Portfolio Holder)
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**In Attendance**

Heather Burlingham	- Assistant Development Control Officer
Sheila Cresswell	- Member Services Officer
Phil Daines	- Development Services Manager
Michael Horn	- Head of Legal Services
Tim Leader	- Deputy Chief Executive
Helen McAleer	- Member Services Officer
Nick Moys	- Principal Planning Officer (Major Projects)
Jayne Owen	- Senior Development Control Officer
David Spencer	- Principal Planning Policy Officer
Mark Stanton	- Head of Economic Development

**112/08 MINUTES (AGENDA ITEM 1)**

The minutes of the meeting held on 3 July 2008 were confirmed as a correct record and signed by the Chairman.

**113/08 APOLOGIES (AGENDA ITEM 2)**

Apologies for absence were received from Mr A Byrne and Mr B Rose.

**114/08 DECLARATION OF INTEREST (AGENDA ITEM 3)**

Members and officers were asked to declare any interest at the time the applications were made.

Cllr C Bowes declared a personal and prejudicial interest in Schedule Item 2 (Ickburgh) by virtue of the Director of the company being married to a relation and there being a business association between the application Company and her family's business.

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Mr W Borrett declared a personal interest in Schedule Item 2 (Ickburgh) by virtue of being a friend of the Director of the company. He also declared a personal interest in Schedule Item 5 (Beachamwell) by virtue of being a friend of the applicant.

Mr J Labouchere declared a personal interest in Schedule Item 5 (Beachamwell) by virtue of knowing the applicant quite well.

Mr P Francis declared a personal interest in Agenda Item 9 (Snetterton) by virtue of living in the neighbourhood and having received letters from the applicant with reference to the application.

**115/08 CHAIRMAN'S ANNOUNCEMENTS (AGENDA ITEM 4)**

The Chairman told Members that invitations would be sent out soon to those wishing to attend the Norwich Road Site Visit on 28 August 2008.

**116/08 REQUESTS TO DEFER APPLICATIONS INCLUDED IN THIS AGENDA (AGENDA ITEM 5)**

The Development Services Manager advised Members that the applications for Schedule Items 6 and 7 had been withdrawn by the applicant.

**117/08 URGENT BUSINESS (AGENDA ITEM 6)**

There was no urgent business.

**118/08 LOCAL DEVELOPMENT FRAMEWORK (AGENDA ITEM 7)**

The Principal Planning Policy Officer told Members that meetings with Town and Parish Councils this week included Swaffham, North Elmham, Hockham, Eccles, Snetterton, Harling, Garvestone, Shropham and Stow Bedon and would conclude next week with meetings with Rocklands, Fransham, South Lopham and Blo'Norton.

The Site Specifics consultations were on-going and the deadline for comments was 26 September 2008. He explained that it was still not too late to submit land for consideration. Consultation on any additional sites put forward would take place at the end of September.

The Chairman re-iterated that people needed to check the Site Specifics maps to ensure that their land was included. She was concerned that some people had made informal requests to include land in previous years but had not made a formal submission under the LDF.

A Member questioned the LDF process. He was concerned at the time it was taking. It was originally meant to be a 'quick' process but might now outlive Breckland Council. He also asked who owned the LDF as Development Control Committee Members were invited to attend the Panel 1 meetings but had no voting rights and the Panel only made recommendations. He felt that the Committee should have more input as they would be the ones to implement the new policies.

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The Principal Planning Policy Officer agreed that the timetable had slipped. The priority was to finish the Core Strategy and Development Control Policies which would be submitted to the Government Office this year. A response on the Core Strategy would not be received until late 2009 and was needed before the Site Specifics could go ahead.

He also pointed out that the Panel's recommendations had to be agreed at Full Council. Members would have the opportunity to raise concerns then, but it was felt that this would be leaving it too late.

Another Member raised the issue of pieces of land being included for consideration without the owner's knowledge or agreement. He asked if it was possible to find out who had put forward each piece of land and was told that this information was in the public domain. Landowners could request pieces of land to be withdrawn from the consultation process if they wished.

**119/08 FIVE YEAR SUPPLY OF HOUSING ASSESSMENT (AGENDA ITEM 8)**

The Principal Planning Policy Officer explained that under Planning Policy Statement 3 Local Planning Authorities were required to maintain a five year housing supply.

