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.

Applications referred back to Committee

<table>
<thead>
<tr>
<th>No</th>
<th>Appl. No</th>
<th>Parish</th>
<th>Applicants Name</th>
<th>Site Address</th>
<th>Proposal</th>
<th>Decision</th>
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<tbody>
<tr>
<td>1</td>
<td>2013/1793/O</td>
<td>CRINGLEFORD</td>
<td>Barratt Eastern Counties and John Innes Foundation</td>
<td>Land South-west Of Newfound Farm Colney Lane Cringleford Norfolk</td>
<td>Outline planning permission for a development of 800 dwellings together with a small local centre, primary school with early years facility, Two new vehicular accesses off Colney Lane, associated on-site highways, pedestrian and cycle routes, public recreational open space, allotments, landscape planting and community woodland.</td>
<td>Approved voted 6-5 for APPROVAL</td>
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Approved with conditions

1) Standard time limit
2) Approval of reserved matters
3) A phasing plan to be submitted and agreed
4) Overarching landscaping strategy for whole Housing Site Allocation Area to be agreed and implemented
5) Replacement landscaping within 5 years of planting
6) Retention of trees and hedges unless otherwise agreed
7) Tree protection measures to be agreed as required
8) Hedgerow mitigation measures to compensate for loss of some hedgerow on site
9) Overarching design code for whole Housing Site Allocation Area to be submitted, agreed and implemented through reserved matters applications
10) Materials to be used in construction of all development to be agreed
11) Mineral extraction to be further assessed and agreed as appropriate
12) Ecological enhancements and habitat management plan to be agreed
13) Roads, footways and cycleway layout to be agreed
14) Construction traffic management plan to be agreed
15) Compliance with the construction traffic management plan
16) Wheel cleaning facilities to be agreed
17) Compliance with agreed wheel washing facilities details
18) Access to site from Colney Lane details
19) Colney Lane/Round House Way roundabout improvement works
20) A11 Newmarket Road/Roundhouse Way signalisation works to be agreed by 400th dwelling and completed by 500th dwelling occupation
21) A11/A47 Thickthorn Interchange improvement works to be agreed by 50th dwelling and completed by 100th dwelling occupation
22) Additional access onto Colney Lane to be completed by 750th dwelling occupation if no site access achieved on land to east by this point
23) Travel plan
24) Provision of cycle parking
25) Provision of refuse storage
26) Layout and provision of land for servicing and parking at non-residential uses
27) Surface water – compliance with submitted Flood Risk Assessment
28) Foul water disposal strategy to be agreed
29) Contaminated land – site investigation, verification report and long term monitoring report
30) Unknown contamination to be reported if found
31) External lighting to be agreed
32) Construction management – noise and dust
33) Scheme of archaeological investigation to be agreed
34) Hours of use of uses within local centre to be agreed
35) Hours of servicing and delivery to non-residential uses
36) Position and specification of any plant and machinery on non-residential uses to be agreed
37) Restriction of retail to convenience goods only
38) Restriction of only 500sq.m. floorspace in local centre
39) 10% renewable or low-carbon energy of total requirement for residential and non-residential uses
40) Water efficiency of 105 litres per person per day for all new dwellings
41) Control measures for noise from surrounding roads to be submitted and agreed
42) Provision of fire hydrants for residential and commercial areas

Subject to Section 106 agreement to ensure the delivery of affordable housing, land for the primary school, the local centre, open space (including allotments and a community orchard) and a travel plan.

The outline permission is liable for Community Infrastructure Levy, which will be collected at the reserved matters stage.

Note: There is potential for this application to be called in the Secretary of State. Once a decision has been made by Members the SoS will advise as to whether he will call-in the application to make the final decision on this application.

Updates
Letter from Cringleford Parish Council submitted to all members of Development Management Committee raising the following issues:
- Report is inconsistent with earlier published report.
- Weight given to policies should be reconsidered.
- Weight attributed to neighbourhood development plan should be more important
- Coordinated approach not shown across two application sites

Officer response: The comments are noted but the compliance with the Cringleford Neighbourhood Development Plan has been considered in full. The previous report considered the application in the previous context of no five year land supply as required by the National Planning Policy Framework, now one can be demonstrated the report revises the consideration to align with the correct paragraphs of the NPPF.

The previous report identified the development was considered to comply with the neighbourhood development plan, to which this report also concurs.

