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 Growth and Localism’s final determination.

Major applications

1  
Appl. No : 2015/2082/O  
Parish : BAWBURGH
Applicants Name : Mr Julian Darling  
Site Address : Land South of Village Hall Stocks Hill Bawburgh Norfolk  
Proposal : Outline application for the residential development of 10 dwellings

Decision : Members voted 7 – 4 for Approval

Approved with conditions

1. Outline Permission Time Limit  
2. In accord with submitted drawings  
3. Standard outline requiring Reserve Matters  
4. Single storey dwellings only  
5. External materials to be agreed  
6. Surface Water drainage to be agreed  
7. Foul drainage to main sewer  
8. Reporting of unexpected contamination  
9. Archaeological work to be agreed  
10. Water Efficiency  
11. Ecology Mitigation  
12. Hedge planting and pond work/maintenance to be agreed  
13. Slab level to be agreed  
14. Boundary treatment to be agreed  
15. Retention trees and hedges  
16. Provision of fire hydrant  
17. Details of roads, footways, foul and surface water drainage to be agreed  
18. Estate Road to accord with agreed details  
19. Road and footways to be constructed to binder course before first occupation  
20. Construction traffic management plan to be agreed  
21. Accord with Construction Traffic Management plan  
22. Highway Improvements - Offsite

Subject to the completion of a S106 to cover affordable housing
2  Appl. No : 2015/2463/RVC  
Parish : HINGHAM  
Applicants Name : Mr Paul Legrice  
Site Address : Land South of Norwich Road Hingham Norfolk  
Proposal : Variation of condition 10 to allow revised drainage strategy of planning permission 2015/1675 – Erection of 88 dwellings  
Decision : Members voted 10 – 0 with 1 abstention to authorise the Director of Growth and Localism to Approve  

Approved with conditions

1. Re-imposition of all conditions of 2015/1675
2. Condition 10 to be varied to require the development to be carried out in accordance with the submitted (as amended) drainage scheme

Subject to final surface water queries being resolved with the Lead Local Flood Authority.

Updates

Hingham Society comments –
- Note LLFA now largely content with the strategy
- We remain concerned over maintenance of the pond.
- Concerned about the new pipe with which the developer proposes to replace the old one, to take water from the pond into the ditch on the north side of Seamere Road. We have seen no evidence of the precise outlet point of the old pipe, nor its route from pond to ditch.
- In the event there is a problem with the new pipe and it appears blocked, it could be difficult to determine who exactly is responsible for fixing it.

The LLFA advise that as the infiltration testing was not carried out in accordance with BRE365 standard and repeated in quick succession to the proposed depths of the soakaway that this would not conform with the recommendations in the SuDs manual and not therefore comply with Part a of Condition 10 of the planning permission.

The applicant has advised the following in relation to BRE365 testing:
- Three shallow soakaway tests were carried out at 1.100m depth, to BRE 365, as part of their FRA. A further full BRE 365 test was completed in May 2015. Therefore, we currently have 4No. BRE 365 tests completed on the site, three of which are at a depth appropriate to the permeable design in question (our under the driveway storage/soakaway design has base levels between 0.400m deep and 1.000m deep).
- We have other tests, (Non BRE 365) resulting in poorer infiltration rates, indicating the site to be variable.
- We have designed the driveway storage/soakaways based on the data from the nearest test. It is our understanding, this design basis is allowed within the CIRIA SuDS manual. We concede that not all tests that our design is based on have been conducted to BRE Digest, therefore we would suggest that as this is not acceptable to the checking Engineer, a conditional approval may be granted, based on the current design, but subject to confirmation by further tests conducted to BRE 365 and amendments to the design if appropriate.
- We are now attempting to undertake the additional testing to verify the non BRE365 testing asap and will hope to have the results in prior to the committee meeting.

Additional letters of objection received - new grounds: Concerns that surface water will affect the Sea Mere SSSI in terms of pollution.
In respect of this objection Officers consider that as the proposed drainage strategy employs a number of SuDs elements including the pond and ditch network before this would enter into the wider drainage system feeding into the SSSI that this would afford some treatment and as such the proposed strategy would not harm water quality and residential development is deemed low risk.

**Recommendation** remains as set out in report – delegated authority to approve subject to the infiltration rates for the permeable paving being agreed.

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**3 Appl. No** : 2015/2496/F
**Parish** : DISS

**Applicants Name** : Miss Sophie Waggett
**Site Address** : Land North of Frenze Hall Lane Diss Norfolk

**Proposal** : A residential development comprising 142no. dwelling houses with associated accesses, car parking, refuse and recycling provision and landscaping

**Decision** : Members voted 10 – 0 for **Refusal** (contrary to officer recommendation)

Refused

**Reasons for Overturning Officer Recommendation**

Members considered the development to be a poor design layout and did not meet the required design standards.