The Regional Spatial Strategy (RSS) set a target for Breckland of 15,200 new dwellings between 2001 and 2021. This equated to 760 per year. However, for five of the last seven years Breckland had failed to deliver this requirement, so for the next five years 815 new houses would be required per year.

There was currently planning permission for 2142 dwellings in Breckland and three larger sites with permission for 611 dwellings subject to legal agreements being signed.

The permissions had been split into two categories and the developers of the larger sites (more than 25 dwellings) had been contacted for confirmation of when the dwellings were expected to be built. For the smaller sites an average completion rate had been applied based on past trends.

From this information it was concluded that 1,300 dwellings would be built on the larger sites in the next five years and 1,000 dwellings on the smaller sites, totalling approximately 2,300 new homes, equating to a two year shortfall in requirement.

In light of this shortfall Government guidance required applications to be considered favourably if sites were available, suitable and achievable but were outside of the current guidelines. This would apply to application sites on the edge of towns or larger villages.

The Chairman asked if this guidance would apply now, if a developer had a site adjacent to a Settlement Boundary of one of the towns or larger villages and was ready to build.

The Principal Planning Policy Officer confirmed this was the case. As

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Breckland fell short of its target, National Planning Policy justified a departure from policy providing the application provided evidence that:

- **Available** – the site is available and a developer can be found and constraints overcome to ensure development of the site can begin within the 5 year period.
- **Suitable** – the site is in a sustainable location and there are no conflicts with the policies contained within PPS3 and other relevant national and regional policy.
- **Achievable** - a timetable of when dwellings are expected to be completed on site within the 5 year period should be included.

A Member suggested that the shortfall was because there were not enough people in the district to justify the number of new dwellings. However, the Principal Planning Policy Officer said that based on two sets of evidence there was a significant housing need in Breckland and also considerable numbers of people wanting to come into the district to work or to retire. The aim was to marry the demand for housing to where there would be jobs available so that people could live close to where they worked.

Members queried the prediction of the number of new dwellings to be built in the next five years, particularly for the larger sites, as they were aware of sites where work was unlikely to commence and others in the area where work had recently stopped.

It was accepted that the market had changed since the Government Guidance had been issued. Figures would be monitored year on year. When the Site Specifics were finalised those sites would feed in and it was envisaged that planning applications would follow and assist in delivering the numbers required.

A Member asked how long planning permission lasted and was told that it was generally valid for three years but that if work commenced within that time the permission remained valid in perpetuity.

Another Member questioned the ability of the Council to insist on developments being completed within the next five years and asked if giving permission was sufficient to avoid sanctions.

It was pointed out that the issue was to deal with the shortfall of housing land availability. Because the Council did not have a five year land supply there was an opportunity to accept departures from policy for sites that fulfilled the criteria, but evidence of the intention to develop quickly would be required.

Members asked how this change in policy was to be publicised and were told that a statement would appear on the website. It was also intended to issue an LDF Newsletter including this information.

The Principal Planning Policy Officer was thanked for his report.

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**120/08 SNETTERTON: PROPOSED BUSINESS PARK AND  
ALTERATIONS TO MOTOR SPORT CIRCUIT, HARLING ROAD  
FOR MOTORSPORT VISION LIMITED: APPLICATION  
REFERENCE: 3PL/2008/00600/O (AGENDA ITEM 9)**

The Head of Legal Services was not present for this item.

Mr P Francis declared a personal interest in this item.

The Principal Planning Officer (Major Projects) introduced this hybrid full application for alterations to the racing circuit and outline application for a new business park.

Indicative plans and elevations of the business park proposal were shown. These depicted a 50 bedroom hotel, conference centre, retail showrooms, offices, light industrial/engineering units, racing team units and a racing school.

The changes to the racing circuit involved alterations to two corners at the western end and the inclusion of a new infield loop.

Since the report was written a response from EERA (East of England Regional Assembly) had been received stating that they had no objections to the proposals which were in line with policies within the RSS (Regional Spatial Strategy). Eight further letters of objection had also been received from interested parties.

Further comments were awaited from the Highways Agency in relation to traffic generation and sustainable transport options.

