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.

1  Appl. No : 2016/1447/F
    Parish : BRESSINGHAM

Applicants Name : Mr Robert Sanderson
Site Address : Harvest House Low Road Bressingham IP22 2DB
Proposal : Demolition of 5 buildings and construction of 17 storage silos, 10 intake silos, 1 dust box, 1 machinery building, 3 grain driers, 6 bulk out load hoppers, an office & laboratory block and 2 weighbridges. New permanent and temporary access for construction vehicles and upgrading of on-site roadways.

Decision : Members voted 9-2 to authorise the Director of Growth and Localism to approve with conditions as detailed on page 19 of the agenda subject to submission of further noise assessment information and mitigation measures to the satisfaction of the Council with advice from the Community Services Environmental Quality Team and the expiration of the consultation period (17th November 2016) associated with the amended plan expiring and no new substantive issues being raised as a consequence of this.

1. Time limit
2. In accordance with submitted information
3. Visibility splays to be provided
4. Access and on-site turning and parking to be provided
5. Agree and implement off-site highway improvements
6. On-site parking for construction workers
7. Vehicular access only from approved access
8. Temporary construction access to be closed
9. External materials to be agreed
10. Surface water drainage scheme to be agreed
11. Foul water disposal via sealed system or private treatment plant
12. External lighting to be agreed
13. Contaminated land investigation to be agreed
14. Implement any agreed remediation agreed in relation to contamination
15. Unexpected contamination during construction
16. Air quality mitigation to be implemented
17. Implementation of agreed noise mitigation measures
18. Construction environmental management plan to be agreed
19. Restriction on delivery times
20. Ecological mitigation to be agreed
21. Implementation of landscaping scheme
22. Landscape management arrangements to be agreed
23. Protection of trees and hedgerows
24. Hours of operation for construction works to be agreed
Updates to officer report

Development Management Sites Sub-Committee 1st November 2016

In attendance:

SNC Officers - C Raine, C Watts, T Horspole

Members/councillors - V Thompson, F Ellis, C Gould, P Broome, L Neal, A Thomas, G Minshull, C Kemp, J Mooney

The above members and officers attended a formal site visit and viewed the application from the following viewpoints (as denoted on the agenda papers). The applicant was in attendance on the site only.

Viewpoint 1 - Church viewed from Church and associated churchyard and also walked westwards along Church Lane. Members asked how tall church was (answer not known) and distance between church and site (officer confirmed as approx. 1km)

Viewpoint 2 Members walked along stretch of Fen Street Members asked distance from Fen Street to development to site (officers confirmed approx. 300m to nearest new building (office/lab)) Members noted the intervening vegetation

Viewpoint 3 Members looked from A1066 also highlighted that one of the submitted visualisations that was used in committee presentation (as submitted by applicant) which was taken from this direction

Viewpoint 4 members noted viewpoint

Viewpoint 5 members noted viewpoint

Viewpoint 6 members noted viewpoint

Viewpoint 7 Members noted demolition work undertaken Officer outlined location of silos in context of the remaining buildings on-site

Additional viewpoint – White House B & B/site access given request from B & B

Officer outlined the proposed access arrangements, clarified which third party land/hedge might prohibit delivery of improved access but explained amended plan received that day. Members noted visibility in both directions. Officers clarified that the speed limit on the A1066 is 60mph. Members asked whether officers could investigate possibility of reduce speed limit on road. Officer confirmed he will pass on request to NCC.
Officer comment

The Council has received an amended plan which proposes an option to slightly revise the proposed access arrangements to the site. This has been consulted on, and this consultation expires on the 17th November 2016, on this basis the recommendation in the committee report should be amended to read:

Authorise Director of Growth and localism to approve with conditions as detailed on page 19 of the agenda subject to submission of further noise assessment information and mitigation measures to the satisfaction of the Council with advice from the Community Services Environmental Quality Team and the expiration of the consultation period (17th November 2016) associated with the amended plan expiring and no new substantive issues being raised as a consequence of this.

