

BRECKLAND COUNCIL

At a Meeting of the

DEVELOPMENT CONTROL COMMITTEE

**Held on Monday, 24 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
Councillor Claire Bowes	Mr J.P. Labouchere
Mrs M.P. Chapman-Allen	Mr T.J. Lamb
Mr P.J. Duigan	Mr B. Rose
Mr P.S. Francis	Mrs P.A. Spencer
Mr M. Fanthorpe	Mr N.C. Wilkin (Vice-Chairman)
Mrs D.K.R. Irving	

Also Present

Mr S.G. Bambridge (Ward Representative)	Mr A.C. Stasiak (Ward Representative)
Mr A.P. Joel (Ward Representative)	Mrs A.L. Steward (Planning and the Environment Portfolio Holder)

In Attendance

Mike Brennan	- Principal Development Control Officer
Heather Burlingham	- Assistant Development Control Officer
John Chinnery	- Solicitor & Standards Consultant
Phil Daines	- Development Services Manager
Helen McAleer	- Member Services Officer
Nick Moys	- Principal Planning Officer (Major Projects)
David Spencer	- Principal Planning Policy Officer

198/08 MINUTES (AGENDA ITEM 1)

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

199/08 APOLOGIES (AGENDA ITEM 2)

Apologies for absence were received from Mr W Borrett, Mr A Byrne, Mrs S Howard-Alpe, Mr R Kemp, Mr F Sharpe and Mr M Spencer.

200/08 DECLARATION OF INTEREST (AGENDA ITEM 3)

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

Mr P Francis declared a personal interest in Schedule Item 1 (Attleborough) by virtue of working closely with the applicant.

Mr P Duigan and Mr M Fanthorpe declared a personal interest in Schedule Item 4 (Dereham) by virtue of having known the applicant for a long time. Mr J Labouchere declared a personal interest in this item by virtue of having business associations with the applicant.

Mrs D Irving declared a personal interest in Schedule Item 8

Action By

Action By

(Hockering) by virtue of being the Executive Support Member to the applicant. Mr B Rose declared a personal and prejudicial interest in this item.

201/08 CHAIRMAN'S ANNOUNCEMENTS (AGENDA ITEM 4)

The Chairman asked the Solicitor to clarify voting procedures for the benefit of Members of the Public.

The Solicitor explained that if the vote on a proposal was lost it did not mean that the opposite was agreed (eg if the Committee voted against a recommendation of approval, it did not automatically mean the application was refused); a new proposal and reasons for that proposal had to be put forward and would then be voted on.

202/08 REQUESTS TO DEFER APPLICATIONS INCLUDED IN THIS AGENDA (AGENDA ITEM 5)

There were none.

203/08 URGENT BUSINESS (AGENDA ITEM 6)

There was none.

204/08 LOCAL DEVELOPMENT FRAMEWORK (AGENDA ITEM 7)

The Principal Planning Policy Officer reminded Members that at full Council it had been agreed to publish and submit the Core Strategy document. This would go out to consultation on 5 January 2009 for six weeks and would then return to full Council at the end of February or beginning of March.

At that time consultation would begin on the extra sites submitted under the Site Specifics stage of the LDF and on the draft of the Thetford Area Action Plan.

205/08 DEFERRED APPLICATIONS (AGENDA ITEM 8)

There were none.

206/08 DEREHAM: CMC WAREHOUSE, NORWICH ROAD: CONVERSION OF FORMER RETAIL WAREHOUSE TO 14 FLATS FOR MR S PARISH: REFERENCE: 3PL/2008/1141/F (AGENDA ITEM 9)

This proposal to convert a previous carpet warehouse to flats would ensure the retention of an important and prominent building which reflected the industrial past, and contributed to the character and quality, of the area.

An existing dilapidated structure and small wing to the rear would be demolished to provide a parking area. The courtyard to the front would be landscaped and enclosed by railings, providing an amenity area for residents.

The fenestration would reflect the pattern of the original openings and

Action By

this gave rise to concerns as the building was in very close proximity to existing dwellings. Amendments had been made to provide obscure glazing to sections of the windows to prevent overlooking and some windows would need to be fixed shut. There would clearly be some effect on amenity. Bringing the building back into use would improve the appearance of the area.

