

BRECKLAND COUNCIL

At a Meeting of the

DEVELOPMENT CONTROL COMMITTEE

**Held on Monday, 4 January 2010 at 9.30 am in
Anglia Room, The Conference Suite, Elizabeth House, Dereham**

PRESENT

Councillor E. Gould (Chairman)	Mr J.P. Labouchere
Mr P.J. Duigan	Mr B. Rose
Mr M. Fanthorpe	Mr F.J. Sharpe
Mrs D.K.R. Irving	Mr N.C. Wilkin (Vice-Chairman)
Mr R. Kemp	

Also Present

Mrs J. Ball	Mrs S.M. Matthews
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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	- Committee Officer
Nick Moys	- Principal Planning Officer (Major Projects)
Darryl Smith	- Principal Housing Officer (Strategy and Enabling)

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1/10 MINUTES (AGENDA ITEM 1)

Subject to an amendment to the first paragraph of page 51, Minute No 196/09(k) (Schedule Item 10 Beeston), removing the phrase "as Ward Representative of Beeston" which was incorrect, the minutes of the meeting held on 14 December 2009 were confirmed as a correct record and signed by the Chairman.

2/10 APOLOGIES (AGENDA ITEM 2)

Apologies for absence were received from Mr W Borrett, Councillor C Bowes, Mr A Byrne, Mrs M Chapman-Allen, Mr P Francis, Mr M Kiddle-Morris, Mr T Lamb, Mr S Rogers, Mrs P Spencer and Mr M Spencer.

3/10 DECLARATION OF INTEREST AND OF REPRESENTATIONS RECEIVED (AGENDA ITEM 3)

Members and Officers were asked to declare any interest at the time the applications were introduced.

Mr F Sharpe noted that he had received direct verbal and written representation from the applicant concerning Schedule Item 5 (Swaffham).

4/10 REQUESTS TO DEFER APPLICATIONS INCLUDED IN THIS AGENDA (AGENDA ITEM 5)

The Development Services Manager informed Members that the application at Schedule Item 3 (Beeston) had been withdrawn by the applicant.

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5/10 LOCAL DEVELOPMENT FRAMEWORK (AGENDA ITEM 7)

The Development Services Manager gave Members a brief update. The agenda had been issued for the next meeting of the LDF Task & Finish Group to be held on 19 January 2010 in the Merryweather Room, Eco Tech Centre, Swaffham. The Wards to be considered at that meeting were: Haggard de Toni, Shipdham, Hermitage, Launditch, Mid Forest, Nar Valley, Necton and Wissey.

The following meeting which would be held on 28 January 2010 at 2pm in The Old School Hall, Harling would consider Wards in the south-east of the district and would also revisit the allocations for Harling which had previously been deferred.

The Core Strategy of the Local Development Framework had been adopted by Council on 17 December 2009 and formal notices had been published in the Eastern Daily Press as required. Letters would be sent out to interested parties in the next few days.

6/10 COLKIRK: RESIDENTIAL DEVELOPMENT OF 4 NO HOUSES WITH GARAGES AT MEADOW VIEW, MEADOW VIEW DRIVE FOR FLEUR DEVELOPMENTS LIMITED REFERENCE: 3PL/2009/0576/O (AGENDA ITEM 8A)

This outline application for four detached dwellings with garages had been deferred from the Committee meeting on 12 October 2009 for more information on foul and surface water drainage.

The proposed access to the development would be from Conference Way, off Bramley Drive. The applicant's scheme would enable the disposal of surface water from these access roads and allow for their adoption by Norfolk County Council.

Members were shown indicative streetscene and layout plans which were in keeping with the development along Conference Way, however, only scale and access were to be determined at this outline stage.

A Drainage Consultant had been employed by the applicant to design a surface water scheme to overcome concerns raised by the Parish Council and local residents. Members were shown details of these proposals and advised that the Council's Building Control and Environmental Health Officers had raised no objections to them.

In conclusion the Principal Planning Officer advised that the scheme should not impact on adjacent housing and could also overcome existing drainage problems.