The coordinated approach was considered in full, along with the housing density and numbers, and remains as reported in the previous report.
Two additional letters of representation received since the committee report was written:
- Concern relating to compliance with the neighbourhood plan, coordinated approach and total number of dwellings
- Impact on highway function with additional traffic
- Capacity of schools

Officer response: The compliance with the neighbourhood plan has been fully considered in the report, along with the impact on highway function and safety. There are no further comments to those already published on these issues. The availability of school places has also been raised. This matter was given consideration by Norfolk County Council Education Services, and subject to securing land for an extension to the primary school through the accompanying Section 106 there was considered to be sufficient capacity for both primary and secondary school places (paragraph 4.15 of original report, page 28 of agenda).

2

Appl. No : 2014/1305/O
Parish : TIVETSHALL ST MARY
Applicants Name : Mrs Elaine Peacock
Site Address : Land South East Of Shangri-la The Street Tivetshall St Mary Norfolk
Proposal : Outline application for the erection of 2 No. 3 or 4 bedroom dwellings
Decision : Members voted 9-0 (with one abstention) to Authorise the Director of Growth and Localism to APPROVE

Approved with conditions
1 Outline Permission Time Limit
2 Reserved matters
3 Height restrictions - plot 1 (single story)
4 In accordance with plans
5 Standard Highway details required
6 Foul drainage to main sewer
7 Surface water drainage details required
8 Water efficiency standard to be met
9 Access direct to The Street, not through adjacent site

Updates
Further indicative plans received
A further letter and accompanying indicative plans have been received from the planning agent. The letter makes the following points:
- The scale of development has been reduced to reflect local concerns and a further indicative layout has been submitted
- The dwellings are shown as single storey only further reducing the impact on neighbouring occupiers
- The proposed development would not affect the overall grain and visual amenities of the area and would sit quite comfortably within both the immediate and wider context of the village.

Change to Applicant
The name of the applicant has been amended to Mrs Elaine Peacock.
### Major applications or applications raising issues of significant precedent

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<td>3</td>
<td>CAISTOR ST EDMUND</td>
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Applicants name: Mrs Val Hope  
Site Address: Land North Of Heath Farm Caistor Lane Caistor St Edmund Norfolk  
Proposal: Erection of 16 dwellings (5 affordable, 11 market) and proposed access to the south of Caistor Lane.

Decision: Members voted unanimously for **REFUSAL**

1. Development outside development boundary and contrary to local plan policy ENV8

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<td>FRAMINGHAM EARL</td>
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Applicants Name: Charles Church Ltd  
Site Address: Land North-west Of Pigot Lane Framingham Earl Norfolk  
Proposal: Submission of Reserved Matters for the construction of 100 dwellings including access, roads, open space, landscaping and associated works following outline planning permission 2011/1284/O

Decision: Members voted 6-5 (there was one abstention and the Chairman used his casting vote) for **APPROVAL**

Approved with conditions

1. In accordance with plans
2. External materials as in accordance with submitted schedule
3. The development shall be constructed in accordance with the tree protection plan hereby submitted
4. Surface water drainage details to be agreed with technical advice provided
5. Management of surface water attenuation features
6. Removal of permitted development rights for bungalows to west of plot, relating to roof alterations and dormer windows
7. Removal of permitted development rights to prevent garages being converted to living accomodation

Subject to confirmation from the Environment Agency and Anglian Water that they have no objection to the scheme.

**Updates**

The following are the comments of Framingham Earl Parish Council, unfortunately these were mistakenly not included in the current report despite being received prior to the report being published (those shown at paragraph 3.1 are from Framingham Pigot Parish Council which is the neighbouring Parish Council to the development).

1. **Site Layout:** This village site is in the countryside adjacent to open fields and woodland with an exit from a narrow tree-lined country lane. The Council therefore does not approve the layout of mainly straight rows of dwellings which is not in keeping with the setting and the surrounding environment of the site.

Officer response: As highlighted in paragraph 4.11 of the committee report, condition no. 3 of the outline approval required the agreement of a masterplan for the site prior to the submission
of any reserved matters application. This was duly considered and approved under 2014/0790. It is considered that the current scheme reflects that agreed under the masterplan in having due regard to the key components of the site such as the established field patterns which border and run through the site, and the frontage development of Pigot Lane.

