

BRECKLAND COUNCIL

At a Meeting of the

DEVELOPMENT CONTROL COMMITTEE

**Held on Monday, 3 November 2008 at 9.30 am in
Anglia Room, The Conference Suite, Elizabeth House, Dereham**

PRESENT

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

Also Present

Mr S.G. Bambridge (Ward Representative)	Mr C.R. Jordan (Ward Representative)
Mr P.D. Claussen (Economic and Commercial Portfolio Holder)	Mrs A.L. Steward (Planning and the Environment Portfolio Holder)
Lady Fisher (Ward Representative)	

In Attendance

Mike Brennan	- Principal Development Control Officer
Heather Burlingham	- Assistant Development Control Officer
John Chinnery	- Solicitor & Standards Consultant
Sheila Cresswell	- Member Services Officer
Phil Daines	- Development Services Manager
Andrea Long	- Environmental Planning Manager
Helen McAleer	- Member Services Officer
Nick Moys	- Principal Planning Officer (Major Projects)
Darryl Smith	- Principal Housing Officer (Strategy and Enabling)

183/08 MINUTES (AGENDA ITEM 1)

The minutes of the meeting held on 13 October 2008 were confirmed as a correct record and signed by the Chairman.

184/08 APOLOGIES (AGENDA ITEM 2)

Apologies for absence were received from Mrs M Chapman-Allen and Mr P Francis.

185/08 DECLARATION OF INTEREST (AGENDA ITEM 3)

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

Mr R Kemp declared a personal and prejudicial interest in Agenda

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Item 9 (Harling) by virtue of having an interest in land in Harling.

Councillor Bowes declared a personal interest in Agenda Item 12 (Watton) by virtue of her family having dealings with Tesco but not with this particular store.

186/08 LOCAL DEVELOPMENT FRAMEWORK (AGENDA ITEM 7)

The Environmental Planning Manager told Members that the Core Strategy Submission document would be discussed at a Special meeting of Full Council on 20 November 2008. There would be a full report on the results of all the supporting evidence and the finished Appropriate Assessment Impact on Designated European Wildlife Sites.

The Site Specifics consultation had concluded at the end of September. The 150 extra sites put forward would go to Panel in December and then out for consultation in the new year.

The Thetford Area Action Plan was at the Preferred Options second stage draft at the moment and would be reported to Panel 1 Members in December and Cabinet in January 2009.

187/08 3PL/2008/1083/F: ATTLEBOROUGH: LAND OFF BRYONY WAY/CARVERS LANE: RESIDENTIAL DEVELOPMENT FOR NORFOLK HOMES LTD (AGENDA ITEM 8A)

This application had been deferred to allow the District Valuer to comment on the applicants' assessment that the site was unviable if a 30% affordable housing contribution was required. He had confirmed their figures.

The site was the last piece of land allocated for residential development in this area and the proposal was for a range of house types in fairly traditional designs which linked well with existing development. The layout had been planned to avoid significant overlooking.

An area of Open Space would be provided, but as this fell short of the requirement a financial contribution would also be made.

NCC Highways had asked for a contribution to walking and cycling. As the applicants were providing traffic calming on the approach road this was not considered necessary. A previous request for an education contribution had since been withdrawn.

If permission was granted without the requirement to provide affordable housing, the legal agreement would be 'future proofed' to protect the Council against changes in market conditions. Two further assessments would be required, one half way through and the other at the end of development. Both would be assessed by the District Valuer and once a certain threshold was reached a financial contribution would be required – up to a maximum of £130,000 (an amendment to the reported figure).

Some Members were concerned about the loss of affordable housing,

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just when it was most needed. One asked if it was the end of affordable housing altogether.

The Development Services Manager did not think so and felt that circumstances would change in time. He told Members that currently courts were saying that viability must be taken into consideration.

RESOLVED that the application be deferred and the officers be authorised to issue an approval, subject to conditions, on completion of the section 106 agreement.