Mr Barron, representing the Parish Council, said that they remained opposed to the application. The applicant had not provided satisfactory, fully worked up proposals and there were still a number of areas of concern. The fact that a condition requiring the submission of a detailed drainage scheme was included indicated that officers were not satisfied with the information provided. There was no evidence that sufficient permeability tests had been carried out and the soakaways were only to a one in ten year storm standard and should be capable of dealing with a one in thirty year storm.

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Mr Mulford, objector, raised concerns regarding: the position of the existing foul sewer; why the garage to plot one might need relocating; the adoption of Bramley Drive and Conference Way which he said would take place in any case; the proximity of No 17 Conference Way to the new development; and the effect of increased traffic on the access roads.

Mr Brooker, Applicant, disagreed with the comments made by the Parish Council. The Committee's comments had been taken very seriously and qualified professionals had been employed to address the drainage concerns. Additional rainwater harvesting had been included and Norfolk County Council was satisfied with the scheme. The proposed soakaways would relieve the access roads of all surface water improving their condition and providing the catalyst for adoption.

A Member said there was a problem of sewage backing up in Conference Way. He asked if the new development would add to this and was advised by Mr Thorpe that the only problems he was aware of in that area were with the private drains to the houses, not to the main sewers.

A local Member asked why the scheme had only been designed to deal with a one in ten year storm and he was also concerned that the access roads were too small to deal with the additional traffic.

It was noted that the Highways Authority had no objection to the additional traffic.

It was clarified that the drainage scheme met the required standards, especially as the additional rainwater harvesting was proposed. Further details would be required at the Reserved Matters stage when the impact of the actual scheme on the drainage system would be assessed.

The Development Services Manager explained that this matter had been looked at thoroughly because Officers were aware of the drainage problems associated with the development to the west of the site. The details provided were appropriate for an outline application and it was not unreasonable to impose a condition for a detailed scheme to address any future changes to the proposal.

RESOLVED to approve the application, subject to conditions.

7/10 NORTH PICKENHAM: PROPOSED RESIDENTIAL DEVELOPMENT, BRECKLANDS GREEN, SOUTH PICKENHAM ROAD FOR MR T GRAY: REFERENCE: 3PL/2009/0857/O (AGENDA ITEM 9)

The Principal Planning Officer (Major Projects) presented this outline application for nine houses grouped loosely around an area of open space adjoining existing residential development at Brecklands Green.

Scale and layout were to be considered and an indicative plan showed six detached houses and a terrace of three, largely following the pattern of existing development.

The site was outside the Settlement Boundary and was therefore contrary to policy. There was also an objection from the highway authority. The legal agreement concerning affordable housing and financial contributions had not progressed, and the application was recommended for refusal.

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Mr Gray, applicant, said that the site was only about 100 yards outside the Settlement Boundary. The development would complete a horse shoe shape with open space in the middle. He had received permission to build a bungalow for himself on the site, a few years ago. There were other houses on the site which were outside the Settlement Boundary, as was the school opposite. The school needed more housing to be sustainable.

Mrs Ball, Ward Representative, thought that the site should be classified as Brownfield as it was part of an old airfield and there had been buildings on it. She was surprised at the Highways objection, as they had not raised concerns with regards to proposals for a recycling plant in the vicinity. She said it was an ideal site to develop and that the village had a school, a pub and two churches and was close to a broadband exchange.

A local Member said that villages needed support to maintain their sustainability. In this case there was a school and a pub and if the village was not allowed any development they would struggle to survive. He agreed that the junction was not good. On balance he could not support the application in its present form.

Other Members felt that this was an acceptable development as the village was close to all the services in Swaffham and needed to have development to support the viability of the school.

The Development Services Manager reminded Members that development outside the Settlement Boundary was contrary to both old and new policies. The review of Settlement Boundaries was underway and he felt that it was not the time for ad-hoc decisions to be made against policy.

The Chairman agreed and advised the Ward Representative that now was the time for local people to make representation through the LDF process if they wanted this piece of land included within the Settlement Boundary.

