DEVELOPMENT MANAGEMENT COMMITTEE

Minutes of a special meeting of the Development Management Committee of South Norfolk District Council held at South Norfolk House, Long Stratton, on Wednesday 29 January 2014 at 10.00 am.

Committee Members Present: Councillors D Blake (Chairman), F Ellis, C Gould, L Hornby, C Kemp, N Legg and M Gray

Apologies: Councillors Y Bendle, T East, J Mooney and L Neal

Substitutes: Councillors C Foulger (for L Neal), B McClenning (for T East), B Riches (for J Mooney), and L Webster (for Y Bendle)

Officers in Attendance: The Development Manager (H Mellors), the Director of Growth & Localism (Tim Horspole), the Senior Conservation and Design Architect (D Edleston), the Ecologist (N Bolton) and the Environmental Protection Manager (A Nicholas)

Also in attendance: S Shortman (Solicitor, nplaw)

(the press and 196 members of the public were in attendance)

120. DECLARATIONS OF INTEREST

The following members declared interest in the matters listed below. Unless indicated otherwise, they remained in the meeting.

<table>
<thead>
<tr>
<th>Application</th>
<th>Parish</th>
<th>Councillor</th>
<th>Declaration</th>
</tr>
</thead>
<tbody>
<tr>
<td>2013/0105/F</td>
<td>HEMPNALL</td>
<td>All</td>
<td>Local Planning Code of Practice (lobbied by applicant and objectors)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>C Kemp</td>
<td>Other interests – subscribing member of both English Heritage and RSPB</td>
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121. UPDATE ON SOUTH WYMONDHAM APPLICATIONS – 2011/0505/O and 2012/0371/O

The Director of Growth and Localism introduced the item, giving members a brief summary of the history to the applications. Members were advised that all negotiations were now complete, with agreement having been reached by all parties, including agreement between the developers and Network Rail. Legal documents had been engrossed and were ready for signing/sealing. Complex logistical arrangements at Network Rail meant that sealing/signing would take a few extra days but officers were confident that completion of the documentation
would take place within the next week, and possibly even by the 31 January deadline. However, he considered it might be prudent to extend the period of delegated authority to cover the possibility that this was not the case.

The Director of Growth and Localism introduced the Managing Directors of both of the Applicant companies who were in attendance. Mr S Lyle of Allied London confirmed the position, advising members that a small extension of time was likely to be necessary due to the need to have the documents executed by all parties, including Network Rail.

The Chairman advised those present that the Committee was not pleased with the delay and felt uncomfortable about giving any further extension although he confirmed that this appeared to be the most timely solution.

Following a proposal by Cllr Kemp (seconded by Cllr Hornby) it was

RESOLVED By 10 votes to 0 (with one abstention) that the Committee confirms the original decision taken at the meeting of the Development Management Committee on 18 June 2013 and renews the period of delegated authority to the Director of Growth and Localism for 7 days from the 31 January 2014 and authorises him to approve the applications Appl. No. 2011/0505/O and Appl. No. 2012/0371/O subject to Section 106 agreements as previously mentioned, including for securing the provision of a subway, or refuse in default.

122. PLANNING APPLICATIONS AND OTHER DEVELOPMENT CONTROL MATTERS

The Committee considered the report (circulated) of the Director of Growth and Localism. The officers presented applications listed in the report and representatives from Parish/Town Councils and members of the public addressed the Committee on the following:

<table>
<thead>
<tr>
<th>Application</th>
<th>Parish</th>
<th>Speaker(s)</th>
</tr>
</thead>
</table>
| 2013/0105/F | HEMPNALL | Mr D Hook, Hempnall Parish Council  
Ms C Moulton, Topcroft Parish Council  
Mr J Nott, Shotesham Parish Council  
Ms J Wiskstead, Woodton Parish Council  
Mr W Goff, Saxlingham Nethergate Parish Council  
Mr C Laxton, Objector  
Mr T Woodward, Objector  
Mr K Jones, Objector  
Ms E Skeate, for the Applicant  
Mr A Mahon, Agent for Applicant  
Mr I Cundy, for the Applicant  
Cllr M Windridge, District Member  
Cllr A Thomas, County Council member |

The Development Manager stated that nine members of the Committee had jointly made an informal site visit and familiarised themselves with the site from six viewpoints. The visit was conducted by herself and the Senior Conservation and Design Architect. Assisted by photomontages, they had located the proposed wind turbines within the landscape and viewed heritage settings and relationships with selected dwellings. The same members had first visited the edge of Eye Airfield in order to gauge actual erected wind turbines of size similar to those proposed.

