

BRECKLAND COUNCIL

At a Meeting of the

DEVELOPMENT CONTROL COMMITTEE

**Held on Monday, 11 June 2007 at 9.30 am in
Anglia Room, The Conference Suite, Elizabeth House, Dereham**

PRESENT

Councillor E. Gould (Chairman)	Mrs D.K.R. Irving
Mr W.P. Borrett	Mr R. Kemp
Councillor Claire Bowes	Mr M.A. Kiddle-Morris
Mrs M.P. Chapman-Allen	Mr J.P. Labouchere
Mr P.J. Duigan	Mr T.J. Lamb
Mr M. Fanthorpe	Mrs P.A. Spencer
Mr P.S. Francis	Mr N.C. Wilkin (Vice-Chairman)

Also Present

Mrs A.L. Steward (Executive Member)	Mr S.G. Bambridge
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In Attendance

Gilbert Addison	- Tree & Countryside Officer
Greg Britton	- Principal Planning Officer
Julie Britton	- Committee Services Officer
Heather Burlingham	- Assistant Development Control Officer
Paul Cason	- Principal Housing Officer
John Chinnery	- Solicitor & Monitoring Officer
Phil Daines	- Development Services Manager

90/07 MINUTES

The Minutes of the meeting held on 21 May 2007 were confirmed as a correct record and signed by the Chairman.

91/07 APOLOGIES

Apologies for absence were received from Mrs S Howard-Alpe, Mr B Rose, Mr F Sharpe and Mr M Spencer.

92/07 DECLARATION OF INTEREST

Members were asked to declare any interests as appropriate at the time the applications were considered.

Mr N Wilkin declared a prejudicial interest in Agenda item 7 (Garvestone) for the reason that he knew the applicant and left the room whilst this item was being discussed..

Mr J Labouchere declared a prejudicial interest in item 11 of the Schedule of Applications (North Elmham) as it was his own application. Mr Labouchere exercised his public speaking right and then left the room during the remaining discussion on this matter.

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93/07 CHAIRMAN'S ANNOUNCEMENTS

- a) The Committee was notified of the Members who would be attending the Town and Country Planning Summer School in Swansea from 31 August to 4 September 2007; they were: Mr T Lamb, Claire Bowes and Mrs D Irving.
- b) The Chairman congratulated Mr M Fanthorpe on his recent marriage.

94/07 REQUESTS TO DEFER APPLICATIONS INCLUDED IN THIS AGENDA

- a) Attleborough: Westholme, Station Road: Redevelop site providing 15 starter hones or small flats for factory workers consisting of 7 (1 bed) and 8 (2 bed) flats: (Reference 3PL/2007/0246/F)

The Development Services Manager announced that Agenda item 8 (Attleborough) had been deferred and would come forward at the next meeting.

- b) Bawdeswell: Folland Court: Demolition of existing sheltered housing units and construction of 8 dwellings for rent and a post office: (Reference 3PL/2007/0606/F)

The Committee was asked to consider a request from the parishioners of Bawdeswell to defer item 6 of the schedule of planning applications to allow the Highways representative to attend. Members were advised that a statement had been submitted from the Highway Authority which should overcome any objections to the application.

The Committee concurred with the advice of the officers and agreed that the application should not be deferred.

95/07 UNAUTHORISED HEDGEROW REMOVAL AT GARVESTONE

The Tree and Countryside Officer, Mr Gilbert Addison, presented the report which concerned the unauthorised removal of a hedgerow at Garvestone. No hedgerow removal notice had been submitted. Ariel photographs were displayed which indicated, for the purposes of Hedgerow Regulations 1997, that the hedge would have had an effective length, including any gaps, of 44 metres.

Mr Addison advised that, not only had the hedge been removed, but an adjacent ditch had been filled in and the parallel footpath, Garvestone Public Footpath No 12, which previously ran between The Street and North Green, Reymerstone and had followed hedgerows throughout its length, now crossed over open arable land.

In response to a question regarding whether the removal of the footpath was a contravention of highway law, the Solicitor and Monitoring Officer advised that he would look into this.

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Members were informed that, despite having received correspondence from the Council on the matter, the owner of the land had admitted to removing the hedge but said that he had been unaware that a hedgerow removal notice was necessary.

The options available to Members were:

- 1) To accept the situation and take no further action.
- 2) To seek prosecution for removal of a hedgerow without first submitting a Hedgerow Removal Notice.
- 3) To issue a hedgerow replacement notice.
- 4) To seek prosecution and issue a replacement notice.

The Committee was advised that, if Members were mindful to seek prosecution, it would be subject to the Solicitor being satisfied with the evidence. In response to a question concerning costs to the Council, the Solicitor and Monitoring Officer explained that every prosecution had an element of cost to it; however, it was not a planning matter and the cost should not be regarded as the primary factor in deciding how to proceed.

Members felt that the removal of the hedge constituted what would be called countryside vandalism, and it was

RESOLVED that prosecution be instigated for the unauthorised removal of the hedgerow, subject to satisfactory evidence being submitted to the Council's Legal Advisors, and a replacement notice be issued.

Note: Mr N Wilkin declared a prejudicial interest in the above item for the reason that he knew the applicant, and left the room during this item.