Two elements of the proposal were not strictly in line with policy. One was the hotel which would not normally be considered appropriate in this location. However there was a severe shortage of hotels in the area particularly for those attending race meetings at the circuit.

The second was the retail showrooms. These formed a significant part of the proposal and were intended for specialist, high performance car and motorcycle sales with the opportunity for potential customers to test drive vehicles on the adjacent circuit. Again, whilst retail would not normally be acceptable in this location, provided that adequate controls could be attached to any permission regulating their long term use, this part of the proposal was considered to fit well with the other uses on the site.

Apart from these two elements the main consideration was noise. This had given rise to significant local concerns in recent times. Two Noise Abatement Notices had been served by the Council and a Best Practical Means (BPM) statement had been drawn up in order to control noise emissions to reasonable levels. A draft Noise Management Plan for the Circuit had also been produced by the applicant and proposed various measures to control noise.

A Noise Assessment submitted with the application concluded that provided the current limit on the number of vehicles permitted to use the circuit at any one time was maintained, the proposals would not result in additional disturbance to local residents and might even

**Action By**

result in some beneficial effects.

However, more information had been requested and was still awaited.

The circuit was long established and the aim was to see it flourish. The proposed alterations to the track would make the circuit eligible to hold international events and it was important that details of the number, frequency and types of future events was known so that a decision could be made which balanced the future viability of the circuit against the necessity to protect neighbour amenity.

Further discussions and more information was required before a firm recommendation could be made it was therefore suggested that the application should be deferred. The Committee were requested to confirm their support in principle for the proposal and to give officers a clear steer on their requirements.

Mr Salisbury addressed the Committee. He said he was Chairman of CPRE Breckland (Council for the Protection of Rural England) and also representing local residents. He had no objection to the proposed business park and hotel. He did object to the development of the circuit. He said there had been no change in three years and that the noise caused distress to local residents. He did not think that extra facilities should be allowed until the bund (previously approved by Committee) had been built. He asked that the Committee defer the application until Motorsport Vision could demonstrate that they could control the noise.

Mr Stanton – Breckland Council's Head of Economic Development spoke in support of the business park development. He said it was a key site for future quality jobs. There would be incredible growth along the A11 in the next ten to twelve years and that this was a critical development. He also supported the hotel as there were bed shortages for business tourism.

Mr Houghton - the Agent, told the Committee that there had been long pre-application consultations with the Council and with local people. All the safe-guards were workable. The bund construction had commenced. The applicants would comply with all existing conditions. He said the proposal would provide jobs for local people and put Snetterton on the Motor Sport map. The British Touring Car Competition had been held at the circuit recently and there had been no incidents and no problems with the A11 interchange. They were committed to a high quality development and he urged the Committee to approve the application.

Mr Askew – Ward Representative, told Members that noise had and was still a cause for concern. It had been hoped that the serving of a Noise Abatement Notice would cause an improvement, but there had been no change. He believed that the development was good for Breckland in terms of jobs, tourism and growth but that it was essential that a balance was achieved. No development should begin until noise control and monitoring was in place. The circuit had been there for over 50 years and was a major attraction bringing real economic benefit, but he urged the Committee to ensure that the lives of local residents were not damaged.

**Action By**

A Member asked if a recently approved hotel on an adjacent site was under the same ownership as the one proposed here.

The Principal Planning Officer (Major Projects) said that they did not have the same owner and were different classes of hotel aimed at different parts of the market.

Another Member queried the siting of this proposal. He said that Snetterton was in the countryside and therefore not a sustainable location to be providing jobs.

Mr Stanton responded by saying that growth was coming to Thetford, Attleborough and Wymondham. It was important to ensure that the infrastructure was in place to support that growth. Quality jobs would be key and Snetterton provided a good site and would help to stop people travelling out of Breckland for work, to Cambridge and Bury St Edmunds. Low-carbon technology would be encouraged, but jobs were needed before the housing was developed.

The Principal Planning Officer (Major Projects) accepted that the site was out of town but pointed out that much of the business park was related to the circuit. The site was very close to Attleborough where substantial growth was envisaged. The Travel Plan arrangements would be legally enforceable. If up to 500 people were working at the site it could lead to the provision of public transport.