2. Access and Exit Roads: The Council’s concerns regarding the proposals for three exits from the site, replacing one exit on the approved outline application, still stand. Pigot Lane is a narrow country lane and is well used as a route by vehicles and cyclists between the A146 road and Poringland. Dog walkers and pedestrians regularly use this lane as part of a circular route. Traffic will be increased even further when the new EACH hospice is built on the opposite side of Pigot Lane to this development. The Council envisages there could be several vehicles exiting from the site into Pigot Lane all at the same time and within close proximity. It is not only residents’ vehicles but also their visitors, service engineers, goods deliveries, refuse collectors, mail delivery, health visitors, etc. The Council, therefore, is concerned about accidents which could potentially be caused by having three exits from the site, all in near proximity, instead of the one originally approved.

Officer response: As highlighted in the committee report at paragraph 4.14, the proposed arrangement has been assessed by the Highway Authority (NCC) who are satisfied that this would not compromise highway safety or the free flowing of traffic on the local highway network.

3. Junction of Pigot Lane with Long Road near the roundabout on the B1332: The dangerous situation at this junction was emphasised [with photographs, distances, and accounts of accidents and near misses which had already taken place at this junction] in the presentation by our Chairman at the Planning Committee when the Outline Planning Application was being considered. The Council requested that consideration should be given to improve this junction in order to prevent further accidents when traffic would be greatly increased from development in Pigot Lane as well as from the hospice. This request still stands.

Officer response: As highlighted by the Parish Council above, this issue was assessed at the appropriate time, namely in the consideration of the outline application. Paragraph 4.14 of the committee report assesses highway safety related concerns.

4. Arboricultural Impact Assessment Report: The Council notes that trees are being removed from ‘open spaces’ and being replaced in people’s gardens which over time could become intrusive to the property with the result that owners may fell them. In the report, Item 8.1, it is noted that advice is to be obtained on whether there are any Tree Preservation Orders in place. It is the Council’s wish for consideration to be given to TPOs being placed on newly planted trees if relevant.

Officer response: As highlighted in paragraph 4.10, there has been discussions between the Council’s Officers and the agents with regard to ensuring that as many existing trees are retained as possible, including all which are considered to be of most significance and benefit to the area. These discussions have also resulted in a suitable programme of protection for the trees to be retained on-site. It is not considered appropriate to attach TPO’s to the new trees proposed as part of this scheme.

5. Drainage: The Council’s concerns about the surface water from Oaklands causing problems both in Oaklands and on the new development appears to be dealt with by the conditions recommended in the letter from the Environment Agency [dated 5th April 2012 under planning application ref. 2011/1284] being observed and that the responsibility for maintenance of the surface water detention basin is clarified.
Officer response: The Parish Council are correct in that the conditions attached to the outline approval do require the agreement of an appropriate drainage scheme. This point has been reiterated in a more detailed set of conditions for drainage which are recommended in the current committee report. Paragraph 4.7 of the committee report addresses this point.

6. Public footpath from the site to Long Road: The extent of the footpath on the site plan is not as stated within planning application condition 11 under planning application ref 2011/1284 of a footpath 1.8 m wide from the site linking up with the footpath on Long Road. The present plans show it terminating at the end of the site. It is in the interest of safety that the path should be extended to Long Road.

Officer response: Condition 11 from the outline approval for this site remains applicable in requiring the details of a footpath alongside Pigot Lane between the site and the junction with Long Road. It should be noted that the layout plan submitted does highlight that this is to be provided. Paragraphs 4.16 and 4.17 highlight the position in relation to this point and other highway related conditions attached to the outline approval.

Condition 5 in the committee report is not required in light of condition 6 of the outline approval for the site being sufficient to deal with foul water drainage prior to commencement of development.

5  Appls. no. : 2014/1642/O 
Parish : SWARDESTON

Applicants name : Jenkinson Properties Ltd
Site Address : Land Off Bobbins Way Swardeston Norwich NR14 8DT
Proposal : Outline application with all matters reserved except for access for demolition of existing buildings, residential redevelopment and ancillary works

Decision : Members voted unanimously for REFUSAL

Refused

1. Development outside development boundary and contrary to local plan policy ENV8

Updates
Representation: One additional letter of objection received via MP from a household which had already written in.

Officer response: No new issues raised

Norfolk County Council Highways: Raised issues over surface water disposal capacity of ditches.

Anglian Water: Will not be commenting in time for committee.