A Member asked for clarification of the affordable housing position.

The Council's Principal Housing Officer (Strategy and Enabling) explained that under the Council's new adopted Policy affordable housing did not have to be managed by a Registered Social Landlord, but that the owner would have to enter into a legal agreement with the council concerning the way in which tenants were selected. She confirmed that there had been no discussions between her department and the applicant.

RESOLVED to refuse the application on the grounds of conflict with local and national policy relating to housing in rural areas; affordable housing; loss of open space and energy efficiency; harm to the character and appearance of the area; and detriment to highway safety.

Mr Labouchere abstained from voting.

**8/10 SWAFFHAM: RESIDENTIAL DEVELOPMENT, CASTLE ACRE ROAD
FOR ABEL HOMES LIMITED: REFERENCE: 3PL/2009/0920/F
(AGENDA ITEM 10)**

The Principal Planning Officer (Major Projects) presented this application for 15 dwellings as an extension to an approved development for 51

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dwellings. The net gain would be 12 dwellings due to changes to the existing approval.

Members were shown an artist's impression of the proposal which would use the same traditional designs and materials as the approved scheme.

Mr Bird, for applicant, said that the development would include four affordable units; more than £25,000 in financial contributions; and 10% on-site renewable energy. They had consulted the Town Council and local residents to overcome concerns. The Surface Water scheme had been approved by the Environment Agency and exceeded requirements. They were working through challenging times to provide much needed homes.

A Member was concerned that a commercial building near the site might result in noise nuisance. However, no objections had been raised in this regard and there were other residential properties as close as the proposed development.

Another Member sought clarification on the number of affordable houses being provided by the scheme. The original scheme had provided 15 which met the requirement at the time of the approval, since then the new 40% requirement had been introduced. Officers were satisfied that the allocation was correct.

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

9/10 THETFORD: PROPOSED EXTENSION TO TESCO STORE, NORWICH ROAD: REFERENCE: 3PL/2009/0973/F (AGENDA ITEM 11)

The Principal Planning Officer (Major Projects) introduced this application for full planning permission to extend the existing Tesco store.

There had been significant developments since the report had been written in that PPS4 had replaced PPS6. Although the main tests of need, impact on town centre and accessibility remained the same in assessing applications for out of town retail development, it was felt that more information was required with regard to the effect of the additional comparison goods (non-food) on the viability of the town centre. The recommendation was therefore subject to clarification and confirmation of the information provided by Tesco, which indicated that the effect on the town centre would be slight.

Mr Bill, objector, owned 20 Pennycress Drive, the dwelling closest to the proposed extension. He was concerned that current screening was insufficient as the trees were deciduous and provided no barrier during the winter months. He was also concerned that the increased height of the extension would intrude into the outlook from his kitchen window; and that the noise from service vehicles would increase, as it would be reflected from the extension. He requested three additional conditions if permission was to be granted: 1) Evergreen screening to be provided, 2) Air handling units to be neither visible or audible to neighbouring properties, and 3) Noise limitation, particularly in respect to idling engines and refrigerated units being left running.

One Member felt that the extension was likely to reduce the noise to the

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objector as it would replace existing parking spaces with a building, however Mr Bill felt it was only likely to be a minor improvement.

Another Member was extremely concerned about the effect on the town centre's viability and asked if there was any information on the number of vacant units in Thetford. This was not known, but the retail assessment provided with the application was very thorough and there was nothing that seemed inaccurate.

Another Member asked when Breckland's own retail study would be carried out and was informed that it was programmed to be carried out in the next financial year.

RESOLVED that the application be deferred and the officers authorised to grant approval, subject to:

- 1) conditions, including extra conditions relating to the proposed air handling plant, additional boundary screening and noise from delivery vehicles;
- 2) the receipt of satisfactory additional information confirming that the Applicant's conclusions on the effect on the town centre were accurate, and
- 3) no further considerations from the new PPS4;

on completion of the section 106 agreement.