The Development Manager presented her report, with up-dates. She, together with the Director of Growth & Localism, the Senior Conservation and Design Architect, the Ecologist
and the Environmental Protection Manager answered questions from members. The Development Manager conveyed the apologies of the Council’s landscape and noise consultants who were unable to attend due to prior engagements. The Development Manager and the Environmental Protection Manager offered to answer any questions relating to those fields of expertise, so far as they were able.

The Committee made the decisions indicated in the Appendix to these minutes, conditions of approval or reasons for refusal of planning permission as determined by the Committee being in summary form only and subject to the final determination of the Director of Growth and Localism.

(The meeting closed at 3.05 pm)

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Chairman
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.

Key to letters included within application reference number to identify application type – e.g. 07/96/3000/A – application for consent to display an advert

- **A** Advert
- **AD** Certificate of Alternative Development
- **CA** Conservation Area
- **CU** Change of Use
- **D** Reserved Matters (Detail following outline consent)
- **F** Full (details included)
- **H** Householder – Full application relating to residential property
- **C** Application to be determined by County Council

**Key to abbreviations used in Recommendations**

- **S.P.** Structure Plan
- **S.N.L.P.** South Norfolk Local Plan
- **P.D.** Permitted Development – buildings and works which do not normally require planning permission. (The effect of the condition is to require planning permission for the buildings and works specified).
- **DPHBE** Director of Planning, Housing and the Built Environment
1 Appl. No : 2013/0105/F  
Parish : HEMPNALL

Applicants Name : Streetwood Wind Farm Norfolk Limited  
Site Address : Land Surrounding Busseys Loke North of Bungay Road, Hempnall and Including Land Adjacent To The B1527 and at the Junction of the B1527 and B1332, Woodton, Norfolk

Proposal : Erection of 3 wind turbines with a maximum height of 126.5m and associated development for a period of 25 years, including control building, electricity transformers, underground cabling, access tracks, crane hard standing, new vehicular access, culvert and offsite highway works

Decision : Members voted 10-1 for REFUSAL (contrary to officer recommendation)

Would have refused

Reasons for overturning officer recommendation

Whilst the previous Inspector in his decision letter dated 8 December 2009 stated that there was capacity for wind energy development in this area, and the number of turbines now proposed in the application is consistent with the guidance of the WTLSS (2008) for the Tas Tributary Farmland landscape character type, the Committee notes from the officer’s report and the specialist consultants’ findings, the harm in terms of significant adverse impacts in the landscape, harmful impact on the setting of St Margaret’s Church, Hempnall (a Grade I listed building), and Hempnall Conservation Area, as well as harm to a lesser degree to the significance of the Grade I listed church of St Catherine, Fritton and to the Saxlingham Green and Fritton Conservation Areas. Members also likewise noted the harm to the living conditions of local residents, - in particular those of Thetford Farm House, - in respect of noise. They are not satisfied that noise conditions likely to be acceptable to the Applicant could satisfactorily address that noise impact.

Whilst noting that none of those harms by themselves would have constituted sufficient harm to outweigh the benefits of renewable energy (which carry significant weight), the Committee disagrees with the officer’s overall assessment of the planning balance in her report. The Committee’s own conclusion, taking account of the national and local policies, - particularly UTL13, ENV8, IMP9, IMP10, IMP 15 of the South Norfolk Local Plan (saved policies), JCS Policies 1, 2, and 3 and NPPF paragraphs 109, 123, 134, - is that, by virtue of the cumulative impact of these identified harms, taken in combination, the planning balance weighs against the proposal with the effect that its impacts are not (and cannot be made) acceptable. The Committee’s weighing of the planning balance under NPPF paragraph 98 has been clarified and informed, in particular, by the Planning Practice Guidance for Renewable and Carbon Energy issued in July 2013 and the Ministerial Statement of the Secretary of State for Communities and Local Government of 6 June 2013.

