

**BRECKLAND COUNCIL**

**At a Meeting of the**

**PLANNING COMMITTEE**

**Held on Monday, 30 September 2019 at 9.30 am in  
Anglia Room, The Conference Suite, Elizabeth House, Dereham**

**PRESENT**

Mr N.C. Wilkin (Chairman)	Mrs H, Crane
Mr P. S. Wilkinson (Vice-Chairman)	Mr P.J. Duigan
Mr R. Atterwill	Mr K.S. Gilbert
Mr R. F. W. Brame	Mr K. Martin
Councillor M. Chapman-Allen	Mrs S. E. Suggitt
Mr H. E. J. Clarke	Mr M. Kiddle-Morris (Substitute Member)

**Also Present**

Mr J.P. Cowen (Ward Representative)	Mr P. Morton (Ward Representative)
Mrs V. Dale (observer)	Mrs L.S. Turner (Ward Representative)
Mr P.J. Hewett (Ward Representative)	

**In Attendance**

Andrew D'Arcy	Planning Policy Manager
Michael Horn	Solicitor to the Council
Jon Berry	Head of Development Management
Rebecca Collins	Head of Major Projects
Tom Donnelly	Development Management Planner
Fiona Hunter	Principal Development Management Planner
Naomi Minto	Development Management Planner
Mark Simmonds	Principal Development Management Planner
Julie Britton	Democratic Services Officer
Mandy Cunnington	Technical Support Officer
Joanna Hall	Technical Support Team Leader (Planning)

**93/19 MINUTES (AGENDA ITEM 1)**

a) 2 September 2019

The Minutes of the meeting held on 2 September 2019 were agreed as a correct and signed by the Chairman.

b) 10 September 2019

The Minutes of the additional meeting held on 10 September 2019 were agreed as a correct record and signed by the Chairman.

**94/19 APOLOGIES & SUBSTITUTES (AGENDA ITEM 2)**

An apology for absence was received from Councillor Claire Bowes. Councillor Mark Kiddle-Morris was in attendance as her substitute.

Councillor Vera Dale was in attendance to observe the meeting.

**Action  
By**

**95/19 DECLARATION OF INTEREST AND OF REPRESENTATIONS RECEIVED  
(AGENDA ITEM 3)**

1. Attleborough: Land east of Hargham Road, Hargham Road: Reference: 3PL/2019/0500/O (Minute No. 102/19(b))

Councillors Mark Kiddle-Morris, Roy Brame and Phillip Duigan, as Members of Norfolk County Council, declared personal interests in this application.

2. Fransham: Land off Station Road: Reference: 3PL/2019/0740/D and 3PL/2019/0906/F (Minute Nos. 102/19(f) and 102/19(g))

Michael Horn, the Council's Solicitor declared an interest in these applications and left the room whilst this matter was being discussed.

3. Shipdham: Land at Church Lane: Reference: 3PL/2019/0401/F (Minute No. 102/19(p))

Councillor Helen Crane declared an interest in this application. Councillor Crane did not take part in or vote on this application.

**96/19 CHAIRMAN'S ANNOUNCEMENTS (AGENDA ITEM 4)**

None.

**97/19 REQUESTS TO DEFER APPLICATIONS INCLUDED IN THIS AGENDA (AGENDA ITEM 5)**

1. Banham: Land to the south of Kenninghall Road: Reference: 3PL/2018/0091/D (Agenda item 10(c))

Proposed development of 43 dwellings, associated infrastructure and open space.

This application had been deferred to allow amended plans to be considered.

2. Beeston: Syers Lane: Reference: 3PL/2019/0835/O (Agenda item 10(d))

Two detached self-build properties.

This application had been deferred to allow a further ecological assessment to be undertaken.

A further assessment on future development in Beeston would be carried out and reported back to Members at the next meeting in October.

3. Harling: Land off Lopham Road: East Harling: Reference: 3PL/2018/1557/O (Agenda item 10(k))

Erection of up to 190 dwellings, public open space, landscaping and sustainable drainage system (SuDS) with vehicular site access points from Lopham Road and Garboldisham Road. All matters reserved except for means of access.

This application had been withdrawn.

**98/19 URGENT BUSINESS (AGENDA ITEM 6)**

None.

