PLANNING APPLICATIONS AND OTHER DEVELOPMENT CONTROL MATTERS

NOTE:
Conditions of approval or reasons for refusal of planning permission as determined by the Committee are in summary form only and subject to the Director of Planning and Environment’s final determination.

Major Applications referred back to Committee

1 Appl. No : 2016/0713/F
Parish : BRACON ASH & HETHEL

Applicants Name : Bracon Ash Developments Ltd
Site Address : Land To East of Norwich Road Bracon Ash Norfolk
Proposal : Erection of 52 dwellings, open space and associated works

Decision : Members voted unanimously for Refusal (contrary to officer recommendation (which was unanimously lost))

Refused

Reasons for Overturning Officer Recommendation

1. Urbanisation of extended site due to massing and scale
2. The extended curtilage is harmful to the setting of heritage assets
3. Significant harms identified outweigh the benefits

Updates to officer report

Recommendation – change to “Delegate authority to Director of Planning and Environment to approve, subject to resolution of provision of off-site highway works”. (The reason for this change is outlined below in additional representations received).

Section 4 of the National Planning Policy Framework (Promoting sustainable transport) is applicable.

Update to Para 5.1: The development proposes housing within an allocated site within Bracon Ash, but also encroaches into the open countryside outside of the development boundary for Bracon Ash. Policy DM1.3 allows for such development where there are overriding benefits. Furthermore in the absence of a sufficient land supply within the Norwich Policy Area planning permission is to be granted under paragraph 14 of the NPPF unless any adverse impacts would significantly and demonstrably outweigh the benefits.

Update to Para 5.2: In this instance it is considered that the benefits of providing additional housing is sufficiently high that the concerns in regard to the additional intrusion into the open countryside and the harm to the setting of the listed Home Farm House are outweighed by the benefits of the additional housing, as it is not considered the harm is of a sufficient level to significantly and demonstrably outweighs the benefits, and provides overriding benefits in providing housing to help address the shortfall in the housing supply to comply with Policy DM1.3.

NCC Ecologist

Note from Hopkins Ecology (28 August) is reasonable, stating that there are realistic and deliverable options to ensure water quality is maintained at the pond used by great crested newts
Recommend any condition relating to SUDs is expanded to specify that consideration must be given to ensure water quality is such that the local population of great crested newts is maintained in a favourable conservation status, and that a condition is included requiring that a copy of any EPS licence in relation to the SUDs scheme is submitted.

Officer response: Noted, conditions will be amended / drafted along the lines suggested.

**Norfolk Wildlife Trust**

Further response as remain concerned regarding water quality. Whilst impact on great-crested newts has been considered, wider ecological value of pond within Bracon Ash Common (County Wildlife Site) has not been addressed. Bracon Ash Common has been designated as a CWS because of the value of the pond in terms of its water quality.

Officer response: Water quality will be considered by Natural England when issuing a European Protected Species licence, but also will be a requirement of the surface water condition to ensure water quality issues are addressed.

**3 further letters from Home Farm House**

The lagoon design concept is incorrect. The height of Home Farm House grounds is less than the maximum lagoon level and the likelihood of flooding is greatly increased from seepage from the lagoon into our property.

We have undertaken a professional topographical survey who state that the ground water level could be at least 44.15m compared to the 42.45m stated in the Rossi Long report submitted.

Presumably the LLFA have asked for regular monitoring of the groundwater level because no one has published what the maximum level could be.

The planning process should work on the worst case scenario to ensure no flooding.

Officer response: The LLFA have reviewed this additional information and do not consider it raises any new issues that have not already been addressed in this report and mitigated through condition.

Reference in response from NCC Planning Obligations Co-ordinator to informal pedestrian link to Mergate Lane. We have taken legal advice and it is clear that the developer has no right to grant a public right of way across our property.

Officer response: This is recognised in para 4.30 of the report and therefore little weight has been given to this.

Further comments about loss of rural setting of Home Farm House to the building from residential development and also comments about the impact of the lagoon from the potential risk of unpleasant smells and insects associated with bodies of stagnant water.

Officer response: The impact on the setting of this property from residential development is considered in para 4.54 of the report. It is not considered that there will be an environmental nuisance from the lagoon, which is in any event further from their dwelling than existing ponds in Bracon Common.