Officer response: Further investigatory work is required to establish the Surface Water Drainage Strategy given the Environment Agency have removed their objection it is considered that further investigation could be covered by a suitably worded condition.
6  Appl. No  :  2014/2031/O
Parish      :  COSTESSEY

Applicants name  :  Mr Tony Hull
Site Address     :  Costessey Junior School Three Mile Lane Costessey Norfolk NR5 0RR
Proposal        :  Outline application for the erection of new extension block to create new classroom building for years R, 1 and 2. New pedestrian and emergency vehicular access to Upper Breckland Road.

Decision       :  Members voted 10-0 for APPROVAL

Approved with conditions

1  Outline time limit
2  Reserved matters to be agreed
3  In accordance with approved plans
4  Surface Water Management Strategy
5  Provision of relocated sports pitches
6  External lighting details to be agreed
7  Provision of emergency vehicular access
8  Access in accordance with approved plans
9  Vehicular access gradient
10  Provision of emergency access visibility
11  Provision of parking area
12  Off-site highway works for pedestrian access
13  Completion of off-site highway works
14  Securing Traffic Regulation Order 1
15  Securing Traffic Regulation Order 2
16  Review of existing school travel plan

Major applications on land owned by and submitted by South Norfolk Council

7  Appl. No  :  2014/2278/RVC
Parish      :  LONG STRATTON

Applicants name  :  South Norfolk Council - Mr Stuart Bizley
Site Address     :  Cygnet House Swan Lane Long Stratton Norfolk NR15 2UY
Proposal        :  Variation of conditions 2, 3, 7, 8, 10, 11, 12, 14, 15, 16, 17, 20, 22, 23, 28, 30, 31 of planning permission 2013/0265/O to enable demolition prior to commencement of development and variation of condition 29 to vary red line for alterations to access

Decision       :  Members voted 7-0 for APPROVAL

Approved with conditions

1  Time limit
2  Reserved matters
3  Details of roads
4  Standard Estate Road
5  Construction of roads
6  Parking for commercial units
7  Cycle parking
8  Contamination
9  External lighting - details required
10  Details of noise sensitive development
Updates

Ecologist comments: The key issue with varying the permission to allow demolition prior to discharge of condition for ecology is the presence of bats. A very low risk of bats being present has been identified and as such it is considered that the level of risk of adverse impacts on protected species from demolition works is low. There is therefore no objection subject to additional wording being added to condition 14 to read “demolition should proceed with caution and in the unlikely event of bats being encountered works should stop immediately and a suitably qualified ecological consultant be contacted”.

Parish Council comments received: No objection or comments

Two letters of support received with the following comments:
- Why isn’t there another crossing at Swan Lane over to the School?
- Would like to see measures to support the existing hedgehog population on the site.

Other Applications

8 Appl. No : 2014/0096/O
Parish : WYMONDHAM
Applicants name : Mr T Skitmore
Site Address : Land South East Of 9 Spinks Lane Spinks Lane Wymondham
Proposal : Erection of five new dwellings and garages with associated works to existing highway
Decision : Members voted 10-0 for REFUSAL

Refused
1. Development outside development boundary and within open land maintaining a physical separation between settlements, contrary to local plan policies ENV8 and ENV2.
2. Insufficient foul water drainage information
Updates

**Drainage: additional reason for refusal:** Insufficient information has been received to provide a sufficient basis for an assessment to be made of the risks of pollution to the water environment arising from foul water disposal from the proposed development. The council is therefore not satisfied that the proposed development would comply with paragraphs 100 and 103 of the National Planning Policy Framework (2012) and paragraph 16 of the National Planning Practice Guidance (2014).

Comments have been received from the Environment Agency objecting to the proposed development as submitted because it involves the use of a non-mains foul drainage system in a sewered area but no assessment of the risks of pollution to the water environment (including surface and ground waters) has been provided by the applicant.

The application indicates that foul drainage is to be discharged to a non-mains drainage system. In these circumstances National Planning Practice Guidance advises that a full and detailed consideration be given to the environmental in order to justify the use of non-mains drainage facilities. In this instance no such information has been submitted.

The application does not, therefore, provide sufficient information for an assessment to be made of the risks of pollution to the water environment arising from the proposed development and is recommended for refusal.

