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Date 07 March 2019

AGENDA SUPPLEMENT

Dear Sir/Madam

PLANNING COMMITTEE - MONDAY 11 MARCH 2019

I refer to the agenda for the above-mentioned meeting and enclose the following items:

Item No	Report Title	Page Nos
8.	<u>Deferred Application</u> To consider further information received in relation to the deferred application:	
(a)	<u>Brettenham: Land East of Arlington Way, West of A1088: Reference: 3PL/2017/0578/O</u>	241
9.	<u>Schedule of Planning Applications</u> To consider the additional information received in respect of the following Planning Applications:	
(c)	<u>Attleborough: 7 Eastland Close: Reference: 3PL/2019/0140/HOU</u>	242
(e)	<u>Beachamwell: Land Between Greenway Garage and October Cottage, Langwade Green, Shingham: Reference: 3PL/2018/1384/VAR</u>	243 - 244
(g)	<u>Dereham: Yaxham Road: Reference: 3PL/2018/1556/F</u>	245 - 246
(h)	<u>Fransham: Top Farm, Main Road, Little Fransham: Reference: 3PL/2018/0642/O</u>	247
(l)	<u>Harling: Fen Cottage, Fen Lane: Reference: 3PL/2018/1445/F</u>	248
(o)	<u>Mileham: Burwood Hall, The Street: Reference: 3PL/2019/0018/F</u>	249

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| (p) | <u>Mundford: Mundford Poultry Farm, Cranwich Road: Reference: 3PL/2018/1224/F</u> | 250 |
| (q) | <u>Necton: Town Farm, Chantry Lane: Reference: 3PL/2018/1340/F</u> | 251 |
| (v) | <u>Weasenham St Peter: Massingham Road: Reference: 3PL/2018/1217/O</u> | 252 |

Yours faithfully

Julie Britton

Democratic Services Officer

AGENDA ITEM 8 - DEFERRED APPLICATIONS

Item. 8(a): pages 8-27

Location: Land east of Arlington Way, West of 1088, Brettenham

Proposal: Outline application for up to 115 dwellings and open space

REFERENCE: 3PL/2017/0578/O

Applicant: Shadwell Estate Company Ltd

Author: Rebecca Collins

CONSULTATIONS

The 'deferred reason' section of the report, specifically section 2.0 – Statutory Consultee responses makes reference to 'Town Council' comments – Please note these are the comments of Brettenham & Kilverstone Parish Council.

REPRESENTATIONS

A further letter of support has been received setting out the land supply situation and that a refusal on the grounds of trees and landscaping is farcical. The estate is well managed and any new planting would be looked after and nurtured.

AGENDA ITEM 9 - SCHEDULE OF PLANNING APPLICATIONS

Item. 9(c): pages 43-46

Location: 7 Eastland Close, Attleborough

Proposal: Single Storey Front Extension

REFERENCE: 3PL/2019/0140/HOU

Applicant: Mr & Mrs Arnold

Author: Tom Donnelly

CONSULTATIONS

We have received comments from Attleborough Town Council that have raised no objections to the proposal.

ASSESSMENT

The newly received comments would not alter our assessment of the proposal.

RECOMMENDATION

The recommendation remains as one of approval.

Item. 9(e): pages 53-62

Location: Land between Greenway Garage and October Cottage, Langwade Green, Shingham, Beachamwell

Proposal: Variation of condition 2 approved plan and re-wording of conditions 3, 4, 5, 6, 8 and 15 as well as removal of conditions 11 and 12 (highways) and 17 and 19 (ecology) of application 3PL/2015/1049/F – Eco home with stables, paddocks, riding area, all weather riding surface and landscaping.

REFERENCE: 3PL/2018/1384/VAR

Applicant: Mr Jon Rix

Author: Naomi Minto

REPRESENTATIONS

- 1) It has been brought to the Council's attention that condition 15 on the Officer Report (page 62) states that the proposed ground works on site and vegetation removal shall be conducted outside of the nesting bird season of March to September. The reason for the condition is to ensure that development is not detrimental to protected species and in order to protect the wildlife value of the site in accordance with Policy CP10 of the adopted Core Strategy. It has been queried when works can realistically begin in the event that the application is approved.

- 2) A further written representation has been made on 5 March 2019 in relation to the requirements of paragraph 79 of the NPPF (2019). The main points of concern relate to;
 - whether or not the design is truly innovative having regard to the omission of hemcrete in the construction of the approved dwelling, and;
 - the proposed visual changes which are considered to reduce the quality and coherence of the building's design. Pastiche flint cladding does not represent design of exceptional quality or reflect the highest standards of architecture.

ASSESSMENT

In respect of the query raised relating to condition 15, it is noted that the Ecological and Biodiversity Consultant originally recommended the inclusion of the following condition;

- Any vegetation removal, including the ground gas works on site which will remove arable field habitats, should be conducted outside of the nesting bird season of March to September, inclusive or immediately after a suitably qualified ecologist (SQE) has confirmed the absence of any nests. If present, any nests must be protected from works until they are no longer in use. This may cause a delay to the works.