**Updates**

6 further objections have been received which largely re-iterate concerns expressed in the report such as traffic related and infrastructure concerns, specific points raised include Falcon Avenue access should be pedestrian only, traffic light should be provided adjacent to the railway bridge, loss of agricultural land when brownfield is available.

**Highways England** - no objection to the proposal.

**Diss Town Council** – object:
In spite of the amendments to the application, it is still considered to be an overdevelopment, will not enhance the town, will have a significant highways impact, will be detrimental residential amenity, and there should be no access to Falcon Avenue.

**Diss Residents Association** – object:
Inadequate and unsafe access for construction traffic, construction traffic management document lacks detail, Persimmon drainage strategy is inadequate, housing layout is too great, lack of contribution to town infrastructure, must ensure that things promised to be delivered are delivered i.e. traffic lights

**NCC Highways** - a few minor comments remain (see below), however, I am content these can be largely dealt with through the detailed design process, therefore would not wish to raise objection:

1. The western pedestrian crossing on Frenze Hall Lane should utilise the build out, instead of being next to it.
2. I welcome the changes to the rear parking court that have removed the tandem parking for plots 24 – 27. However, I remain a little concerned by the parking arrangements for plots
22 & 23 a garage and parking space meets the required parking standard. However, as garages are generally not used and residents do not like rear parking, there is likely to be uncontrolled on-street parking adjacent to these dwellings.

3. Most of the 1 bedroom dwellings still do not provide 1.5 parking spaces per dwelling, although I appreciate these dwellings are spread throughout the development and the potential impact from on-street parking is minimal.

4. The extent of adopted highway forming the turning head adjacent to plots 135 & 136 has not been extended to a total length measuring 27m.

5. I note the visibility splay from the junction adjacent to plot 80 is correctly shown. However, you should be aware that the land which the visibility splay passes over should be adopted highway, not landscaping.

6. As previously stated, for the avoidance of doubt, I will not adopt the type 6 road to the northern boundary.

7. Following changes to the north-west corner there are numerous parking spaces served directly from the adjacent carriageway, which should therefore be setback at least 0.5m. Additionally has adequate access to the adjacent ditch been retained, as I believe there is an Anglian Water connection from the adjacent development into it?

8. How do you get to the front door / rear access of the terrace housing from the adjacent highway, as in many cases there is no connecting path clear of the parking spaces in front of these dwellings.

In respect of the off-site highway improvements on the drawing, for the avoidance of doubt, the footpath to Sycamore Way will only be undertaken by NCC following payment of the outstanding £60K previously agreed from the development to the south, otherwise this development would need to fund it. Whilst the works to the east are being undertaken by NCC, they will be funded by this development and previous contributions by Persimmon and would be secured by condition and subject to a S278 Agreement.

SNC Landscape Officer has concerns and suggests scheme should not be approved as it stands; in particular they would wish to see the issues regarding the eastern landscape buffer, and siting of the drainage lagoon addressed:

1. The revised plan has more in the way of indicative planting and landscape design, but for a ‘full’ application of this scale it is still disappointing; it would be good to have a stronger concept at this stage. The large area of open space now has more of a definite function, but there is still much that could be done.

Officer response: It is considered that it is appropriate to consider the precise details of the landscaping scheme for the site relating to the open space, northern landscape buffer, site perimeter planting to the southern and western boundary and pedestrian link in the north-western corner of the site can all be reasonably agreed d via condition.

The developer has re-affirmed their willingness to work fully with the Council’s landscape Officer as to what they think is most appropriate for the site.

2. The landscape buffer along the east side of the site does not conform to the requirement in policy DIS4 in that it is less than 10m wide. The addition of a path reduces scope for planting the strip also.

Officer response: Paragraphs 4.23 to 4.24 of the committee report address this point.

The agent observes that “the landscape buffer along the eastern boundary does not serve as important a function as that proposed to the northern boundary. The views into the site from the east are broken by the raised railway line while views into the site from the north are more open due to the fields and generally flat topography. Therefore while the northern landscape buffer seeks to provide visual softening of the proposed development from the north, the landscape buffer and POS on the eastern and southern parts of the site provide a pleasant and soft transitional edge to the built form of the development and the existing dwellings on Frenze Hall Lane situated beyond." The developer has provided an alternative plan that shows for an improved area of planting along the eastern perimeter which is included in the committee
3. The arboricultural assessment has not been revised but I remain concerned about the best/most interesting existing tree - an old oak pollard (T2) at the south east corner of the site – as the proposed drainage lagoon still appears to encroach upon the identified root protection area for this tree (the scheme appears to have been designed prior to the arboricultural constraints being established). We also need to be sure that this tree will not be inadvertently compromised by any consequent highways works here.