96/07 ATTLEBOROUGH: WESTHOLME, STATION ROAD - REDEVELOP SITE PROVIDING 15 STARTER HOMES OR SMALL FLATS FOR FACTORY WORKERS CONSISTING OF 7 (1 BED) AND 8 (2 BED) FLATS: REFERENCE 3PL/2007/0246/F

This item had been deferred (see Minute No. 94/07 above).

97/07 SCOPING DOCUMENT FOR THE ENVIRONMENTAL IMPACT ASSESSMENT FOR A PROPOSED WINDFARM AT WESTON, NORFOLK

The Principal Planning Officer reported that a request for a formal Scoping Opinion had been received from Broadland District Council for the siting of two wind turbines on Bernard Matthews Ltd owned land. The exact type and manufacturer of the turbines had yet to be decided. There were only a small number of residential properties in the locality, some of which were in Breckland; however, if Members were mindful to grant consent, the impact from noise, shadow flicker etc, would therefore likely to be minimal.

RESOLVED that

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- 1) Broadland District Council be informed that this Council does not raise any objection to the proposal subject to:
 - a) any cables to be buried underground; and
 - b) the collector box be sympathetically located; and
- 2) the Environmental Impact Assessment should include an assessment of the impact of the proposed development on the landscape and residential properties to the south of the site, within Breckland district.

98/07 SCHEDULE OF PLANNING APPLICATIONS

RESOLVED that the applications be determined in accordance with the recommendations contained in the schedule, subject to the following conditions and amendments:

- (a) Item 1: 3PL/2007/0246/F:Attleborough: Westholme, Station Road: Redevelop site providing 15 starter homes or small flats for factory workers consisting seven (1 bed) and eight (2 bed) flats for Mr R G Bales

This item was considered in conjunction with Agenda item 8 and deferred (see Minute No. 96/07 above).

- (b) Item 5: 3PL/2007/0430/F: Harling: Lakeview Lodge, White Hart Street: Proposed tractor shed for Mr & Mrs A Lynn

Approved, as recommended, subject to additional evergreen screening being planted so that the tractor shed would be screened from the neighbouring property.

- (c) Item 6: 3PL/2007/0606/F: Bawdeswell: Folland Court: Demolition of existing sheltered housing units and construction of eight dwellings for rent and a post office for Peddars Way Housing Association

Deferred, contrary to the recommendation, in order to enable a representative from the Highways Authority to attend to address the objections to the proposal.

- (d) Item 7: 3PL/2007/0661/F: Carbrooke: Fen Farm, Willow Corner: Proposed residential development (four semi-detached houses and garages) for Dawe Estates Ltd

Refused, contrary to the recommendation, on the grounds that the proposal constituted overcrowding of the site and, combined with the proposed inadequate access, would result in a form of development which was out of keeping with the character of the area.

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- (e) Item 10: 3PL/2007/0758/CU: Bylaugh: The Orangery, Bylaugh Hall, Bylaugh Park: Continued change of use of ground floor from residential to function room (renewal) for Mr and Mrs S Vince

Approved and renewed for a further year, contrary to the recommendation, and subject to all conditions proposed. Members also felt that a strongly worded letter should be sent to the applicant requesting that all previous enforcement issues, in respect of outstanding conditions, should be addressed.

- (f) Item 11: 3PL/2007/0770/F: North Elmham: Mill House Farm, Billingford Road: Conversion of vacant offices to one single storey dwelling for Mr and Mrs J Labouchere

Approved, as recommended, subject to a suitable flood risk assessment being submitted.

Note: Mr J Labouchere left the room whilst this item was being discussed after exercising his public speaking right.

Notes to the Schedule

The following public speakers were in attendance for the following items:

<u>Schedule Item No.</u>	<u>Speaker</u>
5	Mrs Garwood, Objector Mr Lynn, Applicant
6	Mr Bambridge, Ward Member Mr Shannon, for the Parish Council Mr Snape, Objector Mrs Handford, on behalf of the Applicants Mr Nourse, on behalf of the Agent Mr Cason, on behalf of Breckland Council's Housing Team
7	Mr Morphew, Objector
10	Mr Bambridge, Ward Member
11	Mr Cutting, Applicant's Agent Mr J Labouchere, Applicant

Written Representations taken into account

Reference No. No. of Representations

3PL/2007/0430/F	2
3PL/2007/0606/F	7
3PL/2007/0758/CU	1
3PL/2007/0661/F	10

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99/07 APPLICATIONS DETERMINED BY THE DEVELOPMENT SERVICES MANAGER (FOR INFORMATION)

3PL/2007/0547/O: Foxley: The Natterjack Public House, Chapel Road

A Member felt that the above application should have been a Committee decision. In response, the Development Services Manager advised that no-one had requested that the application be brought before the Committee. He reminded Members that if they felt that an application was going to be controversial that person should call it in.

This item was otherwise noted.

100/07 APPEAL DECISIONS (FOR INFORMATION)

APP/F2605/A/06/2032032/NWF: Land at Norwich Road, Thetford.

A Member advised that most people in Thetford had been dismayed with the Inspectors decision. The Development Services Manager advised that the Planning Inspector had allowed the appeal, subject to conditions, as per the Officers recommendation.

At a Members request, it was agreed that the Planning Policy note would be re-instated on future Agendas.

The meeting closed at 12.15 pm

CHAIRMAN