10/10 SCHEDULE OF PLANNING APPLICATIONS (AGENDA ITEM 12)

RESOLVED that the applications be determined as follows:

- (a) Item 1: North Pickenham: Adjacent Romany Dream, Brecklands Green: Proposed residential development for Mr Terry Gray: Reference: 3PL/2009/0857/O

Refused, see Minute No 7/10.

- (b) Item 2: Swaffham: Site south of former Bernard Matthews premises, Castle Acre Road: Demolition of cart sheds, erection of 12 new dwellings and redesign previously approved scheme to provide additional three homes for Abel Homes Ltd: Reference: 3PL/2009/0920/F

Approved, see Minute No 8/10.

- (c) Item 3: Beeston: Ploughshare, The Street: Retention and extension of Ploughshare PH and alterations to car park and three dwellings for Mr R Scammell: Reference: 3PL/2009/0923/O

This application had been withdrawn.

- (d) Item 4: Thetford: Tesco Store, Kilverstone Lane: Extension to existing foodstore, revised access, extended car park, relocate balancing pond, landscaping and associated works for Tesco Stores Ltd: Reference: 3PL/2009/0973/F

Deferred, see Minute No 9/10.

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- (e) Item 5: Swaffham: Legends, A47: Continuation of part of car park for car sales with portacabin office and new workshop building, car wash, etc for Mr S Bell: Reference: 3PL/2009/1018/F

It was noted that Mr F Sharpe had received direct written and verbal representation from the applicant.

This application sought permission for the continuation of car and light vehicle sales with a workshop and carwash on part of the car park of a roadside diner adjacent the A47.

Temporary permission for the car sales had been granted in 2005. This had since lapsed and a subsequent application had been refused. However the use had carried on and the applicant advised that the business was profitable.

The issues were finely balanced, but for policy reasons the application was recommended for refusal.

Mr Bell, applicant, was present to answer questions.

Mrs Matthews, Ward Representative, explained that when the applicant had bought the business he had believed that the temporary consent would continue as long as the business was viable. She said that due to the linear layout of Swaffham there were no available sites for such an enterprise within the town. The existing site was large enough for both the diner and the car sales and the businesses supported each other. There was no negative impact on the locality and the use was certainly sustainable – she urged Members to approve the application.

Members supported her view and a proposal was made and seconded to approve the application on a permanent basis.

Approved, contrary to recommendation, on grounds that the use was viable and sustainable and had no negative impact on the environment.

- (f) Item 6: Weeting: Field Cottage: Erection of 14 metre 2.2kw domestic wind turbine (resubmission of 3PL/2009/0392/F) for Mr R Childerhouse: Reference: 3PL/2009/1038/F

This application was now retrospective as the turbine had been erected. It was considered that the slimline structure would have only a minimal effect on the environment as it was adjacent to an area of forest and agricultural land in a remote location and this impact would be offset by the positive contribution to sustainable energy.

An appropriate assessment had been carried out as the site was within the Stone Curlew buffer zone and the turbine was not expected to have any impact on the birds.

Approved, as recommended.

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Notes to the Schedule

<u>Item No</u>	<u>Speaker</u>
1	Mrs Ball – Ward Representative Mr Evans – Agent Mr Gray - Applicant
2	Mr Bird – Applicant
4	Mr Bill – Objector Ms Moss – Agent
5	Mrs Matthews – Ward Representative Mr Bell – Applicant
Agenda Item 8a Deferred Item	Mr Barron – Parish Council Mr Mulford – Objector Mr Brooker – Applicant Mr Thorpe – Agent (for questions only) Mr Parke – Agent (for questions only)

Written Representations taken into account

<u>Reference No</u>	<u>No of Representations</u>
3PL/2009/0576/O	14
3PL/2009/0857/O	6
3PL/2009/0920/F	1
3PL/2009/0973/F	2

**11/10 APPLICATIONS DETERMINED BY THE DEPUTY CHIEF EXECUTIVE
(AGENDA ITEM 13)**

This item was noted.

The meeting closed at 12.15pm.

CHAIRMAN