

MINUTES OF A MEETING OF THE PLANNING COMMITTEE,
HELD IN THE COUNCIL CHAMBER, KING'S HOUSE, THETFORD,
ON WEDNESDAY, 9TH DECEMBER 2009,
STARTING AT 7 P.M.

Present:

Councillor R G Kybird, Chairman

Councillors:

G P Balaam
R F W Brame
M Brindle

T J Jermy
D G Mortimer

333/09 DECLARATIONS OF INTEREST

The Committee Chairman, Councillor R G Kybird, declared a personal interest in item 336/09(c) owing to a family interest in land to the rear of the application site.

334/09 APOLOGIES FOR ABSENCE

Apologies were received on behalf of the Mayor, Councillor Mrs P A Spencer, and Councillors J A Harding, Mrs P P Quadling, B J Skull, M G Spencer and S N H Wright.

335/09 MINUTES

RESOLVED that the minutes of the Committee's meetings held on 4th and 18th November 2009, as received by the Council on 25th November 2009 under minutes 320/09(a) and (b) respectively, be confirmed as true records and signed by the Chairman.

336/09 PLANNING APPLICATIONS TO CONSIDER

RESOLVED that the following comments be forwarded to the planning authority (Breckland Council):

Note: Owing to comment deadlines set by the planning authority, items (c) and (d) were added to the published agenda.

(a) Plan No. 0803 Full

Application by Mr B Beardon for construction of single storey dwelling at 21 Highlands.

Observation

No objection, subject to neighbours' having none and no covenants agreed to by original builder still applying.

- (b) Plan No. 1028 Full

Application by Mr A Bristow of Baxter Healthcare Ltd for demolition of existing building to provide parking for HGV trailers at Stephenson Way.

Observation

The Committee was disappointed that this development appeared to be going ahead prior to permission being obtained.

It wanted, as a requirement, to see appropriate semi-mature planting introduced to screen the development.

- (c) Plan No. 1110 Full

Application by Mr K Hewitt for conversion & extension to garage to form annex at 68 St Nicholas Street.

Observation

No objection, subject to neighbours' having none.

- (d) Plan No. 1114 Full

Application by Mr E Wainman & Miss L Martin for two-storey side extension plus single storey front and rear extensions at 12 Nunnery Drive.

Observation

The Committee wanted the planning officer to determine the choice of bricks. In adding its customary 'subject to neighbours' comment, the Committee wanted the planning authority to be aware that the owners of the neighbouring property were often absent from there for extended periods. The Committee wanted these particular neighbours to be given every opportunity to comment.

337/09

INSPECTORS' REPORT ON THE BRECKLAND CORE STRATEGY AND DEVELOPMENT CONTROL POLICIES DOCUMENT

After a brief discussion, it was agreed to accept the Recommendation set out in the Town Clerk's paper, dated 4th December 2009.

RESOLVED that, in light of additional information now to hand (*Notes 1 and 2 below refer*), Thetford Town Council's Planning Committee - which, under delegated authority from the Council, is authorised to comment on all planning matters - supports the wish of Shadwell Estate Company Ltd to obtain answers to the following questions, noting that this may

warrant, in Shadwell's view, the mounting of a legal challenge by way of judicial review:

- (a) Are the uncertainties identified by the Inspectors sufficient to make the Core Strategy unsound? In particular, in view of the agreed uncertainty as to the required buffering and the desirability agreed by all parties for some development to the south-east, should the additional work identified as necessary by the Inspector be carried out before the Core Strategy is adopted (i.e. there should be a consistent approach where uncertainties arise)?
- (b) What additional verification is required for 'new evidence' (*see Note 1 below*) to be recognised formally?
- (c) Is the inconsistency in treatment of SPA and non-SPA areas in breach of the relevant legislation?
- (d) Two additional reports (*see Note 2 below*) suggest there is considerable scope for mitigation. Should the Core Strategy be challenged to account for this additional work?

Note 1

Shadwell Estate Company Ltd has noted that the promoter of land belonging to a neighbouring landowner reported that a bird survey was carried out in respect of said land and that no data was recorded. Shadwell Estate Company Ltd maintains that further evidence of stone curlew nesting history on land outside the Special Protection Areas but within the development zone on this land has emerged from the testimony of farm workers, but that this evidence was not known to Footprint Ecology when the latter's Habitat Regulations Assessment was prepared.

Shadwell Estate Company Ltd has confirmed that this evidence has also been made known to Breckland Council on numerous occasions as well as subsequently to the Inspector as evidence of the stone curlew's tolerance to human activity. However, it was dismissed as anecdotal, on the basis that it had not been corroborated by the RSPB. Shadwell Estate Company Ltd wishes to point out that the RSPB has not been permitted access to the land in question for over ten years.

Note 2

The following reports refer:

- (i) Forest Heath District Council's Topic Paper No 3 on Natural Environment and Habitats Regulation Assessment, produced for the Examination in Public of that Council's Core Strategy;
- (ii) Dr Gordon Wright's Proof of Evidence: Birds, commissioned by the Highways Agency for consideration at the Inquiry into the All Fiveways to Thetford Improvement Scheme.

338/09 ABBAY BARNES APPEAL

RESOLVED that receipt of a letter from The Planning Inspectorate, dated 17th November 2009, be noted.

339/09 OPERATING CENTRE AT BAXTER HEALTHCARE LTD SITE, CAXTON WAY

This item was linked to the application commented on under item 336/09(b) above. A copy of the letter, dated 4th November 2009, addressed by Norfolk County Council to the Office of the Traffic Commissioner in respect of a variation application to enable Exel Europe Ltd to keep goods vehicles and trailers at the above address, had been included in the agenda papers.

RESOLVED that the Committee support the stance taken by the Director for Planning and Transportation, who, on the one hand, was not opposed in principle to what was proposed, but, on the other hand, could not approve the venture at what was effectively a premature stage in the site development process. The Town Clerk would ensure that the County Council was made aware of the Committee's wish for semi-mature planting as a means of screening sections of the site perimeter.

Chairman