**99/19 LOCAL PLAN UPDATE (STANDING ITEM) (AGENDA ITEM 7)**

Andrew D'Arcy, the Planning Policy Manager informed Members that the Planning Inspector had sent his completed work to the Planning Inspectorate for sign-off. The completed Local Plan would then be sent back to Breckland Council for further comments (if any).

**100/19 BROWNFIELD LAND REGISTER (AGENDA ITEM 8)**

The Planning Policy Manager presented the annual report and provided Members with an update on the 2018 Brownfield Land Register (BLR).

Part 1 of the Register identified brownfield land within the District that was larger than 0.25ha or capable of delivering 5 or more dwellings. Sites that could be placed on Part 2 of the register where the criteria set out in Part 1 of the Register had been met (see report) and the local authority had decided to allocate the land for residential led development.

Following a requisite consultation period, sites on Part 2 of the register would then be granted Permission in Principle (PIP). The PIP consent route was an alternative way of obtaining planning permission, where the scope was limited to location, land use and the amount of development. A Technical Details Consent would then be required before development could begin.

Members were informed that in the last 12 months, 2 sites had been put forward for inclusion in Part 1 of the BLR in North Pickenham and Wendling; however, these sites had not met the criteria as set out in the Town and Country Planning (Brownfield Land Register) Regulations 2017 and it had been recommended that neither of these sites be included (see Appendix C of the report for further explanation).

It was noted that following the recent review exercise 11 sites be removed from Part 1 of the BLR, no sites be moved from Part 1 to Part 2 of the BLR, no new sites to be included on the BLR and 14 sites remain on Part 1 of the BLR with no amendments made.

**RESOLVED** that:

- a) the revised Brownfield Land Register (BLR) be placed on the Council's website;
- b) the individual recommendations regarding each of the sites on the revised Brownfield Land Register be agreed; and
- c) delegated powers be given to the Strategic Planning Manager to amend/remove sites on the Brownfield Land Register where they no longer meet the criteria set out in the regulations.

**101/19 DEFERRED APPLICATIONS (AGENDA ITEM 9)**

a) Dereham: Land West of Etling View: Reference: 3PL/2015/1045/O

Residential development for up to 62 dwellings and all associated works.

This application had been heard at the Planning Committee meeting in May 2018 where Members resolved to grant planning permission subject to proposed conditions and a S106 Agreement. The wording for the S106 had recently been agreed but had not, as yet, been signed. Given the significant amount of time that had passed since the previous Committee resolution Members were being asked to ratify the application.

Consideration was given to the report presented by Rebecca Collins, Head of Major Projects.

Members considered the matter and fully explored the details of the outline application in light of prevailing policies and guidance.

Representations were made in respect of the application in accordance with the Council's scheme of public speaking at Planning Committee meetings:

Ward Representative: Councillor Morton

Dereham Town Council: Tony Needham (Clerk)

A further representation in the form of an email had been received from Councillor Alison Webb, also a Ward Member for Dereham, which was read aloud.

**DECISION: Members voted 7 x 4 for approval as recommended subject to:**

- 1) the conditions as listed in the report;**
- 2) the completion of a S106 Agreement;**
- 3) comments being received from Anglian Water;**
- 4) information in respect of ecological impacts on the County Wildlife site;**
- 5) a method statement being issued in respect of the ditch network being manually cleared on Shillings Lane; and**
- 6) condition 5 being amended to include a Reserved Matters application being submitted prior to commencement of development in respect of surface water drainage; and**
- 7) delegated authority be granted to the Executive Director of Place to refuse the application if the legal formalities in respect of the S106 Agreement are not completed within 3 months of any resolution approved by Members, or the Executive Director of Place has the authority to agree another more appropriate time scale for the completion of any such agreement.**

b) Yaxham: The Old Post Office, Norwich Road: Reference: 3PL/2018/0312/F

Demolition of outbuildings and part of the frontage of the Old Post Office, sub-division of curtilage & erection of a detached bungalow, alterations to the Old Post Office, access and associated works.

This application had been considered by the Planning Committee on 2 July 2018 and was resolved to be approved subject to the conditions as listed in the report and delegated authority be given to the Director of Planning & Building Control to grant

permission on receipt of the resolution of ecology objections due to the need for further information on bats presence on site.

In August 2019, the bat roost survey report was submitted and the Natural Environment Team had not raised any objection subject to conditions.