NCC Highway Authority

The Highway Authority has assessed the amended plan and proposed further access arrangement and has confirmed the following:

The revised highway access drawing is virtually identical to the original scheme drawing. The proposal is again a standard Dept of Transport design for a ghost island right turn lane.

I understand that the revision is an option to the original highway access layout.

The principle of the scheme is acceptable, subject to a detailed design. We have not agreed details of signage and as with any highway scheme, accommodation works may be required and these may alter slightly as the scheme progresses.

The principle of the right turn lane was supported by the planning Inspector and is also supported by our safety engineer. We would not be able to support the additional development on the site without the highway improvements.

As far as I can see the revision shows the whole highway layout moved marginally southwards with a slight widening of the road on the southern side being the main difference between the revised and original highway layouts.

There is a lot of vegetation around the entrance to Mill House which overhangs the highway boundary. The accommodation works to the scheme could include a cutting back of the vegetation to reduce and significantly improve any safety effects that the slight change to the road line to the south will have.

The safety engineer has considered the suggestion of reducing the speed limit to 50 mph from the current 60, but does not feel that there is sufficient development along this section of the A1066 or accident record to warrant the change.

Officer comment

As well as considering the highway safety impacts of the revision as above, it is evident that the off-site highway works would bring the carriageway closer to neighbours to the south. On this basis it is necessary to consider the amenity impacts of this.
Whilst the carriageway, and therefore the traffic, would be brought closer to properties, it is not considered that this would not be detrimental to neighbour amenities when considering the existing position of the carriageway in relation to the neighbouring properties. Officers would also wish to clarify that in respect of part 6 of Policy DM2.1, in context of the protection of amenities of neighbouring properties in all other respects, the proposal would protect the amenities of local residents. In terms of noise, the proposed development will be required to operate at levels not higher than those that have been apparent on-site and whilst the construction work is ongoing, practices will be controlled via a construction environmental management plan. The committee report also includes a number of other suggested conditions in terms of amenity protection ie Air quality, external lighting, no generators used outside, restriction on hours of deliveries. The proposed structures and buildings are adequately distanced from all neighbours so as not to cause loss of light, privacy or be overbearing. This paragraph should be read in conjunction within the section entitled Amenities of neighbouring occupiers contained within the committee report assessment and also reflected in the conclusion within the committee report.

Representations have been received in respect of whether the proposal should be screened when considering the requirements of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011. Officers believe that when considering the scheme against schedule 2 of the EIA regulations, and in particular class 13 b), it is not necessary to undertake a screening opinion. A legal opinion has now been sought given the level of comments received and in adopting a precautionary approach to this issue a screening opinion has now been undertaken. The screening opinion concludes that an Environmental Statement is not required in this case.

Further representations since publication of report

- Anglian Water confirmed that the proposal would have no impact upon their assets.
- SNC Landscape Architect confirmed no objection to revised highway proposals
- Objection from a Knights Solicitors who represents number of local residents expressing concern on the grounds of visual amenity, noise and road safety, and in particular, adverse effects on personal safety by the off-site highways works being brought closer to her home. Also submitted a letter expressing concern that the silos will not be capable of being painted for a significant period of time due to the materials to be used and them being highly reflective without being painted. This will make the council’s condition on painting undeliverable for a significant period of time (at least 2 years). In addition there will be serious aircraft safety issues associated with RF Lakenheath and RAF Mildenhall which regularly fly over the site at low altitudes.

Officer response to the points raised above

Amenity and highway impacts are addressed above. In terms of the colour of the silos, suggested condition 12 will require agreement with the Council and as such we have the ability to control the external appearance of the silos from the outset and will take into account how any finish will age.

In terms of the RAF bases, the size and nature of the proposals do not present any statutory requirement to consult with them.
Request for Deferral

There has been a request from Knights Solicitors to defer the application in order to allow the owner of the adjacent Bed & breakfast time to consider the amended plan and provide his instruction to his representative before the committee, given that he is presently in hospital. Notwithstanding this very unfortunate circumstance, officers consider the application does not need to be deferred given the relatively minor nature of the amendments and the detailed comments and concerns that have already been received.