**Letter from Bracon Barn**

- an area of the ditch on Marsh Lane is on our land - reference HM Land Registry NK260098
- we understand that the developer would need to request our permission to increase the flow of water through this ditch, this has not been done
- the pipe in the ditch under our drive is only 30 cm diameter and if there was any increase in water from the development, it is not clear whether the pipe would be able to cope
- if there was an increase in water flow, we are unclear how this would affect our riparian
Officer response: Paragraphs 4.65 to 4.68 of the committee report address these concerns.

**Letter from resident of Greenacres**

Object to use of their land for off-site highway works.

Officer response: To ensure any condition for off-site highway works is reasonable officers would need to ensure the condition is reasonable and enforceable. If landowner consent is required but not forthcoming this application would be brought back before Members at a subsequent committee to consider alternative recommendations.

**Letter from Bracon Ash Residents Group dated 7th September**

Latest comments from NCC Ecologist (see above) without access to all the relevant information as the note from Hopkins Ecology does not make it clear that water from the B1113 will be re-directed into the ponds and is based on groundwater levels that were taken during the 3rd driest period of the past 25 years.

Officer response: NCC Ecologist has responded that they agree with the recommendation that the works should proceed under an EPS licence which will ensure that the newts are protected otherwise Natural England will not issue a licence.

**Lobbying material from Bracon Ash Residents Group**

Further letter dated 8th September reiterating concerns over highways, impact on listed buildings and surface water.

Also raises the following new issues specifically relating to surface water:
- consider surface water from highways has not been taken into account in the surface water modelling
- still consider there is no right to discharge surface water into the pond network
- site levels have been surveyed and consider flooding is greatly increased into Home Farm House.
- Ground water levels not representative of whole year
- Water quality issue to pond network

Officer response: The above existing matters are covered in the committee report and above update sheet. The LLFA have reviewed this additional information and do not consider it raises any new issues that have not already been considered and addressed in this report and mitigated through condition. Whilst there may be different legal opinions on this matter, officers have sought and rely on the legal opinion they have received.

**Major applications on land owned by South Norfolk Council**

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<td>2017/1600/F</td>
<td>WYMONDHAM</td>
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Applicants Name : Mr Robert Slade
Site Address : Warehouse at Barley Chalu Ayton Road Wymondham Norfolk NR18 0QH
Proposal : Change of use from Warehouse to General Industrial
Development Management Committee
13 September 2017

Decision: Members voted 10-0 for **Approval**

Approved with conditions

1. Full Planning permission time limit
2. In accordance with approved plans
3. Building to be used by Barley Chalu only
4. Boundary Noise level to be adhered to

**Other Applications**

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<td>WYMONDHAM</td>
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Applicants Name: Mr T Cullum
Site Address: Land West of Queensland Station Road Spooner Row Norfolk
Proposal: Outline permission for nine dwellings (including two affordable units)

Decision: Members voted 10-1 to authorise the Director of Planning and Environment to **Approve**

Approved with conditions

1. Time limit outline – reduced as 5 year land supply
2. In accordance with plans
3. Contaminated land scheme to be submitted
4. Implementation of approved remediation scheme
5. Unexpected contamination
6. Visibility splays to be provided
7. Detailed plans for roads, footways, surface water to be agreed
8. Detailed plans of parking and turning to be agreed
9. Details of on-site parking for construction workers to be agreed
10. Surface water details to be agreed
11. Foul water drainage details to be agreed
12. Ecology measures to be implemented
13. Water efficiency measures

Subject to securing S106 for affordable housing provision and LLFA confirming that the additional information provided adequately addresses surface water drainage matters.

**Updates to officer report**

Description should refer to 8 dwellings in light of the application being amended and as referred to in the assessment section of the report.