Mr Chambers, objector, had lived in his house (immediately adjacent the site) for 20 years and used the area to the rear of the building for parking. He was concerned about future parking provision and overlooking. He asked for clarification of obscure glazing.

Mrs Lyons, objector, lived immediately adjacent the building on the opposite side to Mr Chambers. Her house was the closest to the building and she was concerned that windows would overlook every part of her house and garden.

The Officer clarified the proposed glazing and showed a diagram to demonstrate that the obscure parts of the windows would prevent people in the building looking down into gardens and rooms. Floor plans were shown so that Members could see which rooms would overlook the adjacent properties.

A Member agreed that the glazing could be conditioned but was concerned about the access road, its upkeep and possible on-road parking.

Another Member noted a crane gantry and proposed that it should be retained by condition. This was agreed as it was considered an important feature.

RESOLVED to defer the application, contrary to recommendation, to allow the applicant to make proposals to overcome overlooking concerns and to provide new drawings showing the gantry to be retained.

A Member requested that when the application was reported back to Committee the applicant should be encouraged to attend.

207/08 3PL/2008/1211/F: BYLAUGH: LAND OFF B1147, BYLAUGH PARK: PROPOSED CAMPING/CARAVANNING PARK FOR MR A MEDLER (AGENDA ITEM 10)

This item was considered in light of the site visit held on 21 November 2008.

This application to create a campsite of 50 pitches in part of a large agricultural field, proposed a new access through the existing boundary wall. Concerns had been raised about highway safety at the access point and the site visit had been arranged for Members to see the proposed access point.

The Officer clarified for those Members that had not attended the visit, that though there were a number of undulations in the road, at the point of the access it was quite flat, allowing the full visibility splays required by Highways. A representative from Highways was in

Action By

attendance to answer any questions.

A previously refused application on a site opposite was also clarified. This had been refused on policy (new dwelling outside Settlement Boundary) and highway grounds. In that case, the highway objection concerned the positioning of a proposed new access at the junction with Slad Lane, and the lack of the necessary visibility splays. Because of the policy objection, no attempt was made to negotiate the access arrangements.

The main issues of policy, sustainability, environmental impact and highway safety (explained fully at the previous meeting) were reprised.

Mr Mallen, Bylaugh Parish Chairman, said the road was heavily used by HGVs and was busier than had been stated. In places it was too narrow for two lorries to pass each other and he considered the addition of up to 30 cars and caravans would increase danger. The verges had been trimmed two days before the site visit and he felt this had given a false impression.

Mr Warlow, Agent, said that the verges would be maintained if permission was granted and the access would seem like an entrance to the Estate. The site would be seasonal from April to the end of the summer with a few other occasional weekends and was therefore unlikely to conflict with shooting.

Mr Bambridge, Ward Representative, raised concerns about sewage, because of the sensitivity of the area and existing problems; site management and whether there would be an on-site warden; possible future use of the permanent buildings on site as dwellings and he also felt that the proposed new screening was too close to the pitches.

Members asked about hard-surfacing, foul drainage, site security, the positioning of the proposed screening and the use of the on-site buildings.

The agent confirmed his client would be happy to move the screening back. He also felt that there would probably need to be a gate at the entrance to prevent unauthorised access. A warden would be available most of the time to maintain security, working on a shift system, not sleeping on site.

Officers confirmed that proposed conditions addressed many of the other concerns.

RESOLVED to approve the application as recommended.

208/08 SCHEDULE OF PLANNING APPLICATIONS (AGENDA ITEM 11)

RESOLVED that the applications be determined as follows:

- (a) Item 1: 3PL/2008/1081/O: Attleborough: Land adjoining The Manse, Station Road: Residential development of 4 detached bungalows with garages, demolish existing annex and form new site access for Connaught Veterinary Surgery

Action By

Mr Francis declared a personal interest in this item.

This outline application with all matters reserved was in an area characterised by large dwellings in large plots. The plot sizes for the proposed four bungalows, shown on an indicative plan, were relatively small and would increase density from 8 dwellings/ha to 23/ha. It was felt that the setting of the listed building would be affected and the proposal would impact on the amenity of the occupants of Old Manse.