Officer response: In terms of seeking to move the lagoon as suggested, given that this is the lowest part of the site moving it does not appear viable. The encroachment into the RPA for T2 is stated as (11%), the assessment observes that due to the ploughed nature of the field, the root system is likely to be deeper and suggests that the lagoons should be designed as not to excavate greater than 250mm in the RPA to minimise any likely harm to the tree roots. This would appear viable through having a low gradient profile to the outer edge of the lagoon.

The agent has added, that the precise size, shape and location of the lagoon will not be known until further on-site investigations are undertaken. The lagoon needs to be situated in the lowest part of the site in order to be able to carry out its function. Again the developer is more happy to fully involve the Landscape Officer in agreeing the design of the lagoon via the suggested condition.

In terms of any highway works, the developer has commented that these are noted on the planning layout for informative purposes only in order to show how the proposed development will relate to these works. The method of construction for the proposed footpath on the site which is shown to connect to the Walcot Green/Frenze Hall Lane junction improvement works can be secured via condition.

4. A hedgerow assessment has been provided and this concludes that the existing hedgerow along Frenze Hall Lane does qualify as ‘important’ as defined by the Hedgerows Regulations. The proposed road access to Frenze Hall Lane breaches this ‘important’ hedgerow; policy DM 4.8 presumes in favour of the retention of ‘important’ hedgerows so we need to have more information about this feature.

Officer response: Whilst the loss of a section of hedgerow is regrettable, it is evident that the allocation requires two accesses into the site, and the limitations of providing an access onto Walcott Green, (road widening would be required and there is a underground gas pipeline in the vicinity of the carriageway) mean that it is inevitable that an access onto Frenze Hall Lane would occur as a result of the allocation. The loss would be compensated by planting along the southern boundary of the site.

The developer has highlighted that in accordance with Policy DM4.8 Protection of Trees and Hedgerows it is considered that the overall benefit of delivering residential development on an allocated site, including the provision of a safe means of access, would clearly out weight the loss of a small proportion of hedgerow. In addition the Hedgerow Regulations state that certain exemptions apply with regards to carrying out works to hedgerows deemed as important. The main relevant exemption that applies to the proposed development is as follows:

Hedge removal in the course of carrying out development for which planning permission has been granted or has deemed to be granted can normally proceed without notification of removal.

The developer has also confirmed that they are are willing to provide replacement and supplementary planting to the hedgerow in order to bolster and maintain its ecological and visual contribution to the benefit of the surrounding environs. The details of the soft landscaping pursuant to the hedge can be secured by way of a suitably worded planning condition.
5. The required landscape buffer to the north (as required by DIS4 will have the potential to provide a visual softening of the development from Walcot Green, but we need to make sure that any planting does not become too overbearing for the dwellings that are adjacent to it.

These all currently have north-facing gardens, and the combination of aspect and maturing vegetation could make the plots unduly oppressive. It is disappointing that the northern landscape buffer does not connect more to the other green space on site – currently the ‘connectivity’ is limited.

Officer response: In terms of potentially creating oppressive gardens along the northern perimeter, the exact nature of the planting is to be agreed by condition, and it is envisaged that the landscape Officer will have significant input on what is agreed. It is not considered that the gardens created would provide unacceptable private amenity spaces whereby a refusal could be justified. The developer has suggested that they envisage small trees such as hawthorn, Hazel, Field Maple and mountain ash, which are native and small in their size, could be planted in the northern landscape buffer.

It is considered that the perimeter planting to the large area of open space which continues along the eastern boundary of the site to the landscape buffer to the north. The Council’s ecologist has not objected to the scheme.

In response to the Design Officer’s comment contained at para 3.4 (2) the developer has considered this, and in particular, the possibility of introducing a two light kitchen window as opposed to a single light unit. However, they do not want to amend the unit as suggested for the following reason:

“The introduction of a two light opening to the kitchen of the Morden housetype would adversely compromise this accommodation. The upright fridge/freezer sits adjacent to the sink and to introduce the two light opening would mean its relocation to another part of the kitchen. The kitchen, as currently shown, has been designed to fully utilise the space and also allow ease of circulation to the different appliances and work surfaces.”