188/08 3PL/2008/0579/F: HARLING LOPHAM ROAD: PROPOSED RESIDENTIAL DEVELOPMENT FOR MR A TAYLOR & MR D TAYLOR (AGENDA ITEM 9)

Mr Kemp declared a personal and prejudicial interest by virtue of having an interest in land in the area and left the room whilst it was discussed.

The application had been deferred for comments from the Parish Council, following the receipt of additional information, leading to a change in recommendation. The Parish Council had no objection.

Amendments had also been received, to address the concerns of a neighbour. These involved moving Plot 7 to avoid an area of land under disputed ownership and repositioning a window to avoid overlooking.

Members were reminded of the Council's shortfall in housing land and the policy requirement to consider favourably, sites outside the settlement boundary that met certain criteria. This site performed well, being on the edge of a service centre, on a brownfield site and providing a good mix of houses, including three affordable units.

Deliverability was the key issue and the applicant had confirmed that a local builder was available to undertake the development and a Registered Social Landlord was keen to take transfer of the affordable units. It was considered that an exception to policy was justified in this case. It was recommended for approval subject to conditions (including a reduction in the time limit to 18 months), a legal agreement re affordable housing and a financial contribution to highway improvements.

Mr Burton, objector, said he had a Right of Way between the units and properties to be built and he did not consider enough space had been provided. He felt the development had been crammed in and said there was more room in the field behind.

The Solicitor reminded Members that questions about access rights could not be dealt with by Committee.

Mr Taylor, Agent, said they had received over 100 letters of support from local residents and had the support of the Parish Council. The proposal was fully compliant with policy. The legal agreement was in place as was a £2,500 contribution for a pedestrian crossing.

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Lady Fisher, Ward Representative, said that if approved this would be ground breaking, in advance of the LDF and set a precedent. Good work had been done on the legal agreement and affordable houses were exactly what was needed. She felt the employment area needed security lighting, but supported the application.

A Member noted that the proposal was to build the houses to Code Levels 3 and 4 and asked if the whole development could be to the higher level. The Agent confirmed that this could be achieved.

Another Member was concerned about pre-empting the LDF. He said there were many locations put forward for inclusion in Harling and if only 50 new houses were allowed this would be quite a proportion of that allocation.

The Development Services Manager agreed this was a key issue but because of the Council's shortage in housing land PPS3 made clear that sites like this, that pass the tests, must be considered favourably.

RESOLVED that the application be deferred and the officers authorised to grant approval, subject to conditions, on completion of the section 106 agreement.

**189/08 3PL/2008/0619/F: THETFORD: KILVERSTONE LANE:
RESIDENTIAL DEVELOPMENT FOR THE KILVERSTONE ESTATE
(AGENDA ITEM 10)**

This renewal application for 12 new dwellings on a site containing two cottages to be retained was designed to match the existing and the new development would be built to Code Level 3 standard.

The new access required the felling of two preserved trees. These would be replaced on a two for one basis. A footpath link would be provided along the site frontage. Access and parking plans had been approved by the Highways Authority who had also requested the hard surfacing of Green Lane. This had been refused by the applicants and the officers felt that the change would have had a negative effect on the character of the area.

Amendments had been made to address police concerns and to improve views into the parking areas.

RESOLVED to approve the application, subject to conditions.

**190/08 3PL/2008/1185/F AND 3PL/2008/1186/CA: THETFORD: FORMER
THETFORD COTTAGE HOSPITAL, EARLS STREET: RESIDENTIAL
DEVELOPMENT FOR NORFOLK PRIMARY CARE TRUST
(AGENDA ITEM 11)**

This was a full application for 14 dwellings and Conservation Area Consent to demolish the former Thetford Cottage Hospital.

Most of this centrally located site was occupied by existing buildings. The brick and flint boundary wall and protected Lime tree were to be retained

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The application would provide high density development to Code Level 3, achieving 10% on-site renewables. Layout minimised effect on neighbouring properties; design and detailing reflected the character of this part of the town.