Updates

Applicant

Submitted further information on:

BATS  
Confirms that TIN051 diagrams have already been submitted and fully complies with Natural England’s TIN051

MOD  
The objection solely relates to the Air Defence Radar (ADR) at Remote Radar Head(RRH) Trimingham as it has withdrawn objection re RAF Honingham. A report has been commissioned from SERCO in relation to impact on Trimingham, this was received on 24 January 2014 and confirms a technical solution is available. This report has been sent to MOD.

National Grid
Do not consider letter of 18/9/13 constitutes a formal objection but simply outlines the procedure to be followed before carrying out works in the vicinity of their immediate gas pipeline that crosses between T3 and T4. The pipeline has been taken into account and can be condition and would expect to agree a condition with National Grid in advance of the public inquiry.

**Noise**

Have submitted a letter dated 24/1/14 from their noise consultants, TNEI Services Ltd, that deals with the matters raised in the committee report in relation to operational noise.

**Control building**

Para 4.15 of report states building will have a felt roof, however materials still to be agreed, it is envisaged it will be a tiled roof to match local vernacular style.

**Local Residents**

6 additional letters of objection received expressing following concerns:
- I am unable to attend, shocked to discover case officer recommendation
- similar scheme on appeal rejected
- urge you to refuse
- need to listen to people who have worked tirelessly to point out reasons why it should be rejected
- it would be a truly huge error of judgement to pass this application
- the area is not suitable for such a project, huge impact on existing roads
- to exacerbate impact on quiet area, wildlife is unforgivable
- please do not be persuaded to pass it on the proviso that if rejected SNDC would be liable for costs because the eternal costs of passing this application to the environment and to the people of Hempnall and surrounding villages and consequent enormous negative impact this would have is not worth it
- recommendation extraordinary given view of SNC own conservation officer ‘turbines would cause harm to setting of St Margaret’s Church Hempnall and be contrary to NPPF para 134….and fail to preserve setting and contrary to section 66….’
- timing – now only a few days to go before Public Inquiry – why has SNC suddenly woken up when it could not get its act together to make a decision within the allotted time therefore leaving them side open to potential legal action by TCI
- worried for Hempnall and steep decline in these kind of applications being considered in the future, overshadowing and blighting our lives
- worked as an architect and planner and find incomprehensible that a planner can suggest approving and application to construct 125 metre high wind turbines only about 650 metres from a country road in a prominent position on rising land, in rural setting between the villages of Hempnall, Woodton and Saxlingham
- there is very strong local opposition and have another case of ignoring prime Minister’s wish that local opinion should be a major consideration when a decision is made
- I cannot understand how the turbines can be approved on planning grounds I wonder if there is an alternative agenda?

**County Ecologist**

- in light of document ‘Streetwood Windfarm TCI Renewables’ further response to Hempnall PC representations – May 2013’ I can confirm that this displays that the application has considered Natural England’s technical guidance note; TIN051, in this case Little Wood. Thus I am withdrawing my request for further information. From an ecological point of view, the E.S, can be considered complete.

The turbines should not be micro sited by 30m in any conditions, given the buffer distances. A condition will be needed that they cannot be micro sited.

Still require previous conditions suggested.

**Environmental Services**

Have referred the information to their consultants. Will update members orally at committee. It is likely that additional information will still be required.

**Officer**

Ecologist comments in Appendix 3, page 133, should be dated 16/1/14 not 16/1/13

Conditions – Condition 2 not needed, covered in cond.1

Additional Condition 26 – Details of surface water drainage
Development Management Committee

- Confirmation from Ecologist that he has no outstanding objections having seen the diagram clarifying the calculations required for Turbine 4 with respect to Natural England’s guidance TIN015. This information is no longer outstanding. Recommendation to be updated accordingly.