Consideration was given to the application presented by Fiona Hunter, Principal Development Management Planner.

Members considered the matter and fully explored the details of the application in light of prevailing policies and guidance and any new material planning considerations since the earlier resolution to grant planning permission.

A representation was made in respect of the application in accordance with the Council's scheme of public speaking at Planning Committee meetings:

Applicant: Pablo Dimoglou

**DECISION: Members voted unanimously for approval subject to the conditions as listed in the report.**

**102/19 SCHEDULE OF PLANNING APPLICATIONS (AGENDA ITEM 10)**

The schedule of planning applications were determined as follows:

- a) Ashill: Land adjacent to Reeves Farm, Hale Road: Reference: 3PL/2019/0939/O

Proposed residential development.

Consideration was given to the report presented by Tom Donnelly, Development Management Planner.

Members considered the matter and fully explored the details of the application in light of prevailing policies and guidance.

Representations were made in respect of the application in accordance with the Council's scheme of public speaking at Planning Committee meetings:

Applicant's Agent: Matthew Cutting

Chairman of Ashill Parish Council: Richard Leighton

**DECISION: Members voted 9 x 2 for approval as recommended subject to the conditions as listed in the report.**

- b) Attleborough: Land east of Hargham Road, Hargham Road: Reference: 3PL/2019/0500/O

Proposed residential development.

Councillors Mark Kiddle-Morris, Roy Brame and Phillip Duigan as Members of Norfolk County Council declared personal interests in this application.

Consideration was given to the report presented by Rebecca Collins, Head of Major Projects.

Members considered the matter and fully explored the details of the application in

light of prevailing policies and guidance.

A representation was made in respect of the application in accordance with the Council's scheme of public speaking at Planning Committee meetings:

Applicant's Agent: Andy Scales (NPS Property Consultants)

**DECISION: Members voted unanimously (+ 2 abstentions) for approval as recommended subject to:**

- 1. the conditions as listed in the report;**
- 2. the additional Highway conditions as listed in the report; and**
- 3. a S106 Agreement to secure:**
  - **25% affordable housing**
  - **on-site open space including a maintenance contribution;**
  - **education contributions**
  - **library contributions**
  - **NHS contributions (as updated in the report)**
  - **Travel plan; and**
  - **green infrastructure as part of the Reserved Matters application**

- c) Banham: Land to the south of Kenninghall Road: Reference: 3PL/2018/0091/D

This application had been deferred to allow amended plans to be considered.

- d) Beeston: Syers Lane: Reference: 3PL/2019/0835/O

This application had been deferred to allow a further ecological assessment to be undertaken.

- e) Fransham: Land at Kirkhams Meadow, Little Fransham: Reference: 3PL/2019/0612/O

Proposed residential development of 3 dwellings.

Consideration was given to the report presented by Mark Simmonds, Principal Development Management Planner.

Members considered the matter and fully explored the details of the application in light of prevailing policies and guidance.

A representation was made in respect of the application in accordance with the Council's scheme of public speaking at Planning Committee meetings:

Applicant: John Symonds

**DECISION: Members voted unanimously for approval as recommended subject to the conditions as listed in the report.**

- f) Fransham: Land off Station Road: Reference: 3PL/2019/0740/D

Reserved Matters with details of appearance, landscaping, layout and scale for the erection of 4 dwellings with associated garages following the granting of outline permission 3PL.2017/0902/O.

Michael Horn, the Council's Solicitor declared an interest in this application and left the room whilst this matter was being discussed.

This application was considered in conjunction with Agenda item 10(h) below.

Consideration was given to the report presented by Mark Simmonds, Principal Development Management Planner.

Members considered the matter and fully explored the details of the application in light of prevailing policies and guidance.

No representations were made in respect of the application.

**DECISION: Members voted unanimously for approval as recommended subject to the conditions as listed in the report and a legal agreement requiring a mitigation area for great crested newts be provided prior to commencement of plots 1 and 2 (the area of habitat that will be lost).**

g) Fransham: Land Off Station Road: Reference: 3PL/2019/0906/F

Change of use of land to be used for mitigation for protected species (cross reference 3PL/2017/0902/O).

Michael Horn, the Council's Solicitor had declared an interest in this application (see Minute No. 101/19(f) above).