Loss of the main building had raised local concern and suggestions that it should be retained for public use; it had been offered for sale and no interest shown by any community group. Architecturally it was not particularly remarkable having had significant alterations.

The plans had been amended to increase the amount of on-site parking to 21 spaces which was considered adequate in this town centre location.

Mr Chambers, representing the Town Council, said they did not accept the case for demolition. The building had been paid for by voluntary public subscription and was a local landmark. He said that NHS Norfolk should continue to investigate uses for the building.

Mr Curtis, speaking on behalf of Mr Mossop, owner of the adjacent Snooker Hall, said that the proximity of Plot 1 to the Snooker Hall entrance would lead to constant disturbance to the occupier. The business had been successfully run for 23 years and the owner was concerned this would lead to problems.

Mr Wilson, representing the Thetford Society, opposed the demolition of this distinctive Victorian building. It had been gifted to the town and run on public donations for the first 50 years. Too many buildings of character had been lost. The Thetford Society felt Norfolk PCT should consider the wishes of the residents and use the building to serve the community again.

Mr Clarke, Agent, said the Cottage Hospital no longer met the needs of the PCT. It had been put on the market, but would not sell. Due to additions and alterations it did not add value to the street scene.

A Member spoke of the need to retain buildings that gave a sense of place. It could be converted to flats and retained.

A local Member said that there had been a bid to convert the property to a dental practice. He pleaded with the Committee to refuse the application so alternatives could be explored.

RESOLVED to refuse both applications, contrary to recommendation, as the building was an integral part of the street scene and formed an important part of the character of the area.

**191/08 3PL/2008/1204/F: WATTON: THETFORD ROAD: PROPOSED
EXTENSION TO TESCO STORE FOR TESCO STORES LTD
(AGENDA ITEM 12)**

Councillor Bowes declared a personal interest in this item as her family has dealings with Tesco's but not with this store in particular.

This proposal was for extensions to the side and rear providing additional retail space, increased storage/warehouse and service

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area. An existing building would be demolished to provide new car parking.

The store was quite small and local people currently travelled to Thetford and Dereham for their weekly shopping. The extension would allow a larger range of convenience goods to provide for the town's needs.

There were a number of residential properties adjacent to the site and concerns and objections had been raised. Amendments had been made to address these concerns.

There was currently no restriction on opening hours and it was not proposed to increase these. Delivery hours had been agreed.

Due to police concerns it was proposed to fence the dwelling side edge of the footpath and only have low railings on the car park edge. A barrier would be placed to stop unauthorised use of the car park out of hours and CCTV was also proposed.

Mrs Green, objector, lived adjacent to the site and was concerned about the presence of asbestos and Japanese knotweed. She was already affected by noise and was concerned that this, fumes and water run-off would increase.

A Member requested that there be no new signage along the new car park frontage and that lighting should be reduced after closing hours. There was a condition on lighting with details to be approved. Officers would investigate the possibility of reductions in lighting.

A Member asked about the extra surface water and was concerned about the objector's problem with water pooling behind her house. Mr Peckett, Agent, confirmed there had been a full Flood Risk Assessment and said they would be happy to comply with conditions.

It was hoped that the Section 106 agreement could be completed within the 13 week period.

RESOLVED that the application be deferred and the officers be authorised to grant approval, subject to conditions, on completion of the S106 agreement.

192/08 3PL/2008/1211/F: BYLAUGH: LAND OFF B1147, BYLAUGH PARK: PROPOSED CAMPING/CARAVANNING PARK FOR MR A MEDLER (AGENDA ITEM 13)

This application site formed a small part of a large field bordered on three sides by trees. Landscaping would be introduced to the open boundary. A new access off the B1147 would be made through the existing estate boundary wall. Highways had confirmed that the necessary visibility splays could be achieved. The wall would be reinstated on the back edge of the splay. Some trees would be lost.