It is also acknowledged that as part of this application Wild Frontier Ecology undertook a survey of the site and confirmed in writing that there is no possibility of the construction works negatively impacting nesting stone curlews. On this basis, it is proposed to amend the current wording of condition 15 (set out on page 62 of the agenda) with the wording noted in the above bullet point. For clarity, the revised wording (recommended by the Ecological and Biodiversity Consultant) allows development to proceed following confirmation from a suitably qualified Ecologist that there are no nests on site. This information has been submitted in support of the current application.

In terms of the concerns raised relating to paragraph 79 of the NPPF (2019), the current application for consideration is supported by an Energy Appraisal, which provides a detailed assessment in respect of the revised scheme and proposed construction method. It advises that the thin joint construction method will provide equivalent if not improved ecological benefits overall than the original permitted scheme.

Some of the benefits mentioned in the assessment include, less transportation costs; 70-80% recycled base material; end of life recycle potential 90%; significantly less foundations required, which in turn means reduced use of concrete and reduce site clearance in terms of moving soil. Reduced build time, which in turn results in reduced energy consumption over duration of the build having regard to the use of electricity and fuel used to complete the build; cavity wall construction achieves A+ rating under BRE Green Guide and a lower energy demand overall.

Whilst it is acknowledged that the use of pastiche flint cladding does not represent design of exceptional quality or necessarily reflect the highest standards of architecture, when assessing the proposed amendments as a whole, overall, environmentally the scheme represents a more sustainable form of development to that previously approved.

RECOMMENDATION

The application therefore continues to be recommended for approval with an amendment to condition 15.

Item. 9(g): pages 70-83

Location: Yaxham Road, Dereham

Proposal: Development of remaining part of the old Cemex Site now known as Dereham Business Hub into mixed use Business Park Development and an employment hub, to be provided by a flexible B1(c), B2 and B8 uses class together with ancillary trade counter use for trade and retail sale, together with associated car parking and access

REFERENCE: 3PL/2018/1556/F

Applicant: Norfolk Land Development

Author: Rebecca Collins

CONSULTATIONS

Highways Authority

The developer proposes a mitigation package that comprises a right turn facility at Yaxham Road along with road widening and realignment of the cyclepath at the west side of the road. The Highways Authority has no objection to this subject to conditions with regards to a construction management plan and the off- site highway works.

Tree officer

1. I am happy that there is sufficient space to allow the landscaping as proposed. Almost certainly there will be on-going maintenance requirements which are likely to be seen as acceptable.
2. Species mix as proposed is suitable for the location, the landscaping plan would need to be more specific indicating which plants/trees are going where as well as planting/maintenance details.
3. There are some infringements on identified RPA's. Ideally all construction would be outside the identified RPA, I wouldn't have a problem with the affected trees being removed and replaced with suitable planting alternatively an arboricultural method statement would be required giving details of how construction would be undertaken to ensure minimal root disturbance.
4. The type of fencing proposed is acceptable within RPA's. Again a method statement would be required.

Collectively the trees along the eastern boundary have some importance. They are established and will provide instant screening. As individuals many of the trees are poorly formed, suppressed specimens. I would recommend that some removal would be appropriate (whilst maintain an overall belt of trees) which would allow planting of some better, more sustainable specimens and allowing better establishment of the newly planted understorey. The species proposed, including Birch, Field Maple and Hornbeam would be suitable and would create a much better landscape feature in the long term.

Lead Local Flood Authority (LLFA)

The case officer has spoken to LLFA who do not have the information they require to remove their objection, as outlined in the officer's committee report.

Officer response

On the basis of the above matters of highways and trees are considered acceptable and could be resolved through the application of appropriate conditions.

A further reason for refusal is recommended on Flood risk grounds, as follows:

Insufficient information has been provided to demonstrate the proposals would not result in unacceptable risks of flooding here or elsewhere contrary to Policy 14 of the NPPF.

Item. 9(h): pages 84-98

Location: Top Farm, Main Road, Little Fransham

Proposal: Outline application for the erection of up to 8 No. dwellings with associated parking (amended description)

REFERENCE: 3PL/2018/0642/O

Applicant: Mr & Mrs Hill

Author: Fiona Hunter

AFFORDABLE HOUSING AND OPEN SPACE

The applicant proposes 25% affordable housing in line with that required by emerging Policy HOU 7. Whilst this emerging Policy is not yet adopted, it has been through Examination in Public, and the 25% requirement has not been amended as part of the current Main Modifications consultation. Whilst the Council contends that the emerging Policies have limited weight at this stage, this particular requirement has been underpinned by Council's Local Plan and CIL Viability Assessment, 2017. Furthermore, it is consistent with the NPPF 2019 and has no unresolved objections. Based on the foregoing, bearing into consideration paragraph 48 of the NPPF 2019, it is considered 25% affordable housing is acceptable.

Housing have advised due to the limited number of affordable units (2), that intermediate (part rent part sale) would be appropriate as it is unlikely a Registered Social Landlord would be interested in this small number of properties.

The development may include areas of shared landscaping or open space within the redline. To ensure its appropriate maintenance, a requirement for a maintenance scheme and nominated body should be included within the S106 legal agreement.