This application was considered in conjunction with Agenda item 10(f) above).

Consideration was given to the report presented by Mark Simmonds, Principal Development Management Planner.

Members considered the matter and fully explored the details of the application in light of prevailing policies and guidance.

No representations were made in respect of the application.

**DECISION: Members voted unanimously for approval as recommended subject to a legal agreement requiring that the mitigation area on third party land be provided for great crested newts prior to the commencement of plots 1 and 2.**

h) Garboldisham: Land West of Hopton Road: Reference: 3PL/2019/0514/O

Erection of 7 no. dwellings with associated parking and external amenity space.

Consideration was given to the report presented by Naomi Minto, Development Management Planner.

Members considered the matter and fully explored the details of the application in light of prevailing policies and guidance.

A representation was made in respect of the application in accordance with the Council's scheme of public speaking at Planning Committee meetings:

Applicant's Agent: Sarah Roberts

**DECISION: Members voted unanimously for approval as recommended subject**

**to the conditions as listed in the report.**

**A note would be added to any subsequent approval with regards to the layout of the site and the presumption against frontage garages to retain the character of this area.**

- i) Great Ellingham: Land off Watton Road: Reference: 3PL/2019/0421/F

Proposed residential development.

Consideration was given to the report presented by Tom Donnelly, Development Management Planner.

Members considered the matter and fully explored the details of the application in light of prevailing policies and guidance.

A representation was made in respect of the application in accordance with the Council's scheme of public speaking at Planning Committee meetings:

Applicant's Agent: John Barbuck (Patterson Design Ltd)

**DECISION: Members voted 8 x 3 for approval as recommended subject to the conditions as listed in the report and a further condition in respect of turning areas/hard-standings to be provided to prevent vehicles having to reverse out onto the road.**

- j) Great Ellingham: Bow Street: Reference: 3PL/2019/0699/F

Erection of a dwelling.

Consideration was given to the report presented by Tom Donnelly, Development Management Planner.

Members considered the matter and fully explored the details of the application in light of prevailing policies and guidance.

Representations were made in respect of the application in accordance with the Council's scheme of public speaking at Planning Committee meetings:

Ward Representative: Councillor Philip Cowen (in support)

Applicant's Agent: John Barbuck

**DECISION: Members voted 10 x 1 for approval contrary to the Officer's recommendation of refusal.**

**REASON(S): the site was not in a remote location and was considered to be a sustainable development.**

**DECISION: Members voted 10 x 1 to approve the application.**

**The application be approved subject to delegated authority being granted to the Executive Director of Place to agree and impose suitable conditions including the provision of a passing bay and, in view of Great Ellingham's dark sky status, a condition in relation to lighting be included.**

- k) Harling: Land off Lopham Road: East Harling: Reference: 3PL/2018/1557/O

This application had been withdrawn.

- l) Kenninghall: Land at the Garden House, Quidenham: Reference: 3PL/2019/0718/F

Erection of one new 4 bed dwelling on land at The Garden House.

Consideration was given to the report presented by Naomi Minto, Development Management Planner.

Members considered the matter and fully explored the details of the application in light of prevailing policies and guidance.

No representations were made in respect of the application.

**DECISION: Members voted unanimously for approval as recommended subject to the conditions as listed in the report.**

- m) Little Cressingham: Land adjacent to 6B Watton Road, Thetford: Reference: 3PL/2019/0816/F

Proposed residential development.

Consideration was given to the report presented by Tom Donnelly, Development Management Planner.

Members considered the matter and fully explored the details of the application in light of prevailing policies and guidance.

A representation was made in respect of the application in accordance with the Council's scheme of public speaking at Planning Committee meetings:

Applicant's Agent: David Futter

**DECISION: Members voted unanimously for approval as recommended subject to the conditions as listed in the report.**

- n) North Pickenham: Janbor Industrial Site, South Pickenham Road: Reference: 3PL/2018/1306/O

Development of brownfield site including erection of a new building for the screening and drying of wood chips, which have been chipped off site, together with the use of the existing building on site for the storage of equipment and machinery in connection with the proposed site use. Associated hard and soft landscaping and drainage works.

Consideration was given to the report presented by Fiona Hunter, Principal Development Management Planner.

Members considered the matter and fully explored the details of the application in light of prevailing policies and guidance.