Mr Stasiak, Ward Representative, supported the application. There was a lack of consistency concerning 'backland' development. He drew Members' attention to various other 'backland' developments in the area built in recent years and said that the proposal would not impact on the listed building.

A Member felt that this 'grander' area of Attleborough should be preserved, whilst another pointed out that the development was a long way back and would not be visible from Station Road.

Refused, as recommended.

- (b) Item 2: 3PL/2008/1141/F: Dereham: Former CMC Warehouse, Norwich Road: Proposed conversion of former maltings to 14 apartments for Mr Stephen Parish

Deferred, see Minute No 206/08.

- (c) Item 3: 3PL/2008/1279/F: Swaffham: 75 Market Place: Change of use of ground floor from Class A1 to either Class A2 or A3 and conversion of upper floors to 3 No flats for Dam Estates Ltd

This application proposed the raising of the ridge height of two sections of a three element building to enable development of flats at first floor level. This would entail the addition of dormer windows. Other changes were to the shop front and fenestration, a replacement window and Juliet balcony were also proposed.

The change to A2 or A3 use would enable financial and professional services or café/restaurant use of the ground floor. Although the loss of A1 (retail) use was regretted a marketing scheme had proved that there was no A1 need in this area.

An amended plan introduced a side door entrance to the proposed flats towards the rear of the property and provision for internal refuse storage.

Mr Butters, for the Town Council, regretted that they had not seen the amended plans. He was concerned that the Juliet balcony would obstruct the large wagon used by the adjacent butcher's shop; and that rubbish and parking would cause

Action By

problems.

Mr Potter, objector, owned the adjacent butcher's shop which had been trading for 80 years. He was concerned that the rear door to the property would open onto staff cars parked on his land and that there would be problems with his wheelie bins. There was also concern about illegal parking in the churchyard overnight.

Mr Shoot, Director of Dam Estates, said the property had been vacant for 18 months. It had been actively marketed by three separate companies and no A1 operator had been forthcoming. The site was not good in shopping terms and detracted from the vitality of the area. The drawings had been amended to address land ownership problems. The change of use represented a significant employment opportunity.

Members debated the issues and the Solicitor advised them to address the planning issues only and not to consider land ownership, or possible future management problems.

Approved, as recommended.

- (d) Item 4: 3PL/2008/1328/D: Dereham: Former Print Works, Swaffham Road: Proposed residential development for Mr R Everett

Mr Duigan, Mr Fanthorpe and Mr Labouchere all declared a personal interest in this item.

This was a reserved matters application following outline planning permission for up to 24 residential units, including demolition of the existing print works. The current application proposed 21 one and two bedroom units.

The site was slightly elevated and in a prominent position in the street scene. The proposal was for a contemporary, mono-pitched building, using brick, render and cedar boarding, designed to appear multi-levelled to break up the mass of the building.

An existing, protected Sycamore tree on site would need to be removed or lopped by 30%. The Tree and Countryside Officer objected to this.

The general massing of the development on this prominent site was also considered unacceptable.

Mr Kendall, objector, lived opposite and objected to the appearance of what he considered to be a four storey block. He also questioned the quality of life for future occupants due to the lack of windows in the kitchens.

Mr Everett, applicant, wanted to sell this site to relocate his business elsewhere in Dereham. The size of the proposed building had been reduced and the number of units cut to 21 to

Action By

allow space for bin storage, etc. It would not be viable to reduce the number of units further. Due to a fibre optic cable in the access drive which could not be built over, the building could not be moved further from the Sycamore tree. This tree was already screened from general view by other trees and the level of the site and it was vital to reduce its size.

Members discussed the merits of the building and the importance of the tree. It was agreed that the design of the building was wrong. If the right design was presented to Committee it was generally agreed that they might be prepared to accept reduction of the tree.

Refused, on design grounds.

- (e) Item 5: 3PL/2008/1390/CU: Attleborough: Land at rear of 3 Short Road: Change of use from amenity to garden use (retrospective) for Mr and Mrs Nixon

This piece of land had originally formed part of an access to the school but that access had been closed and the land led nowhere. It had been incorporated into the applicants' garden and they had applied to purchase the land from the council.