It was pointed out that the Norfolk Structure Plan had identified Snetterton as an employment area for many years and that the A11 was the best road in the County.

A Member felt that the circuit should be available for use every day and its use should not be restricted but that noise attenuation should be the very best available. He questioned the effectiveness of the bund and asked if other types of noise barrier had been considered.

Mr Houghton confirmed that they had looked at various types of bund and done a lot of testing. They had used a noise consultant. The approved bund was a mound with an acoustic fence on the top and he was confident it was the best for this site.

Another Member asked about the sustainable construction proposed and suggested that the highest BREEAM rating should be required. However it was felt that the very good standard proposed was well in excess of Building Regulation requirements and that to impose a higher requirement might compromise the viability of the proposal.

**RESOLVED** to defer the application to allow further negotiations to take place.

**121/08 DEREHAM: LAND AT DUNLOP ROAD / DE HAVILLAND ROAD:**  
**APPLICANT: MCLEAN FAMILY TRUST / BLOOR HOMES:**  
**APPLICATION REFERENCE: 3PL/1987/1419/F (AGENDA ITEM 10)**

The Development Services Manager introduced this item and told Members that it was similar to a report heard at Committee on 30<sup>th</sup> June 2008.

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Formal authorisation was sought from the Committee to allow the adoption of two pieces of land, omitted from the legal agreement, to ensure their future maintenance.

**RESOLVED** to adopt the areas of public open space referred to in order to ensure their future retention and maintenance.

**122/08 SCHEDULE OF PLANNING APPLICATIONS**

**RESOLVED** that the applications be determined as follows:

- (a) Item 1: 3PL/2008/0548/F: Scarning: Kenmur, Podmore: Retention of bungalow without compliance with agricultural condition (resubmission) for Executors of the late Mr K J Hunt

This resubmission followed a refusal by Committee because no marketing campaign had been carried out. The property had now been appropriately marketed for 12 months and was recommended for approval.

Members questioned the way in which the property had been advertised and it was confirmed that policy requirements had been complied with; the property had been displayed in the Estate Agents window, details had been sent to a mailing list of interested parties and there had been a monthly advertisement in the press.

It was confirmed that the bungalow was originally built in 1949 for a stockman working on the adjacent dairy farm. The dairy farm was no longer in operation.

**Approved, as recommended.**

- (b) Item 2: 3PL/2008/0598/F: Ickburgh: Ickburgh Estates, Beechurst, Commercial Road: Erection of two agricultural buildings for Ickburgh Estates Limited

Cllr C Bowes declared a personal and prejudicial interest in this item and left the room. Mr W Borrett declared a personal interest.

This full application was for two buildings: one for general purpose agricultural storage incorporating a workshop, machinery store and office and the other for use as a grain store.

Members were shown photographs of the area, a site layout plan and elevations. There had been pre-application discussions on the proposed siting which was outside a nearby SSSI (Site of Special Scientific Interest), close to the access and benefitted from existing landscaping.

The buildings were needed as a result of expansion, diversification and mechanisation.

**Action By**

**Approved, as recommended.**

- (c) Item 3: 3PL/2008/0600/O: Snetterton: Motorsport Vision Ltd, Snetterton Circuit, Harling Road: Erection of hotel, conference facilities, offices and engineering/light industrial units for race school for Motorsport Vision Ltd

**Deferred – see Minute No 120/07.**

- (d) Item 4: 3PL/2008/0640/F: Swaffham: Turbine Way: Light industrial units for commercial use, new build for Mr G Patel

This full application for seven industrial units was on part of the Eco Tech Business Park. The site was currently vacant land. Photographs showed well established trees and hedging along the boundary.

Plans and elevations showed a new access to a central car park with varying sized units around three sides. The units were in keeping with other buildings in the area and were satisfactory from a design point of view.

To mitigate the impact of the new units on the area they had been moved further into the site, away from the boundary to retain the hedge and additional planting introduced.

Mr Patel, the applicant was present to answer questions.

A Member asked if the units could be accessed by lorry as the roller doors did not appear very high. It was explained that the units were relatively small and would not be expected to require lorry deliveries.