**Affordable Housing:** The layout proposes one affordable 2 bed bungalow, which the Housing Enabling and Strategy Officer has confirmed as being in accordance with the agreed housing package and policy requirement. However, following a recent ministerial statement, new national planning guidance has been introduced that exempts developments that comprise ten or fewer homes from section 106 affordable housing contributions. The ministerial statement is a material consideration which is more recent than the adopted JCS policy 4. This takes precedent over the relevant part of policy 4. As this site comprises of fewer than 11 dwellings, S106 affordable housing contributions will not be sought.

**Neighbour comments received:** Email from Mr Parker of Field View Barn, Spinks Lane sent to Development Management Committee Members asking members to review comments on file plus signatures dated 14 February 2014 and to support officer recommendation for refusal. Key issues raised in letter responded to in DMC paper as reported.

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**9 Appl. No** : 2014/1851/F  
**Parish** : WYMONDHAM  
**Applicants name** : Orchard Developments Ltd  
**Site Address** : Land Behind 1 Cantley Villas Station Road Spooner Row Norfolk  
**Proposal** : Sub-division of site, demolition of outbuildings, erection of 7 dwellings, garages and ancillary works.  
**Decision** : Members voted 9-0 for **REFUSAL**  

Refused  
1 Development in the open countryside, contrary to policy ENV 8 of the South Norfolk Local Plan and guidance within the NPPF  
2 Impact on neighbouring occupiers, contrary to policy IMP 9 of the South Norfolk Local Plan.
Updates

Overlooking: A further plan has been received from the Applicant which seeks to overcome the overlooking issue from the affordable dwellings. This does however cause some concern because it includes bedrooms with rooflights instead of windows.

10  Appl. No : 2014/2077/F
Parish : THURLTON

Applicants name : Tredwell Developments Ltd
Site Address : Land Rear Of Norman Close Thurlton Norfolk
Proposal : Erection of 7 bungalows: 4 x 2-bed semi-detached bungalows (Plot 7 to be affordable in perpetuity) and 3 x 3 bed detached bungalows.

Decision : Members voted 6-0 (with two abstentions) for REFUSAL
Refused

Development in open countryside contrary to policy ENV 8 of the South Norfolk Local Plan

Updates

Affordable Housing: The layout proposes one affordable bungalow, which the Housing Enabling and Strategy Officer has confirmed as being in accordance with the agreed housing package and policy requirement. However, following a recent ministerial statement, new national planning guidance has been introduced that exempts developments that comprise ten or fewer homes from section 106 affordable housing contributions. The ministerial statement is a material consideration which is more recent than the adopted JCS policy 4. This takes precedent over the relevant part of policy 4. As this site comprises of fewer than 11 dwellings, S106 affordable housing contributions will not be sought.

11  Appl. No : 2014/2087/F
Parish : SAXLINGHAM NETHERGATE

Applicants name : Mrs Hilary Goodfellow
Site Address : Cargate Lodge Cargate Lane Saxlingham Nethergate Norfolk NR15 1TS
Proposal : Proposed single storey dwelling

Decision : This item was DEFERRED to a future meeting of the Development Management Committee

Updates

Deferred at applicant’s request
12 Appl. No : 2014/2117/F
Parish : BERGH APTON
Applicants name : Mrs H Lewin
Site Address : West Five, Mill Road Bergh Apton Norfolk NR15 1BQ
Proposal : To use one room in house as a hairdressing salon - retrospective.

Decision : Members voted 7-0 for APPROVAL

Approved with conditions

1. Retain use in accordance with plans
2. Personal permission – no additional employees
3. Hours of operation Mon, Thurs, Fri (9.00am – 12.00pm and 1.00pm – 5.00pm) and Sat (9.00am – 1.00pm)
4. Retention of car parking
5. Scheme of fencing to be implemented within 3 months – details to be agreed by officers

Updates
Local Member comments
• Impact to neighbour will be greater because this is a terraced property.
• Hours of use should be limited to those requested by the applicant on the application forms (Monday, Thursday and Friday 9am-12pm and 1pm-5pm with no opening Tuesdays and Wednesdays. Plus Saturday mornings presumably 9am-12pm. In total 21 hours per week)
• Other interested parties have not had opportunity to comment on revised hours
• Officer recommended hours are too extensive – Total 42 hours per week.
If applicant will not accept restriction based on hours requested in application form, then should defer to consult neighbours on revised hours applicant proposes/agrees or refuse application due to impact on neighbour.