

## EXTRAORDINARY MEETING OF SWANTON MORLEY PARISH COUNCIL MEETING MINUTES

MONDAY 18<sup>TH</sup> NOVEMBER 2019 AT 7.30PM

SWANTON MORLEY VILLAGE HALL

**Councillors Present:** Mr R. Atterwill (Chairman), Mr S. Westbury, Mr G. Curran, Mrs B O'Dowd, Mr D. Turner and Mr I. Cawdron.

**Also in attendance:** Mrs K. Pickard (Clerk) and 14 members of the public.

### **Matters Raised Under Time Allocated to the Public**

A member of the public referred to a planning application on the agenda as 'a surprise' due to this application previously being responded to by the Parish Council with no objections.

Due to this being of community benefit and the rigorous efforts of the volunteers over the past few years to raise money, it was felt in the public gallery that this was now being unfairly reviewed.

The member of the public felt that even though there was now a Neighbourhood Plan and a Local Plan in place they should bear no impact on this particular application.

Another member of the public went on to say that this is an 'exception' site and primarily a 'community project' quoted paragraph 40 of the National Planning Framework citing that the church is an essential part of the village.

Councillor Atterwill made the public aware that the purpose of this meeting was to re-visit the planning applications following the result of the Neighbourhood Plan referendum. The Parish Council felt that it would be good practice to go back and review the recommendations in light of the Neighbourhood Plan referendum and Breckland Council's Local Plan which will be adopted on 28<sup>th</sup> November.

A member of the public then requested the document and information on the criteria of the Local Plan, Councillor Atterwill responded that the final document containing all of the Inspector's recommended changes was not available at the moment however, the Inspectors report and document containing the Inspector's 'Main Modifications' is available on the Breckland Council website. A member of the public then suggested that this made it difficult for the public to follow. This sentiment was completely understood by the Council. Mr Atterwill confirmed that councillors were in possession of the relevant documents in order that they could make an informed decision.

*Four members of the public entered the room*

Councillor Atterwill again stated the reason for this meeting was to review all of the applications listed following the Neighbourhood Plan referendum result and receipt of HM Planning Inspector's report on the Breckland Council Local Plan.

### ***The Meeting Went into Session***

#### **1. To Accept Apologies for Absence**

Councillor Rodrigues and Councillor Keen gave their apologies for absence this was accepted by the Councillors

#### **2. To Receive Declarations of Interest**

Councillor Curran declared a personal interest in item 4iii

### 3. To Receive an Update on the Neighbourhood Plan

Councillor Atterwill reported that the Neighbourhood plan referendum on 14<sup>th</sup> November resulted in a resounding positive result and that as a result the plan is now 'made'.

The Neighbourhood Plan will now run alongside with Breckland District Council's Local Plan to form the 'Development Plan'.

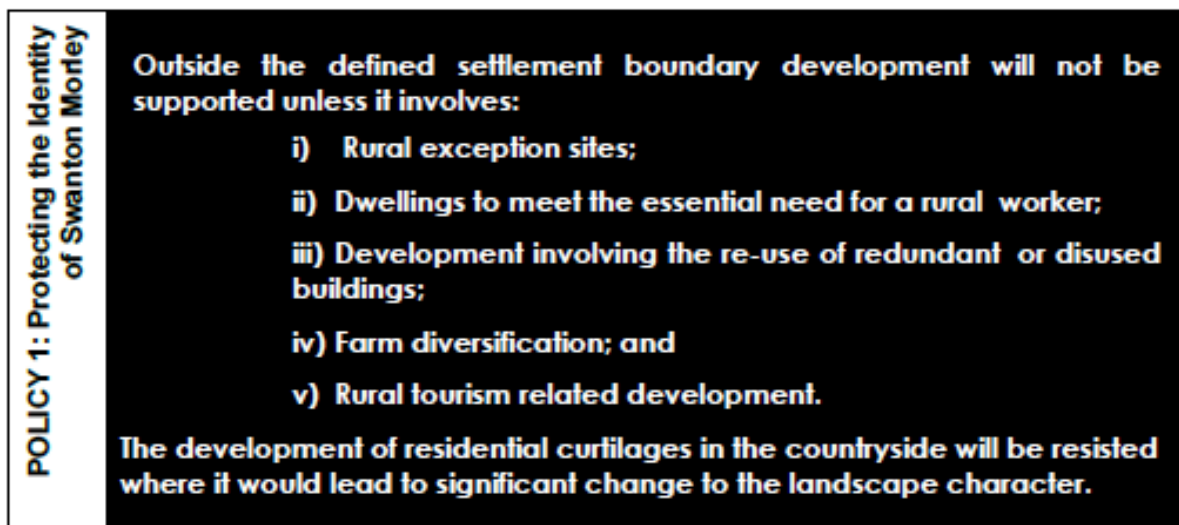
### 4. Land and Planning

Councillor Atterwill moved item iii to the beginning of the list due to the number of public in the room who were keen to hear the outcome.