It should also be noted that the consultation period on the amended plan does not expire until after the 17th November and therefore any comments made within this period will be considered by officers prior to issuing any consent.

| Appl. No | 2016/0233/F |
| Parish   | COLNEY     |
| Applicants Name | University Of East Anglia & Norwich Rugby Football Club |
| Site Address | UEA Sports Facility Colney Lane Colney Norfolk |
| Proposal | New sports pitches (including an artificial grass pitch with fencing and floodlighting), re-profiling of existing pitches, infilling/re-profiling of area used as existing grounds maintenance facility; new pavilion/club house (GIA: 1306 sqm), incorporating a café, changing rooms, club room, bar and members lounge; associated new car/coach/cycle parking areas (168 car parking spaces and overflow parking for up to 60 cars, including 8 parking spaces for the disabled, 100 cycle spaces and 2 coach parking spaces); new freestanding grounds/sports equipment storage facility (GIA: 144 sqm) and associated compound; access road (utilising the existing access junction onto Colney Lane), new footpath/cycleways; extension of the existing Colney Lane car park (from 37 to 87 spaces and overflow parking for up to 24 cars); associated infrastructure (including utility equipment) and the temporary siting of a storage unit for sports/grounds equipment (for the period up to the opening of the grounds/sports equipment storage facility) at the UEA Sports Pitches, Colney Lane, Norwich. |
| Decision | Members voted 7-4 for Approval |
|          | Approved with conditions |
| 1        | Time limit |
| 2        | In accordance with amended plans |
| 3        | Community use agreement for the facility |
| 4        | Site survey/pitch implementation scheme |
| 5        | Approval of full specification of the 3G artificial pitch |
| 6        | Provision of footpaths within the site |
| 7        | Landscape scheme to be approved |
| 8        | Landscape management strategy |
| 9        | Tree protection measures |
| 10       | Biodiversity management plan |
| 11       | Parking management strategy |
| 12       | Vehicular access to be upgraded |
| 13       | Specification for the gradient of the access |
| 14       | Criteria for set back of any gates from carriageway |
| 15       | Access, car parking, servicing, loading, unloading to be delivered |
prior to commencement of use
16 Scheme for on-site construction parking
17 Wheel cleaning facilities
18 Off-site highway improvements
19 In accordance with Flood Risk Assessment and mitigation measures including land re-profiling
20 Submission of surface water drainage scheme including relevant treatment levels
21 Materials of the buildings to be submitted
22 Surface materials to be approved
23 Archaeological Written Scheme of investigation
24 Restrict to D2 (sport and leisure use)
25 Restrict floorspace of café and bar
26 Lighting scheme
27 Renewable energy
28 Fire hydrant
29 Fence details to be agreed

Subject to S106 to secure qualitative improvements to other Rugby facilities in the catchment area

Updates to officer report

Corrections to report:
- Paragraph 4.100 – replace ‘Policy DM4.9’ with ‘Policy DM4.8’
- Paragraph 4.138 – replace ‘JCS Policy 1’ with ‘JCS Policy 2’
- Paragraph 4.43 and 4.78 – only one pitch (the 3G pitch) will be fenced – not two as reported.

Officer clarifications on conclusions (section 5 of report):
Officers consider it important to clarify for the avoidance of doubt, as was set out earlier in the report, that in respect of the landscape policy (DM4.5), the proposal would not accord with part 1 of the policy which requires proposals to respect, conserve and where possible enhance the landscape character. However the proposal is not considered to conflict with the second part of the policy which requires refusal of applications which result in significant adverse impact. Having regard to the key characteristics, assets, sensitivities and vulnerabilities, landscape strategy and development considerations of the River Valley Landscape, harm would result however this is considered to result in moderate adverse harm which is not considered to be at a level to conflict with the second part of the policy.

Overall, it is not considered that this partial conflict with Policy DM4.5 is a fundamental failure of the proposal. The proposal overall on balance complies with the Development Plan save this departure.