Representations were made in respect of the application in accordance with the Council's scheme of public speaking at Planning Committee meetings:

Applicant's Agent: Tony Doyle

South Pickenham Parish Council: John Blackburne (Chairman) and  
Stephen Chalkley

**DECISION: Members voted unanimously for approval as recommended subject to the conditions as listed in the report and a further condition to restrict the use of the site from on-site chipping.**

- o) Rocklands: Land adjacent The Coach House, Low Lane, Rockland All Saints:  
Reference: 3PL/2019/0868/F

Proposed dwelling and garaging.

Consideration was given to the report presented by Naomi Minto, Development Management Planner.

Members considered the matter and fully explored the details of the application in light of prevailing policies and guidance.

No representations were made in respect of the application.

**DECISION: Members voted unanimously for approval as recommended subject to the conditions as listed in the report.**

- p) Shipdham: Land at Church Lane: Reference: 3PL/2019/0401/F

Residential development of 6 dwellings.

Councillor Helen Crane declared an interest in this application. Councillor Crane did not take part or vote on this application.

Consideration was given to the application presented by Mark Simmonds, Principal Development Management Planner.

Members considered the matter and fully explored the details of the application in light of prevailing policies and guidance.

Representations were made in respect of the application in accordance with the Council's scheme of public speaking at Planning Committee meetings:

Ward Representative(s): Councillors Lynda Turner and Paul Hewett

Applicant's Agent(s): Abby Gretton and Chris Tilley (Clayland Estate)

Objector: Stephen Kite

**DECISION: Members voted 9 x 1 + 1 abstention to defer the application contrary to the Officer's recommendation of refusal.**

**Members were of the view that a signed legal undertaking should be sought/obtained from Shipdham Parish Council, indicating its agreement to the applicant reducing the height of the church wall at both ends in order to improve the visibility both at New Road and Church Lane/Church Close. This would mitigate the Highway objections.**

q) Shropham: Rose Cottage, Low Road: Reference: 3PL/2019/0639/D

Reserved matters erection of two dwellings following outline permission 3PL/2018/1466/O.

Consideration was given to the report presented by Naomi Minto, Development Management Planner.

Members considered the matter and fully explored the details of the outline application in light of prevailing policies and guidance.

Representations were made in respect of the application in accordance with the Council's scheme of public speaking at Planning Committee meetings:

Ward Representative: Councillor Philip Cowen (against the application)

Applicant's Agent: John Barbuck

Shropham Parish Council: David Napier (Chairman)

Objector: Susan Phillips

**DECISION: Members voted 9 x 2 to defer the application contrary to the Officer's recommendation of approval.**

**Members were of the view that the boundary issues should be clarified before any decision could be made.**

r) Swaffham: Norwich Road: Reference: 3PL/2015/0917/O

Erection of 185 dwellings.

The application was resolved to be approved by Planning Committee on 27 June 2016. In the intervening time, the S106 Agreement had been drafted and issued by the Council; however, the agent nor applicant had in the intervening time advanced the S106 to the point where it could be engrossed. The applicant had now paid for the Council's legal fees to enable the S106 drafting to be continued.

Due to the period of time since the Committee resolution, it was necessary to re-consult and re-consider the application and refer it back to the Committee for ratification.

Consideration was given to the report presented by Fiona Hunter, Principal Development Management Planner.

Members considered the matter and fully explored the details of the application in light of prevailing policies and guidance.

A representation was made in respect of the application in accordance with the Council's scheme of public speaking at Planning Committee meetings:

Applicant's Agent: Ben Weatherley (Knights PLC)

Swaffham Town Council: Les Scott

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**DECISION: Members voted unanimously for approval as recommended subject to:**

- 1. the updated list of conditions as listed in the report;**
- 2. the signing of a S106 Agreement to cover the updated list of obligations as set out in the report; and**
- 3. delegated authority be granted to the Executive Director of Place to refuse the application if the S106 Agreement is not completed within 4 months from the date of this Committee meeting.**

**103/19 APPLICATIONS DETERMINED BY THE EXECUTIVE DIRECTOR OF PLACE**  
**(AGENDA ITEM 11)**

Noted.

**104/19 APPEALS DECISIONS (FOR INFORMATION) (AGENDA ITEM 12)**

Noted.

The meeting closed at 2.10 pm

CHAIRMAN