**Approved, as recommended.**

- (e) Item 5: 3PL/2008/0759/F: Beachamwell: St Johns Farm: Proposed agricultural storage building for Mr T Saunderson

Mr W Borrett and Mr J Labouchere declared a personal interest in this item.

This full application had been amended in response to objections from the Council's Tree and Landscape Officer. The building had been reduced in length and the design amended to give it a less industrial appearance. Six new walnut trees would be planted to replace three that would be removed and an oak and a birch would also be introduced to improve screening.

Matters for consideration were the need for the building, its visual impact on the landscape and its impact on the Conservation Area.

The current building (which would be retained and used for general storage) was not suitable for modern requirements and a more flexible building was needed.

**Action By**

The Chairman suggested that two existing sheds on site could be demolished and the new building built in their place. However these sheds were still in use and were close to a Scheduled Ancient Monument. It was considered that a proposal to replace these much lower structures with a large, modern building so close to the site of the ruined tower of St John's church would raise objections from English Heritage.

Another Member suggested that there were other concrete areas of hardstanding available within the farm which would be more suitable.

The Development Services Manager told Members that they needed to assess the application as presented. Officers had concluded that the location of the building was, on balance, acceptable and refusal on these grounds would not be upheld on appeal.

A Member was concerned about the number of new agricultural buildings being built in the countryside and another Member agreed and asked if the building could be clad in wood to improve its appearance.

Again the Development Services Manager did not consider this to be a ground for refusal. The colour of the building would be chosen to blend in with its surroundings.

**Approved, as recommended.**

- (f) Item 6: 3PL/2008/0785/F: Swaffham: 17-19 Station Street: Change of use from A1 (shop) to A3 (restaurant) and A5 (hot food takeaway) for Mr Irfan Kucuk

**Application Withdrawn.**

- (g) Item 7: 3PL/2008/0786/LB: Swaffham: 17-19 Station Street: Internal and external alterations to facilitate the change of use from A1 (shop) to A3 (restaurant) and A5 (hot food takeaway) for Mr Irfan Kucuk

**Application Withdrawn.**

- (h) Item 8: 3PL/2008/0816/F: Caston: Site off Dukes Lane: Proposed new 2 storey dwelling with garage for Co-Dunkall

This full application was the resubmission of a proposal refused at Committee on 7 April 2008 because the footprint was too large and the garage was too far forward.

Members were shown photographs of the site and plans of the current proposal and the previous for comparison. The new application showed a reduced footprint, the dwelling height was now lower than adjacent properties and issues of overlooking had been addressed. The garage had also been placed further back in the site, though still in front of the

**Action By**

dwelling.

The Parish Council and two neighbours objected to the proposal on grounds of overcrowding of the site, lower quality design and concerns re the water vole run.

As the access to the site was already in existence and would not be changed officers did not consider that the proposal would impact on the water vole run.

Mr Matthews the Agent told Members that he had taken notice of their previous comments in relation to scale and appearance. The current application had style and character in keeping with the surrounding area and he hoped that they would approve it.

A Member asked for confirmation that vehicles could access the garage in its new position and this was confirmed.

**Approved, as recommended.**

**Notes to the Schedule**

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

<u>Item No</u>	<u>Speaker</u>
3	Mr Askew – Ward Representative Mr Stanton – Breckland Council Mr Salisbury – Objector Mr Houghton - Agent
4	Mr Patel - Applicant
8	Mr Matthews - Agent

**Written representations taken into account**

<u>Reference No</u>	<u>No of Representations</u>
3PL/2008/0600/O	9
3PL/2008/0816/F	3

**123/08 ENFORCEMENT ITEMS (AGENDA ITEM 13)**

The Chairman reminded Members that questions on this item should be e-mailed to officers in advance of the meeting.

This item was noted.

**124/08 APPLICATIONS DETERMINED BY THE DEVELOPMENT SERVICES MANAGER (AGENDA ITEM 14)**

This item was noted.

**125/08 APPEALS DECISIONS (AGENDA ITEM 15)**

This item was noted.

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**126/08 APPLICATIONS DETERMINED BY NORFOLK COUNTY COUNCIL  
(AGENDA ITEM 16)**

This item was noted.

The meeting closed at 12.53 pm

CHAIRMAN