Due to the redline being changed to exclude the ecological mitigation area, the proposed ecological enhancement for this area will need to be included within the S106 legal agreement also. This will include a management schedule for the retained lowland meadow, a footpath, signage and fencing.

RECOMMENDATION

Approval subject to conditions and S106 requirement for 25% affordable housing and ecological area enhancements and mitigation.

Item. 9(I): pages 125-133

Location: Fen Cottage, Fen Lane, Harling

Proposal: Proposed replacement dwelling

REFERENCE: 3PL/2018/1445/F

Applicant: Mr and Mrs Underwood

Author: Lisa O'Donovan

CONDITIONS

As per the revised NPPF (February 2019), we are required to agree any pre-commencement conditions with the Agent prior to issuing a decision.

Historic Environment Service have requested such a condition (condition 5 on the draft). The Agent wishes to deal with this matter, as well as condition 3 (materials) prior to the issue of permission.

RECOMMENDATION

That the application is approved as per the Officer's report with the issuing of the decision delayed until such a time as the historic recording condition has been satisfactorily addressed and details of the materials have been provided and agreed by the Local Planning Authority.

This will also result in a slight change of wording to those conditions (3 and 5) as shown on the draft to refer to works being carried out in accordance with the approved details.

Item. 9(o): pages 152-158

Location: Burwood Hall, The Street, Mileham,

Proposal: Open span building for housing cattle

REFERENCE: 3PL/2019/0018/F

Applicant: Mr Stephen Olley

Author: Rebecca Collins

CONSULTATIONS

A further clarification email has been received from the Historic Environment Service, who have reviewed the additional design information submitted and checked in detail the historical/archaeological information and based on currently available information the proposal does not have any significant implications for the historic environment. Therefore, no archaeological conditions are required.

CONDITIONS

Condition 6 is therefore recommended to be removed.

Item. 9(p): Pages 159-165

Location: Mundford Poultry Farm, Cranwich Road, Mundford

Proposal: Improvements to Established Poultry Farm, demolition of redundant parts & erection of additional barn and heat exchange units

REFERENCE: 3PL/2018/1224/F

Applicant: Mundford Poultry Farm

Author: Carl Griffiths

DESCRIPTION OF DEVELOPMENT

The description of development indicates that the application relates to the demolition and erection of two barn structures, contrary to the description of development as set out within the report headings. For clarity – it should be noted that the application relates only to the replacement of one existing barn with a new structure.

ASSESSMENT

The aforementioned clarification does not impact on the assessment of the application nor the recommendation that is made which remains as per the published report.

RECOMMENDATION

The recommendation remains for APPROVAL

Item. 9(q): pages 166-177

Location: Town Farm, Chantry Lane, Necton

Proposal: Proposed residential development for 5 dwellings

REFERENCE: 3PL/2018/1340/F

Applicant: Hall Contracts Ltd

Author: Naomi Minto

CONSULTATIONS

The Tree and Countryside Officer and the Local Highway Authority were re-consulted following receipt of a Construction Method Statement, which has been submitted to avoid the need for a pre-commencement condition recommended as part of this application. Neither parties have objected to it.

ADDITIONAL INFORMATION

The applicant does not agree to the wording of condition 8 (on page 173 of the Planning Agenda), which is a pre-commencement condition relating to Contaminated Land (site investigation and remediation), on the basis that the Contaminated Land Officer acknowledged that the Contamination Report, which was submitted in support of the application, advised the following;

“Following demolition of the site, the catch pit and any impacted adjacent soil will be excavated and replaced with soil suitable for use in residential garden areas. A remediation method statement for these activities will be produced and agreed with the local authority prior to construction”.

In light of the above information, The Contaminated Land Officer suggested that a re-worded condition could be included to omit the need for a site investigation to be carried out prior to commencement of development. It was accepted that the site investigation could be carried out following demolition of the site.

ASSESSMENT

It is considered that the Construction Method Statement submitted is acceptable and on this basis a pre-commencement condition is no longer required.

Furthermore, in respect of condition 8, it is accepted that the condition can be re-worded to remove the need for it to be a pre-commencement requirement.

RECOMMENDATION

The application therefore continues to be recommended for approval with the omission of condition 16 (Construction Method Statement) and an amendment to condition 8, as detailed above.

Item. 9(v): pages 235-236

Location: Massingham Road, Weasenham

Proposal: Erection of five dwellings

REFERENCE: 3PL/2018/1217/O

CONDITIONS

In addition to the conditions listed in the committee report, the following condition is also recommended:

If the development includes areas of shared open space or landscaping, prior to first occupation of the development, a management and maintenance scheme shall be submitted to and approved in writing with the Local Planning Authority. The scheme shall include the frequency of maintenance including grass cutting, seeding and weeding. Where it is proposed that the land will be managed and maintained by a private management company, the details required to be provided will include: the name and form/ type of company and annual fees.

The approved scheme will be implemented within 3 months of the first occupation of the development and will thereafter be continued in perpetuity.

Reason: To ensure the proper upkeep of any shared open space.