Approved, as recommended.

- (f) Item 6: 3PL/2008/1413/F: New Buckenham: Kings Head Public House, Market Place: Two semi-detached, two storey houses to rear of Kings Head Public House for Mr Michael Gregson

The site for this proposal was within the Conservation Area. Permission had been granted in July, to fell existing trees, on the basis that replacements would be planted. The Council's Tree and Countryside Officer did not consider that sufficient space would be available for these replacements to mature if permission was granted.

Highways had also raised objections due to the extremely narrow access lane and dangerous junction.

Mrs Highton, objector, speaking on behalf of a number of residents, said the access was a quiet lane used by the elderly, infirm and children as it was relatively traffic free. The unbroken sections of the old wall were in good order and to breach it would detract from the character of the area. She was also concerned about the loss of a soak-away area in an already overloaded area.

Mr Day, Agent, had worked with the Historic Buildings Officer on design and he had no objection. The houses could be moved back to allow more room for the trees to mature. Bricks from the wall would be re-used to create the access. Other development had been permitted in the area and the 20mph limit reduced vehicle danger.

Action By

Mr Joel, Ward Representative, said that business was hard and he sympathised with the licensees and appreciated that they needed to diversify. He would like to support the application, but had concerns about the access, detriment to the character of the area and potential loss of light and he therefore supported the recommendation of refusal.

Refused, as recommended.

- (g) Item 7: 3PL/2008/1418/F: Old Buckenham: Ottomer Cottage, The Green: Proposed single storey dwelling for Mr and Mrs A Medley

The proposed dwelling had been designed to appear as an outbuilding to Ottomer Cottage. The site occupied the rear garden between the existing cottage and the churchyard of the adjacent Grade I listed church. English Heritage had raised concerns. It was considered that the large footprint of the proposed bungalow would impact on views to and from the church.

Mr Thurlow, Agent, said a previous application had been withdrawn and the position amended to take English Heritage comments into account. The Parish Council and local residents supported this application and he did not consider it was detrimental to the village.

Mr Joel, Ward Representative, supported the application. The dwelling would be occupied by the applicant's daughter. The removal of the existing timber garage would improve highway safety. The plans had been amended and there were no overlooking windows.

Refused, as recommended.

- (h) Item 8: 3PL/2008/1485/F: Hockering: Heath Cottage, 24 Heath Road: Single storey extension to cottage for Mr and Mrs P Claussen

Mrs Irving declared a personal interest in this item.
Mr Rose declared a personal and prejudicial interest in this item and left the room whilst it was discussed

This application was for a small extension to a cottage. It was well screened and no objections had been received.

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>
Agenda	Mr Bambridge – Ward Representative
Item 10	Mr Mallen – Parish Council

Action By

	Mr Worsfold – Highways
	Mr Warlow - Agent
1	Mr Stasiak – Ward Representative
2/	Mr Chambers – Objector
Agenda	Mrs Lyons - Objector
Item 9	
3	Mr Potter – Objector
	Mr Butters – Town Council
	Mr Shoot - Applicant
4	Mr Kendall – Objector
	Mr Everett - Applicant
6	Mr Joel – Ward Representative
	Mrs Highton – Objector
	Mr Day - Agent
7	Mr Joel – Ward Representative
	Mr Thurlow - Agent

Written representations taken into account

<u>Reference No</u>	<u>No of Representations</u>
3PL/2008/1081/O	2
3PL/2008/1141/F	4
3PL/2008/1279/F	1
3PL/2008/1413/F	24
3PL/2008/1328/D	1

209/08 APPLICATIONS DETERMINED BY THE DEVELOPMENT SERVICES MANAGER (AGENDA ITEM 12)

This item was noted.

210/08 ENFORCEMENT ITEMS (AGENDA ITEM 13)

This item was noted.

211/08 APPLICATIONS DETERMINED BY NORFOLK COUNTY COUNCIL (AGENDA ITEM 14)

This item was noted.

212/08 APPEAL DECISIONS (AGENDA ITEM 15)

This item was noted.

The meeting closed at 1.28 pm

CHAIRMAN