Mr Mallon, Bylaugh Parish Chairman, noted that an application nearby for a single dwelling and garage had been refused on grounds including highway safety and detriment to character and visual

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amenity. The road had not changed; this application would create more vehicle movements; have a much greater impact and cause noise and nuisance.

Mr Sewell, representing David Gurney & Bawdeswell Estate (adjacent landowners) was concerned about the affect on the visual character of the area and raised concerns about potential trespass and loss of security. Part of the estate was used as a shoot and this could lead to an accident.

Mr Bambridge, Ward Representative, was disappointed the Highways Officer was not present to answer questions. He wanted assurance that the business case for this project was proven and that visitors would be prevented from intruding into private land and gardens. He objected on environmental grounds, need, pollution (noise, light, sewage, etc), traffic safety and the effect on the rural character and secluded nature of this village.

RESOLVED to defer this application for a site visit accompanied by the Highways representative.

The Solicitor said that the Highways Officer would only point things out at the site visit and should be invited to the next meeting to answer questions.

193/08 3PL/2008/1304/O: BEETLEY: THE PADDOCKS, SCHOOL ROAD: SIX NEW SEMI DETACHED BUNGALOWS WITH GARAGES FOR ELDERLY GYPSIES FOR MISS S MACANN (AGENDA ITEM 14)

This outline application proposed permanent accommodation for gypsies aged over 55 in place of the existing transit site.

Letters and a petition had been received in support of the application. The Ward Representative also supported the application.

Policies in the Regional Spatial Strategy identified a need for more pitches; approval would lead to the loss of a transit facility.

As the proposal related to permanent housing justification of the need was required. The applicant had put forward a general case and provided a list of six family groups who would like to occupy the units, but with no specific details of need.

The Council's Strategic Housing Team objected to the scheme. The Norfolk Gypsy and Traveller Assessment had failed to identify any need for sheltered accommodation in the district. There was also concern about how the development could be delivered and held in perpetuity for the over 55's.

Mr Hayes, Parish Council, objected to development outside the Settlement Boundary and with no evidence of need. The site was designated as non-conforming and there were poor facilities in the village.

Mr Meiklejohn, for the applicant, said the proposal could be viewed as a traveller site which would make it neutral in pitch numbers.

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Travellers' need for accommodation was self evident and increased with age which led to difficulties living in caravans. The site was suitable; would provide housing in a group scheme giving residents peer support. This was a unique proposal giving the Council the opportunity to take the lead in providing facilities.

One Member spoke in strong support. There had never been any problems from the site and all travellers should be able to settle down if they wanted to.

Another Member said that the Local Plan had been produced using evidence and that the survey suggested that the right accommodation was being provided on that site. If it was used for permanent dwellings another transit site would have to be found elsewhere.

The Council's Principal Housing Officer said the survey had been carried out in partnership with other agencies. More temporary and permanent sites were needed. If Gypsy families wished to settle in permanent accommodation they would be assessed in exactly the same way as anyone else with a housing need.

Discussion followed on the suitability of the site to accommodate the elderly as it was not near to health facilities or local services, although it was acknowledged that occupants would have the support of other travellers.

RESOLVED to refuse the application as recommended.

194/08 SCHEDULE OF PLANNING APPLICATIONS (AGENDA ITEM 15)

RESOLVED that the applications be determined as follows:

- (a) Item 1: 3PL/2008/0579/F: Harling: Land east of Lopham Road: Demolition of redundant industrial buildings and erection of 10 No houses (revised layout) for Mr A Taylor and Mr D Taylor

Approved, as recommended. See Minute No 188/08.

- (b) Item 2: 3PL/2008/0619/F: Thetford: Green Lane Cottages, Kilverstone Road: Construction of 12 dwellings with new access (renewal) for The Kilverstone Estate

Approved, as recommended. See Minute No 189/08.

- (c) Item 3: 3PL/2008/1147/F: Yaxham: Breckland Garden Centre, Dereham Road: 25 holiday lodges, area for touring caravans and camping, change of use of dwelling, conversion of shop and change of use of café for THPD Properties

Members had previously carried out a site visit.