4 Appl. No : 2016/0165/O
Parish : SCOLE
Applicants Name : Mr B Tunmore
Site Address : Land West of Norwich Road Scole Norfolk
Proposal : Construction of 18no. dwellings and access road, village hall and parking, open space recreation and wildlife areas [resubmission of application ref. 2015/0436]

Decision : Members voted 7 – 2 with 1 abstention for Approval (contrary to officer recommendation)

Approved with conditions

1. Conditions to be agreed with Planning Officer and S106 to secure land for village hall and £300K contribution.

Reasons for Overturning Officer Recommendation

Members considered that the benefits of the village hall and parking area outweighed any harm to the setting of the church and the fact that the scheme lies outside of the development boundary and the inadequate information sub submitted in relation to trees and flood risk.
Other Applications

5  Appl. No : 2014/2435/F
Parish : GILLINGHAM

Applicants Name : Mr Robin Bramley
Site Address : Land North of Hill Farm House Yarmouth Road Gillingham Norfolk
Proposal : To supply and install 2 x 60kw wind turbines (20m tower)

Decision : Members voted 10 – 0 for **Refusal**

Refused

1. Unacceptable impact in the landscape
2. Harmful impact on Heritage Assets
3. Lack of community support

6  Appl. No : 2016/0331/F
Parish : TASBURGH

Applicants Name : Mr Nick Coupe
Site Address : Sub-division of the Garden of Chamusca Low Road Tasburgh Norfolk
Proposal : Erection of new dwelling, garage and creation of new vehicle access to Low Road

Decision : Members voted 9 – 0 with 1 abstention for **Approval**

Approved with conditions

1  Full Planning permission time limit
2  In accord with submitted drawings
3  External materials to be agreed
4  Levels to be agreed
5  PD rights removed – openings in SW elevation
6  Screening to raised deck
7  Obscured glazing SW window
8  New Access Construction over verge
9  Access Gates - Configuration
10 Visibility splay dimension in condition
11 Retention of frontage hedge
12 Provision of parking, service
13 Boundary treatment to be agreed
14 New Water Efficiency
15 Surface Water
16 Contamination during construction

7  Appl. No : 2016/0408/O
Parish : SAXLINGHAM

Applicants Name : Mrs Nicola Dix
Site Address : Land West of Sandpit Lane Saxlingham Nethergate Norfolk
Proposal : Outline planning permission for a 3 bedroom property

Decision : This item has been **withdrawn** by the applicant.
Development Management Committee
30 March 2016

8  Appl. No  :  2016/0498/RVC
Parish    :  Poringland
Applicants Name : Wilkinson Builders Ltd
Site Address  :  Land South of 40 The Street Poringland Norfolk
Proposal    :  Variation of condition 2 of planning consent 2013/0713 – to change the materials and provide additional details on tree protection, levels and boundary treatment and ecology
Decision    :  Members voted 10 – 0 to authorise the Director of Growth and Localism to Approve

Approved with conditions
1  Full Planning permission time limit
2  In accord with submitted drawings
3  External materials to be agreed
4  Existing access widen and improved
5  Provision of parking, service
6  Emergency turning area to be provided
7  No PD for Classes ABCDE & G
8  Surface Water
9  New Water Efficiency
10 Implement tree protection
11 Implement boundary treatment
12 Reporting of unexpected contamination
13 No further work until protected species licence granted

Subject to no significant comments being received before the expiry of the consultation on 30th March 2016

Updates
NCC highways – no objections

Applications on land where South Norfolk Council has an interest

9  Appl. No  :  2015/2893/RVC
Parish    :  Poringland
Applicants Name : Mr I Jackson
Site Address  :  Land North of Shotesham Road Poringland Norfolk
Proposal    :  Variation of Condition 9 of planning permission 2011/0476 – Amend condition to require off-site highway works to be completed prior to occupation of 100th dwelling instead of 50th dwelling or within nine months of the completion of the Anglian Water works.
Decision    :  Members voted 9 – 0 for Approval

Approved with conditions
1  In accordance with reserved matters
2  In accordance with approved details & previous conditions
3  Off-site highway works (amended condition)
Updates

For the avoidance of doubt this application only seeks to vary condition 9 of the original planning application which is for the provision of a footpath and cycleway on The Street and works on Shotesham Road. Works to connect the spine road are covered by a separate condition, with its trigger point of 150 dwellings unaffected by this application.

If members resolve to approve the application, we will ensure the consent is worded so that the 9 months is from completion from the Anglian Water works specific to that section of the highway and not the wider Anglian Water scheme as a whole.