Section 38 of the Planning and Compulsory Purchase Act 2004 requires applications to be determined in accordance with the development plan unless material considerations indicate otherwise. The NPPF is one such material consideration. The report carries out an assessment of the material considerations in respect of harm and benefits which include the significant public benefits of the sports facility. The report sets out officer’s view that the proposed benefits outweigh the identified harm.

8 additional letters of objection have been received including one from a UEA Arts and Humanities research Group on Environment, Space and Place. Additional grounds include: Flood risk; impacts on River Yare due to run-off; impacts on biodiversity particularly from floodlighting; changes to landscape character; pressure on roads; contrary to policy DM1.4 and 3.1; presence of such a sizeable special interest group on the UEA grounds will have an adverse impact on student experience at UEA; inadequate consultation with staff and students of UEA in conflict with Policy DM3.16; ecology surveys submitted are still inadequate to represent the ecology on the site and the data/survey results available; embankment levels
shown are not accurate – these will be considerably higher than stated in some areas; parking numbers and its intended management is still not considered appropriate and the applicant has not agreed the management

**Officer comment in respect of community involvement:** In respect of the objection raised regarding sufficient community involvement, the pre-text to Policy DM3.16 advises that ‘views of the local community and community led plans will be an important consideration in both the case of a loss of existing facilities or one for new facilities to be located in the countryside.’ The application was submitted with a statement of community involvement which set out the pre-application public consultation including a consultation evening; hosting plans on the UEA website; discussions with the Yare Valley Society, Sport England and sports associations. It is considered that the level of pre-application community engagement carried out is reasonable given that the application seeks to intensify the use and expand the users of a facility that is already in existence for sport.

**Letter of objection from Norwich Green Party** received with main issues (summarised): impact on wildlife; impact on character and appearance of river valley; increased traffic noise and congestion (particularly the effect this has on the effectiveness of the cycle route through the site); and the function of this area as a floodplain.

**Crusaders Rugby Club request the application be deferred** for the following reasons: Sport England has made it a condition that for them to support the application they have stated ‘a Section 106 Agreement must be obliged’. Crusaders RFC have no formal/written confirmation from the applicants that they will oblige the stipulation laid down by Sport England. We would respectfully suggest this undermines the progress of the application and that it can’t be allowed to proceed at this point in time.

**Request from local resident (Mr Martin) for deferral** for the following reasons (summarised): There is incomplete and incorrect highway information and that the Highway Authority have been misled on the impacts of the development

9 additional letters of support have been received – no new grounds raised.

A UEA Student and Staff petition in support of the application with 456 signatories also received.

Additional letter received from applicant’s agent to address some of additional comments raised by objectors (summarised)

- The delivery of the ‘Beyond Green’ scheme’s open space timetable would not be compatible for the timescale required for Norwich Rugby Club’s relocation.
- The GNDP Playing pitch strategy identified Colney Lane as a suitable option for the relocation of Norwich Rugby Club
- Norwich Rugby club has offered Crusaders the use of the 3G pitch for training; to set up a schools forum with school networks to target the north of the city and not Crusader’s network; an offer of a partnering arrangement with UEA regarding strength and conditioning; and access to rugby playing students for matches and coaching of Crusaders juniors by Crusaders coaches on the new facilities.
- Advise 1968 Flood mapping and other flood level data was used as part of the FRA in conjunction with a topographical survey of the site.
- The UEA purchased the sports pitch land at Colney Lane in the 1960’s. It is private property but UEA have always been happy to allow the public to access to it freely.
- The current pitches are currently underused, one reason being the facilities are not fit for purpose and not to a standard currently to allow formal community use. Without the Rugby clubs involvement, due to University funding constraints, the UEA would not be in a position to improve the facilities to the level proposed.
- Advise an indicative cost for draining a pitch at Crusaders has been made, justifying an approximate cost of £50,000.
3  Appl. No : 2016/1669/H  
Parish : HETHERSETT  
Applicants Name : Mr Andrew Gibbs  
Site Address : 9A Lynch Green Hethersett Norfolk NR9 3JU  
Proposal : Extensions and remodeling of existing dwelling to create first floor  
Decision : Members voted 10-1 for Refusal (contrary to officer recommendation which was lost 0-9 with 2 abstentions)  

Reasons for Overturning Officer Recommendation  
Over-development of the site, scale, design and the overbearing impact on the neighbouring property.