A previous application for 50 lodges had been refused; the new proposal reduced this number and introduced a mix of accommodation.

The layout of the development was explained and the position

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of existing buildings and ponds on site pointed out. Fencing was proposed along the boundary with the railway line for safety.

Petitions for and against, together with letters of support and objection had been received to the proposal.

Government guidance advised Authorities to support self-catering accommodation, in sustainable locations, subject to criteria.

The applicants stated there was a need for this kind of accommodation to give people a base to explore the district. The development would contribute to the local economy. The site was within 150 metres of a bus stop, had a footway link to the village and cycle hire would be promoted from the shop on site.

The application was recommended for approval, subject to conditions, including those set out in the Good Practice Guide concerning occupation duration and ownership checks.

Mr Crummit, Parish Council, said they could not support new homes outside the Settlement Boundary with no proven need; it would be an unwarranted intrusion on the rural landscape. He was concerned about light and noise pollution; drainage contamination and that the previous reasons for refusal had not been overcome.

Mr Smith, objector, representing local residents, said an independent report said traffic movements would be four times greater than stated in the application; nothing had changed since the last application and why had the Planning Policy Team not been consulted.

Mr Anema, objector, farmed adjacent land and belonged to the Countryside Stewardship Scheme. He was concerned about the impact on agricultural land if sewage and chemicals entered the River Tudd which provided the only drinking water for his cattle. If pollution occurred it would affect grazing and the status of the land.

Mr Salter, supporter, had been a resident of Yaxham since 1965 and said tourism was of great importance and would benefit the district.

Mr Myhill, supporter, said that most people had been against the previous application but this time more detailed plans had been provided and indicated employment opportunities for local people. There were three caravan rallies held each year which caused no traffic or pollution problems; the farm shop was already a success and there was an hourly bus service.

Mr Smith, Agent, said the application had been significantly modified to provide a mix of tourist accommodation. It would be a source of local employment; would be a well managed

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site and would provide a tranquil location and base for people to explore the Brecks. He confirmed that the treatment plant would be adequate.

Mr Jordan, Ward Representative, had listened to arguments for and against from local residents. On the issue of the road danger they all agreed. The angle of the nearby bridge had caused many accidents and Walkers Corner was another blackspot. He was concerned that the delicate balance of the River Tudd would be affected causing trouble to the whole environment and urged the Committee to look carefully at the drainage issues. Finally he said that although there was a bus stop, a footpath to Dereham was needed.

In response to Mr Smith's question, the Development Services Manager said that the Planning Policy Team had been consulted on the first application and all the issues raised by them had been looked at in detail for this application.

Members queried the use of the on-site bungalow for Manager's accommodation, as it currently had an agricultural restriction. The Solicitor explained that this restriction would be lifted as part of this approval, and officers confirmed that occupation of the bungalow would then be restricted to someone working on the site.

A local Member asked for assurance that these lodges would not be counted as permanent dwellings and that their occupants could not register their children at the local school or appear on the electoral role using these addresses. He was also concerned that the Environment Agency had commented that the sewage treatment plant was 'unlikely' to affect the area and asked what would happen if it did.

The Development Services Manager said the lodges were genuinely for holiday accommodation and that a condition of the permission would require the applicants to maintain a register of owners and be able to demonstrate that the lodges were not their primary home.

In discussions with the Environment Agency they had confirmed that if there was any doubt about the effect on the County Wildlife Site no consent to discharge would be issued.

The Chairman asked if there was any possibility of connecting to the mains and the agent said they were investigating that possibility.

Members discussed various issues concerning tourism: controls, marketing as a holiday destination and occupancy; highway safety; drainage; effect on the environment and biodiversity; fencing to railway and ponds and possible future expansion of the site.

Following the debate, Members voted against the officers' recommendation of approval. Reasons for refusal were then

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discussed. Members requested clarification on the permanence of the lodges and it was confirmed that they could be transported and were actually classed as 'caravans' under the Caravan Sites Act.