#### a) To Consider Responses to Breckland District Council for the Following Planning Applications

##### iii) 3PL/2017/1548/O – Land adjacent to Crispins, Gooseberry Hill – Erection of Detached Dwelling

Councillor Atterwill read out policy 1 of the Neighbourhood plan and policy HOU03.



#### Policy HOU 03

'Development Outside of the Boundaries of Local Service Centres'

Development outside of the boundaries of the Local Service Centres will normally be resisted where the Local Plan housing target (as set in Policy HOU 02) is provided for unless supported by other policies within the Local Plan. Where the Local Plan does not identify sufficient sites to achieve the housing target, then further development will be allowed subject to being supported by relevant policies within the Development Plan and meeting all of the following criteria:

1. It is immediately adjacent to the settlement boundary;
2. It would not lead to the number of dwellings in the settlement significantly exceeding the identified housing target;
3. The design contributes to conserving, and where possible enhancing, the historic nature and connectivity of communities; and
4. The development avoids coalescence of settlements.

Opportunities for self build dwellings which meet the criteria set out above will be supported'

Councillor Atterwill advised that the Planning Inspector has now confirmed that Breckland Council can demonstrate that it has a 5.26 year housing land supply and that sufficient sites have been identified. Councillor Cawdron pointed out that this application does not therefore comply with Policy HOU03. Councillor Atterwill also made a referral to the National Planning Policy Framework particularly section 202:

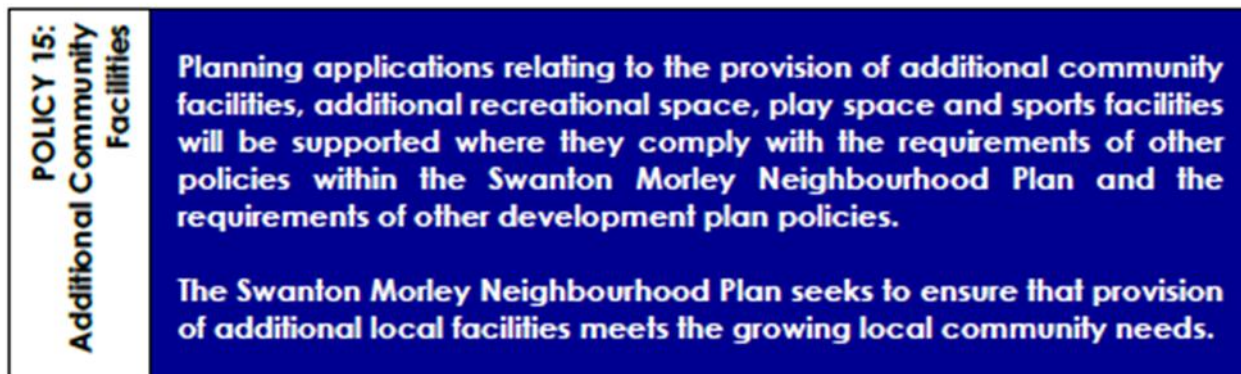
'Local planning authorities should assess whether the benefits of a proposal for enabling development, which would otherwise conflict with planning policies but which would secure the future conservation of a heritage asset, outweigh the disbenefits of departing from those policies.'

Councillor Cawdron asked how much weight the NPPF holds with regards to the Neighbourhood Plan and the Local Plan. Councillor Atterwill responded that this is the overarching national planning policy which should be considered when making planning decisions.

Councillor Westbury then showed concerns with regards to section 193 of the NPPF:

'When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance' and felt that this planning application could pose as a risk to Kesmark House which is a grade II listed building.

Councillor Curran then asked the Parish Council to refer to policy 15 of the Neighbourhood Plan:



Councillor Curran asked if this policy can support the planning application under the NPPF.