The Council have not received the comments of the LLFA as anticipated and as such the recommendation should be revised to give the Director of Growth and localism delegated authority to approve the application subject to the LLFA confirming that the additional information provided adequately address surface water drainage matters as well as the conditions and completion of the S016 as referred to in the committee report.
Development Management Committee 13 September 2017

4  Appl. No  :  2017/1572/O
       Parish   :  KETTERINGHAM

Applicants Name  :  Mr & Mrs S D Barnes
Site Address     :  Land West Of Cherry Tree House High Street Ketteringham Norfolk
Proposal         :  Phased Outline Application for erection of 3 self build/custom built two storey dwellings and garages and access (with some matters reserved)

Decision         :  Members voted 6-5 for Approval

Approved with conditions
1. Time limit outline – reduced as 5 year land supply
2. In accordance with plans
3. Vehicular access as in submitted plan
4. Access road, parking provision and turning areas to be agreed
5. On-site parking for construction workers to be agreed
6. Visibility splay provision
7. Western and southern boundaries to be retained
8. Ecological mitigation measures to be agreed
9. Surface water drainage details to be agreed
10. Foul water drainage details to be agreed
11. Water efficiency
12. Tree protection measures
Phasing plan – to enable individual self-built plots to separately come forward.

5  Appl. No  :  2017/1760/F
       Parish   :  EAST CARLETON

Applicants Name  :  Mr & Mrs Rhodes
Site Address     :  Land South of Swardeston Lane East Carleton Norfolk
Proposal         :  Erection of 1 dwelling with garage

Decision         :  Members voted unanimously for Approval (contrary to officer recommendation (which was unanimously lost)

Approved

Reason for overturning officer recommendation
There is significant connectivity to nearest village, the proposal therefore represents a sustainable form of development with the benefits outweighing any perceived harm.

Updates to officer report

NCC Highway Authority

Highway Network
No objection to suggested access or parking arrangements.

Accessibility
The site is in a location that is slightly remote from services, amenities, and employment opportunities. It is therefore considered that a residential property at this location proposed would be principally car dependant.

The site is remote from the local services and transport connections that are available. The
nearest bus stops to the site for access to public transport are on Main Road in Swardeston a walking distance of 1.6 km. Which is beyond the recognised acceptable walking distance of 800m for people to walk to a bus stop within a rural area. Even if pedestrians attempted to reach the local services and bus connections by foot they would have no option but to walk along sections of narrow unlit carriageway. There are no footways for pedestrian benefit within the vicinity of the site.

Given the site’s location and lack of alternative access methods it is likely that approval of the application would render the residents mainly reliant on the use of motorised vehicles. Contrary to the aims as suggested in the NPPF and also the Local Transport Plan for Norfolk, to make the fullest possible use of public transport, walking and cycling. in order to provide a sustainable development.

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<td>Parish</td>
<td>BRESSINGHAM AND FERSFIELD</td>
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<td>Applicants Name</td>
<td>Mr Nick Glendinning</td>
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<td></td>
<td>Site Address</td>
<td>Old Boyland Hall Farm Common Road Bressingham IP22 2HD</td>
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<td></td>
<td>Proposal</td>
<td>Reconstruction of barn to form one dwelling, part reconstruction and part conversion of barn to form a second dwelling</td>
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<td>This application was withdrawn by the applicant prior to the Committee meeting</td>
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Decision on Enforcement Action: Members unanimously Resolved that enforcement action be taken to ensure removal of the new steel framework on the site of barn A and for the removal of the new build works to barn B.

**Updates to Officer Report**

Parish Council
Approve
Good use will be made of redundant buildings adding to Bressingham’s housing stock

**Water Management Officer**
Condition foul water to package treatment plant.
Surface water is to drain into the ditch suggest details of surface water drainage to be conditioned.

**Officer**
It was previously agreed that the surface water drainage from the buildings which were already on site could be discharged into the site the watercourse. As the buildings are now new build, further consideration should be given to more sustainable means of drainage. This could be agreed by condition.

**Ecologist**
No comment to make previous comments on 2017/0429 still apply.
No ecological information submitted.
Remind the applicant on their obligation towards protected species including bats and mitigation to ensure great crested newts and water voles are not harmed
Response to Statutory Consultation

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<td>Parish</td>
<td>SOUTH NORFOLK</td>
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<td>Applicants Name</td>
<td>Dong Energy</td>
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<td></td>
<td>Site Address</td>
<td>Hornsea Project Three Offshore Wind Farm</td>
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<td>Proposal</td>
<td>Statutory consultation under Section 42 of the Planning Act 2008 and Regulation 11 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2009</td>
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<td>Decision</td>
<td>Members voted unanimously to authorise officers to respond to the Preliminary Environmental Information Report (PEIR) with the officer comments, as detailed in the report. In addition, officers to raise concerns regarding the pollution impact on residential amenity in terms of the electric field of the cables and shields.</td>
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