It was proposed and seconded that the application be refused on lack of evidence on bio-diversity and because it constituted an intrusion into the countryside. The vote was tied on this proposal and the proposal therefore fell.

It was then proposed and seconded that the application be approved in accordance with the original recommendation and the application was:

Approved, as recommended subject to an additional condition concerning lighting.

- (d) Item 4: 3PL/2008/1184/F: Colkirk: H Banham Limited, Land at Church Road: Installation of radio base station consisting of 30 metre tower, 6 No antennae, 6 No dishes and ancillary development for Telefonica O2 UK Ltd

This application was for a mast to replace an existing one that had to be removed as it was interfering with farming operations. The new position was 40 metres south east of the existing.

Mr Barron, Parish Council, was not against the principle of a mast but objected to the proposed siting. He thought the application should be refused to allow other sites to be considered.

Mr Hopkinson, on behalf of objectors, showed photographs of the current mast, screened by buildings and trees and a mock up showing how prominent the new mast would be. He said the location was not a farm just a grain store with few lorry movements and the reason for removing the existing mast was tenuous. He was happy for the mast to stay where it was or asked that other sites be considered.

Mr Labouchere said he was the Ward Representative for Colkirk. He thought the application should be deferred for consideration of other sites which would be out of sight of the houses. Mr Borrett, the neighbouring Ward Representative agreed.

The Solicitor advised the Committee that in the case of telecommunications applications, the availability of other sites was a material consideration.

The application was deferred to investigate other sites.

- (e) Item 5: 3PL/2008/1185/F: Thetford: Former Thetford Cottage Hospital, Earls Street: Demolition of Thetford Cottage Hospital, residential redevelopment of site for Norfolk NHS Primary Care Trust

Refused, contrary to recommendation. See Minute No 190/08.

- (f) Item 6: 3PL/2008/1186/CA: Thetford: Former Thetford Cottage Hospital, Earls Street: Demolition of redundant Thetford Cottage Hospital, residential redevelopment of site for Norfolk NHS Primary Care Trust

Refused, contrary to recommendation. See Minute No 190/08.

- (g) Item 7: 3PL/2008/1204/F: Watton: Tesco Stores Ltd, Memorial Way: Erection of an extension to the store and change of use of vacant land to car park and access road for Tesco Stores Ltd

Approved, as recommended. See Minute No 191/08.

- (h) Item 8: 3PL/2008/1211/F: Bylaugh: Bylaugh Country Park: Proposed development to part of Bylaugh Country Park to form a small campsite area with reception and shower facilities for Mr Andreas Medler

Deferred for Site Visit. See Minute No 192/08.

- (i) Item 9: 3PL/2008/1247/F: Thetford: John Room House, London Road: Adaption of existing homeless hostel and new build self contained homeless persons accommodation for Mrs D Smith

This application by Breckland Council's Principal Housing Officer was to alter and extend the homeless hostel. Currently ten multi-occupancy bedrooms and a communal lounge were provided. With the removal of the existing (unoccupied) warden's bungalow and the building of a two-storey, mono-pitch sedum roofed, contemporary building wrapping round the existing communal areas, new self-contained, en-suite accommodation would be provided together with communal areas and warden's overnight accommodation.

There was a strong need for the accommodation which had been designed to minimise scale, visual impact and to avoid overlooking. It would be built to Code Level 3.

Mr Riddell, Agent, said their priority had been to provide housing to the highest environmental standard and they intended to go beyond Code Level 3 and minimise rainwater run-off by the use of a sedum roof and increase bio-diversity on the site. There was a need to bring the facility up to modern standards and this had been done whilst taking context from the surrounding houses and creating a sense of enclosure.

Mr Claussen, Executive Member for Economic and Commercial, asked the Committee to support this application.

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He said they were moving away from mixing families and single people and giving the most vulnerable and homeless an opportunity for training and a chance to get back on their own feet.

Approved, as recommended.