Councillor Atterwill responded that it can be taken into account.

Councillor Atterwill proposed that even though it is acknowledged that the planning application does not comply with Neighbourhood Plan Policy 1 or Policy HOU 03 of the Local Plan, when referring to paragraph 202 of the NPPF, the benefit to the community far outweighs the potential harm, seconded by Councillor Cawdron and carried.

Councillor Westbury requested that it be recorded that he objected.

### **3PL/2019/0549/F – Rectory Road Development – Erection of 85 Residential Dwellings Together with Associated Open Space**

Councillors reviewed the planning application against the new policies:

Policy 1 – It was agreed this complied

Policy 2 - It was agreed this complied

Policy 3 – It was agreed this complied

Policy 4 – It was agreed this complied

Policy 5 – It was agreed this was not relevant

Policy 6 – It was agreed this complied

Policy 7 – It was agreed this was not relevant

Policy 8 – It was agreed this was not relevant

Policy 9 – It was agreed this was not relevant

Policy 10 – It was agreed this complied

Policy 11 – It was agreed to refer to policy 11 pt. 11 regarding 'energy'

Policy 12 – It was agreed to refer to the flood management plan that is yet to be finalised

Policy 13 – It was agreed this was not relevant

Policy 14 – It was agreed this was not relevant

Policy 15 – It was agreed this complied

Policy 16 – It was agreed that given the potential to widen Hoe Road East and install a footpath that this complied

Councillor Atterwill proposed to respond to this application with no changes to the previous comments other than to emphasise policies 11 and 12, seconded by Councillor Westbury and carried. Councillor Atterwill is to request an update on the new drainage plans.

**3PL/2019/0513/F – Land Adjacent to Lincoln House – Erection of 34 Assisted Living Bungalows (use Class C2) and Community Hall**

Councillors reviewed the planning application against the new policies:

Policy 1 – It was agreed that this does not comply

Policy 2 – It was agreed that this was not relevant

Policy 3 – It was agreed that this was not relevant

Policy 4 – It was agreed that this was not relevant although it is noted that the application contains no proposals for affordable housing to be included

Policy 5 – It was agreed that this does not comply due to this not being a rural exception site

Policy 6 – It was agreed that there has been no consultation with the Parish Council with regards to a s.106 agreement and therefore the applicant has not complied with this.

Policy 7 – It was agreed that this was not relevant

Policy 8 – It was agreed that this was not relevant

Policy 9 – It was agreed that this was not relevant

Policy 10 – It was agreed that this site will provide connectivity

Policy 11 – It was agreed that this does not comply due to no mixed dwellings and no energy efficiency measures

Policy 12 – It was discussed that the applicant is still awaiting a flood risk assessment

Policy 13 – It was agreed that this was not relevant

Policy 14 – It was agreed that this was not relevant

Policy 15 – It was agreed that this does not comply on the grounds that this does not provide any community facilities and it will place a greater strain on the doctor's surgery

Policy 16 – It was agreed that this does not comply on the grounds of the location being an issue. As per previous Parish Council comments

It was agreed that this planning application does not meet the criteria of the NPPF and does not comply with Policy HOU3 or Policy HOU 09 of the Local Plan.

Councillor Curran proposed that the Parish Council respond again objecting to this planning application on the grounds that their view has not changed, it does not comply with Policy 1 or HOU03 and HOU09, there is nothing highlighted regarding energy as per Policy 11 and no affordable housing, seconded by Councillor Cawdron and carried.

*The Meeting Was Suspended for Further Comment from the Public*

A member of the public referred to the last planning application discussed and raised an issue with the sewage running on Woodgate when there is heavy rain. Councillor Atterwill responded that he will review the plans for the site with the flood risk assessment.

Another member of the public raised a question regarding the same application: 'what assistance is available to the residents in the assisted bungalows'? Councillor Atterwill then responded that there was nothing in the planning application other than a call system in place and that the day to day management of the business is not a planning matter.

*The Meeting Went Back Into Session*

Financial Year 2019/2020

**5. To Confirm the Date & Time of the next Meeting of the Parish Council to be Held on Monday, 9<sup>th</sup> December at 7.30pm at Swanton Morley Village Hall.**

This was agreed

The meeting closed at 8.47 pm

\_\_\_\_\_ (Chairman) \_\_\_\_\_ Date