Updates to officer report  
3 Additional letters of objection  
- Boundaries of 9 & 7 are still incorrect drawn in the wrong place.  
- Revised plans offer no improvement on the impact on the surrounding properties, just a rehash of the existing plans and does not fit in with the surrounding buildings.  
- No mention of how the access problems will be overcome as the access via Cedar Road has not been forthcoming.  
- No pavement and Lynch Green is used by many people including dog walkers, young women with children and or buggies. Vehicles parked outside the bungalow block the view of the road due to a bend immediately to the north.  
- Photomontage does not show accurately the front of the plots, the raised bed and a wall between the road and the parking area shown. Electricity pole by the drive of number 11 is not shown in the photomontage but will presumably supply electricity to 9A as well as to number 11.

4  Appl. No : 2016/1915/F  
Parish : DICKLEBURH AND RUSHALL  
Applicants Name : Draper And De Grey  
Site Address : Land West Of Cantara Burston Road Dickleburgh Norfolk  
Proposal : Erection of four dwellings  
Decision : Members voted unanimously for Approval  

Approved with conditions  
1 Full Planning permission time limit  
2 In accordance with amendments  
3 External materials to be agreed  
4 Ecology Mitigation  
5 Slab level to be agreed  
6 Water Efficiency to be met  
7 Specific details to be agreed  
8 Hedge planting along the front boundary  
9 Surface Water to be agreed  
10 Visibility splay
11 Provision of parking, service
12 Protection of Highway Boundary
13 Access Gates - Configuration
14 New Access Construction over verge
15 Reporting of unexpected contamination
16 Boundary treatment to be agreed
17 No PD for fences, walls etc.
18 No alterations to lose garages

5  Appl. No : 2016/1916/O
Parish : DICKLEBURGH AND RUSHALL
Applicants Name : Mrs Croner
Site Address : Land East Of Bangala Rectory Road Dickleburgh Norfolk
Proposal : Two dwellings
Decision : Members voted 7-4 for Approval
Approved with conditions

1 Outline permission time limit
2 In accordance with submitted drawings
3 Standard outline requiring reserved matters
4 1 ½ storey dwellings only
5 No upper floor windows or openings on the west elevation
6 External materials to be agreed
7 Contaminated land during construction
8 Water efficiency
9 Parking and turning areas
10 Visibility splays 2.4m x 120m
11 Vehicular access in accordance with highway specification
12 Slab level to be agreed
13 Boundary treatment to be agreed
14 Surface water
15 Details of foul water disposal
16 Disclaimer contamination

6  Appl. No : 2016/2198/F
Parish : BROOKE
Applicants Name : Mr Peter Burton
Site Address : Highfield Stables Highfield Lane Brooke Norfolk
Proposal : Single storey timber framed modular log cabin to provide accommodation for full time groom and classroom facilities.
Decision : Members voted 10-0 for Approval
Approved with conditions

1 Temporary 3 year permission
2 Occupational restriction
3 Foul drainage sealed treatment plant

Updates to officer report

Email received from objector regarding:
- Business not currently operating from site
- Site inappropriately located away from property and driveway
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- Noise disturbance from traffic could scare horses

7  Appl. No  :  2016/2228/RVC
Parish  :  STOKE HOLY CROSS

Applicants Name  :  Mr G Harvey
Site Address  :  Whiteford House Chandler Road Stoke Holy Cross Norfolk NR14 8RQ
Proposal  :  Variation of Condition 2 of planning permission 2016/0362 - Amended drawings to raise height of house.

Decision  :  Members voted 10-0 for Approval

Approved with conditions

1 Full Planning permission time limit
2 In accord with submitted drawings
3 Slab level to be agreed
4 Ground levels
5 Retention trees and hedges
6 Access and parking
7 No PD for Classes ABCDE & G
8 No PD for fences, walls etc
9 Archaeological work to be agreed
10 Water consumption
11 Foul drainage to sealed system