- (j) Item 10: 3PL/2008/1288/F: Watton: Watton Surgery, St Giles Road: 2 and 3 storey apartment building comprising 14 units for Icen Development

This was similar to an application discussed by Committee in April, which had been refused on design grounds. Principle concerns had been the flat roof and patio doors opening directly onto public areas.

The design was similar, but the roofs were pitched and the patio doors had been replaced by windows on the front elevation. Overlooking had been designed out with first floor windows having obscured glazing.

Approved, as recommended, subject to an additional requirement for a 10% contribution to renewables.

- (k) Item 11: 3PL/2008/1304/O: Beetley: The Paddocks, School Road: Six new semi detached bungalows with garages for elderly gypsies for Miss S Macann

Refused, as recommended. See Minute No 193/08.

- (l) Item 12: 3PL/2008/1306/O: Shipdham: Crow Hill Farm, Watton Road: Proposed single dwelling for Mr Ivan Chubbock

This application proposed the creation of a new dwelling outside the Settlement Boundary on land adjacent a vehicle workshop building. There were already two properties on the holding; a prominent, listed farmhouse and a dwelling originally given permission as a golf clubhouse and since changed to residential.

Special justification was needed and none had been given.

Mr Took, Agent, explained that the applicant had developed a family business on the site which continued to thrive. He wished to retire and move into smaller accommodation, his son (currently occupying the former golf clubhouse) would move into the farmhouse and continue the business. His daughter (also a partner in the business) would occupy the golf clubhouse. The proposed plot was screened from the road and would have no visual impact on the area.

Mr Chubbock, applicant, said he had lived on the site for 50 years. The business was run as a partnership and all the family were involved and needed to stay on site.

Members voted against the recommendation for refusal. After

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discussions it was:

Agreed, contrary to recommendation, that the application be deferred and the officers be authorised to grant an approval, subject to conditions, on grounds of the business need of the family, on completion of a legal agreement to tie all three properties to the business.

- (m) Item 13: 3PL/2008/1314/F: Dereham: Adjacent to Fairview, South Green: Amendment to p/p 3PL/2007/1188/F to include two small attic windows and slight repositioning of houses for Mr B Tullis

This retrospective application had been invited by the Enforcement Officer, following complaints received. One pair of semi-detached houses had been built 2.5 - 3 metres forward of their approved position with a slight change in orientation and a small attic window had been included in each gable end.

It was accepted that this was a relatively significant move and made the building more imposing to neighbours. However it was not felt that it would have any impact on overlooking. The small additional windows were to loft space only and were fixed and had obscure glazing.

Mr Bambridge, objector, thought the photographs did not show how intrusive the house was; it dominated and did not blend in. Originally a turning circle had been included to the front but this had not been provided and could lead to parking problems. There were also concerns about water run-off from this site.

Mr Cutting, Agent, explained that the change in siting had occurred because the original site boundaries had been incorrect. The changes had been made by the workers on site, and the applicant apologised for this. A 1.8 metre fence had been erected and the applicant was willing to plant additional screening if required.

A statement was read from Mr Goreham, Ward Representative. He was troubled by the levels but agreed to proceed as long as the build was in accordance with the plans and conditions were complied with.

Another local Member said that he and Mr Goreham had visited the neighbour who had been concerned that they were not being listened to. Their comments had been passed on. The Development Services Manager had spoken to the neighbour on the phone and agreed to bring the matter to Committee.

Approved, as recommended.

- (n) Item 14: 3PL/2008/1415/O: Great Ellingham: 68 Long Street: Single detached dwelling for Mr Stephen Walmsley

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This outline application was for a single dwelling in the side garden of an existing cottage. An amended drawing showed the position of the proposed dwelling set back from the existing cottage, avoiding overlooking problems.

Mr Took, Agent, told Members that this plot was inside the Settlement Boundary and the proposal was for a modest dwelling respecting the scale of the existing. The trees on site would be kept and were regularly lopped and pruned. The ditch along the site edge was cleaned out twice yearly and there were no drainage problems.

