

# DEREHAM TOWN COUNCIL

At a meeting for **Plans** at the Assembly Rooms on **Tuesday 10<sup>th</sup> September 2019** at **7.00pm**.

**Present:** Councillors L Monument (Chair), A Brooks, H Bushell, H Clarke, P Duigan, A Grey, K Grey, S Green, H King, T Monument and P Morton.

**Also Present:** Town Clerk Tony Needham and Deputy Town Clerk J Barron

1. **To receive apologies for absence.**

Apologies for absence were received from Councillor C Bunting.

2. **Declaration of Interest**

There were no declarations of interest.

3 **19/070/1002/VAR Garden House Stanton Close**

Variation of Condition 2 – change in design (hipped end changed to gable end with high level window provided within gable end) for Mr & Mrs Bridgham.

Councillors had concerns about overlooking of other properties.

**19/071/1010/F 26 Neatherd Moor**

Erection of single storey dwelling for Mr B Cudden.

Councillors strongly objected to the poor access design, there is no room for vehicles to turn round. Councillors also considered it to be overdevelopment of the site and not in keeping with the surrounding area. There would be a loss of amenity to neighbouring properties.

**19/072/1022/LB 56 High Street**

Internal alterations at ground floor level to form additional survey room and extended store area for Beech House Smile Clinic.

Councillors requested more details.

**19/073/1045/O Old Hall Dumpling Green**

Residential development comprising five dwellings including demolition of existing garage/store for Mr & Mrs Passant.

Councillors would like to see an extremely high innovative standard of design to be in keeping with the area.

4. **30B/2019/0024/OB Greenfields Road**

To discuss proposal to discharge S106 Agreement planning obligation Schedule 2 – Open Space Part 1, clause 1.1 for Orbit Homes (2020) Ltd.

The clerk informed councillors of issues surrounding the discharge of the S106 Agreement regarding Open Space, and councillors asked the clerk to submit a detailed response to Breckland District Council.

5. **For Information, notification of planning decisions and comments from Breckland District Council**

**Planning Permission**

**19/055/0724/HOU** 52 Middlemarch Road

**19/060/0843/F** Garden House, Stanton Close

**19/063/0873/F** Dorrington House, 28 Quebec Road

**Chairman**

## **Response submitted by the Town Clerk on behalf of Dereham Town Council**

### **30B/2019/0024/OB Greenfields Road discharge of S106 Agreement**

With reference to the Open Space Plan (OSP) drawing ORB 20131 16C from the original application which went to committee.

#### **Discharge of condition Drawings ORB20131-11A number 1 of 11**

The Area south of plot 8 was allocated as a Local Area for Play (LAP) in the OSP – the area has been set out as an amenity area not a LAP, it should be set out as a LAP.

#### **Discharge of condition Drawings ORB20131-11A number 3 of 11**

The area to the west of the central attenuation basins was allocated as a Local Area for Play (LAP) in the OSP – the area has been set out as an amenity area not a LAP, it should be set out as a LAP.

#### **Discharge of condition Drawings ORB20131-11A number 4 of 11**

The area to the East of the Local Equipped Area for Play (LEAP) was allocated as an area for sports in the OSP and should be laid out as an area for sports - see Breckland Council's legal advice on this matter.

#### **Discharge of condition Drawings ORB20131-11A number 6 of 11**

The two areas on the north side of Greenfields Road were allocated as Local Areas for Play (LAP) in the OSP – the areas have been set out as an amenity areas not a LAPs, it should be set out as a LAPs.

The area to the east of plot 230 was allocated as a Local Area for Play (LAP) in the OSP – the area has been set out as an amenity area not a LAP, it should be set out as a LAP.

#### **Discharge of condition Drawings ORB20131-11A number 7 of 11**

The central area east of the LEAP was allocated as an area for sports in the OSP and should be laid out as an area for sports - see Breckland Council's legal advice on this matter.

The area adjacent to plot 219 was allocated as a Local Area for Play (LAP) in the OSP – the area has been set out as an amenity area not a LAP, it should be set out as a LAP.

#### **Discharge of condition Drawings ORB20131-11A number 9 of 11**

The two areas on the north side of Greenfields Road were allocated as a Local Area for Play (LAP) in the OSP – the area has been set out as an amenity area not a LAP, it should be set out as a LAP.

The Planning officer should refer to legal advice obtained by Breckland Council on the definition of children's playing space and areas for sport. In essence to be an area for sports, the area needs to be laid out for sports and to be an area for play it should be laid out for play. Fields in Trust (FIT) in their guidance 'Planning and Design for Outdoor Sport and Play provides further guidance.

The FIT guidance details that although a LAP, may not necessarily contain any equipment, state that the following characteristics (amongst others) must apply for the area to be considered a LAP:

1. The primary purpose of the area should be for children up to 6 years of age.
2. Contain demonstrative features that allow young children to identify and claim the space as theirs.
3. Depending on location the area may require fencing for children's safety.
4. There should be a sign indicating that the area is for children's play and dogs are not welcome.

For the reasons indicated above the conditions should not be discharged as the detailed layout does not accord with drawing ORB 20131 16C in the plan which went to the planning committee.

The proposed landscaping of the areas as proposed would result in a significant reduction in children's playing space and areas for sport (outdoor playing space) and as such would require the matter being referred back to the planning committee as it is contrary to policy DC11, contrary the decision of the planning committee and would lead to a significant reduction in the availability of outdoor playing space.