Agreed, 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>
1	Lady Fisher – Ward Representative Mr Burton – Objector Mr D Taylor – Applicant Mr Matthews - Agent
3	Mr Jordan – Ward Representative Mr Crummett – Parish Council Mr Anema – Objector Mr Smith – Objector Mr Myhill – Supporter Mr Salter – Supporter Mr Smith – Agent Mr Dimoglou - Applicant
4	Mr Hopkinson – Objector Mr Barron – Parish Council
5 & 6	Mr Chambers – Town Council Mr Wilson – Objector (Thetford Soc) Mr Curtis – for Objector Mr Clarke - Agent
7	Mrs Green – Objector Mr Peckett - Agent
8	Mr Bambridge – Ward Representative Mr Mallen – Parish Council Mr Sewell - Objector
9	Mr Claussen – Exec Member Mrs Smith – Applicant Mr Riddell - Agent
11	Mr Hayes – Parish Council Mr Meiklejohn – for Applicant Miss Macann - Applicant
12	Mr Took – Agent Mr Chubbock - Applicant
13	Mr Bambridge – Objector Mr Cutting - Agent
14	Mr Took - Agent

Written representations taken into account

<u>Reference No</u>	<u>No of Representations</u>
3PL/2008/0579/F	13
3PL/2008/1083/F	14
3PL/2008/1147/F	40
3PL/2008/1184/F	11
3PL/2008/1185/F	5
3PL/2008/1186/CA	6
3PL/2008/1204/F	5
3PL/2008/1211/F	1
3PL/2008/1314/F	5

195/08 CHANGES TO GENERAL DEVELOPMENT ORDER (PERMITTED DEVELOPMENT) (AGENDA ITEM 16)

The Principal Planning Officer gave Members a brief presentation on the changes to Permitted Development Rights from 1st October 2008.

- The changes had made it a little easier to answer the question “Do I need planning permission” but had also introduced other forms of development – hard surfacing and windows.
- Calculations were largely no longer volume based; assessment was on visual impact and how the proposal would appear; proportions and impact on neighbours were also considered. New controls on height and first floor windows (previously permitted development) had been introduced.
- Extensions were generally determined by their position on the building. People would still be advised to ask if they needed permission. The Planning Portal did have an interactive house which could give simplistic answers, but other criteria had to be considered (such as whether permitted development rights had been previously restricted).
- Under the new rules reference was made to the principal and rear elevations of a dwelling for the first time.
- There was little change to Conservation Area Consent.
- First floor side facing windows did not need planning permission if they were fixed and had obscured glazing.
- Hard surfacing within front gardens was limited to five square metres – more if it could be demonstrated that water run-off would not create problems (by the use of permeable surfaces).
- Verandahs, balconies and raised platforms (including decking) had caused problems in the past. Now they required planning permission if they were above 300mm.
- Outbuildings – if less than four metres to a ridged roof and three metres to any other sort of roof, they did not require planning permission and could cover up to 50% of the residential curtilage. However one change meant that any

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buildings over two and a half metres in height and within two metres of a boundary would require planning permission.

- The old 'within five metres of the dwelling' rule no longer applied. (Previously any development within five metres of the dwelling had counted as an extension).
- Materials – now similar materials were acceptable otherwise planning permission was required. This raised the problem of deciding what were similar materials – especially in the case of car ports.

The new guidelines had not simplified the process and ultimately clarification would be provided by the courts. The Department of Communities and Local Government had no plans to issue any further guidance.

It was felt that the Government's aim to free up resources had not been successful and that this would not lead to a reduction in applications.

Advice to householders would still be to write in if they had any doubts about whether they needed permission or not.

196/08 APPLICATIONS DETERMINED BY THE DEVELOPMENT SERVICES MANAGER (AGENDA ITEM 15)

This item was noted.

197/08 APPEAL DECISIONS (AGENDA ITEM 16)

This item was noted.

The meeting closed at 5.10 pm

CHAIRMAN