

COMMITTEE UPDATE SHEET FOR 8 MAY 2024

Plan No	Application No	Site address	Update	Page Nos
1	2023/2037	Land West of Hethel Engineering Centre Chapman Way HETHEL	<p>South Norfolk Ecologist comments on reconsultation:</p> <p>a. I remain concerned about the ecological impact of the proposal and recommend that further information is provided prior to determination. At the present time there is insufficient certainty that Natural England would grant licences for both great crested newts and water voles. In line with policy 3 of the GNLP the EMS needs to address ecological impacts of the full and outline application separately, clearly identify (and map) mitigation, compensation and enhancement measures including the location of dark corridors and buffers.</p> <p>Ecological Mitigation Strategy (EMS): Further information required prior to determination</p> <p>b. The EMS must clearly identify what the impacts of the proposal are by phase rather than what they 'may' be as the objective of the EMS is to identify avoidance, mitigation, and compensation measures relevant to the application site (and immediate surrounding habitat). For example, paragraph 3.2.8 'the following additional measures could be implemented' does not provide sufficient certainty as to what will happen. For planning purposes, the EMS must (amongst other objectives) provide sufficient information to enable the planning authority to consider mitigation/compensation measure for protected species in line with</p>	1

			<p>standing advice. We would be securing compliance with the EMS so it needs to be precise. Enhancement measures proceed in section 3.4 need to be firmed up as these will be secured. It is also requested that bird boxes are integrated within the proposed units in line with BS42021:2022.</p> <p>Further ecological surveys to be conditioned</p> <p>c. The ecological survey data is valid for determination until (I would suggest) September 2024 (due to the presence of mobile species). Because the proposal is phased it is advised, in line with BS42020:2013, that additional ecological surveys are secured by condition. For the Full application a walkover can included within the CEMP: Biodiversity, and for the Outline application these will need securing separately – with the results used to inform the detailed design. Please note that where licences are necessary for the Full application up to date surveys will be required by Natural England.</p> <p>Red line: To be confirmed and EMS updated prior to determination</p> <p>d. The redline boundary has been updated in March 2024 (Job: LC01/02; drawing 004; Rev:04) (below left)) and this must be reflected within the Ecological Method Statement (EMS). Any old plans provided e.g. Roundabout and Link Road Option H General Layout (see Figure 2) need removing as they are not pertinent. Amended red line boundary Red line as in the EMS which needs updating This plan from the EMS shows additional roads not included within the planning application which needs removing as it is not pertinent to the application.</p> <p>CWS</p>	
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			<p>d. Potential impacts from runoff, dust, light and air pollution on nearby County Wildlife Sites (CWS) can be adequately controlled via a Construction Environment Management Plan: Biodiversity (CEMP: Biodiversity) and a Sensitive Lighting Strategy Condition.</p> <p>Sensitive Lighting Strategy: Identify Dark Corridors and Buffers, then Condition</p> <p>e. Due to the sensitivity of species on and off site to artificial lighting at night, a sensitive lighting strategy has been recommended by WSP as part of the avoidance and mitigation strategy. I would advise that this be secured by condition however it is requested that the location of dark corridors and buffers are included within the EMS. It will need to consider that proposed for the adjacent site (2022/1974). The buffers and dark corridors should be identified in line with the Bat Conservation Trusts and Institute of Lighting Engineers bats and Lighting Guidance. Similarly habitat buffers, around retained habitat and proposed translocation sites and newly created habitat, should be detailed in the EMS to ensure they can be secured to ensure protection from development (see 3.2.50). Details can then be secured as part of the RM for each phase.</p> <p>Habitat Loss: Mitigation/Compensation to be secured by condition requiring delivery of a measurable Biodiversity Net Gain</p> <p>f. To mitigate and compensate for habitat loss the EMS advises securing a strategic landscape strategy. I also note commitment to deliver BNG (see 4.1.2 of the EMS) and I would recommend that the contents of the strategy is broadened to include a strategic ecological strategy and biodiversity gain plan. The document would provide a strategic overview for the site against which details</p>	
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			<p>for the phases are secured. The plan will include a strategic landscape plan which shows the location of new habitats (including native species rich hedgerows, ponds, and species rich grassland) where existing habitat will be enhanced (see 3.2.4 – 3.2.5 and 3.2.6 of the EMS) and demonstrate how biodiversity net gain will be delivered at the same time. The plan should also include the overarching management and maintenance objectives- details of which would be secured in the Landscape and Ecological Management Plan (LEMP) for each phase. BNG should be demonstrated using the strategic metric with the LEMP designed to meet the appropriate condition assessments. The Plan will need to both consider and inform the drainage strategy.</p> <p>Birds: EMS needs refining and request for integrated bird boxes requested</p> <p>h. Barn on in tree T5 and habitats onsite comprising arable fields, grassland, hedges and trees, are suitable for nesting. Impacts during site clearance can be avoided during sensitive timing of site clearance (See 3.3.18 & 3.3.19) secured within a CEMP: Biodiversity, and compensation for habitat loss can be secured (with certainty provided through the commitment of the proposal to deliver a biodiversity net gain. The tree used by the barn owl is offsite and will not be impacted (para 3.3.20-2.3.21 are not pertinent).</p> <p>i. It is requested that bird box enhancements are secured within the new units in line with BS 42021:2022. These need to be outlined as part of the host application so enable details (location) to be secured by condition.</p>	
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			<p>Bats: Clarify need for offsite measures prior to determination.</p> <p>j. There are no bat roosts onsite however trees identified for removal with bat roost potential will need to be re-inspected prior to removal. Mitigation in the form of a sensitive lighting strategy is supported (See point f above)</p> <p>k. Compensation for habitat loss would be delivered through provision of a measurable biodiversity net gain and the creation of SuDS for wildlife and two wildlife ponds (see 3.4.1) will be beneficial to bats (and all animals and insects).</p> <p>l. Compensation for loss of roost opportunities will be provided via at least six bat boxes either on or offsite but it will be necessary to identify, prior to determination, if measures will need securing offsite as they will need incorporating within a S106 agreement.</p> <p>Badgers: Further information required prior to determination</p> <p>m. It is requested that the EMS is amended to reflect impacts associated with each stage of the proposal i.e. the full application does not affect the location of the active subsidiary sett but the Outline application will (see below): Because as submitted the EMS is incorrect and although the majority of the site is outline- measures to avoid the sett have not been adopted:</p> <p>n. In line Policy 3 of the GNLP proposals should enhance the natural environment through being designed to respect, conserve and enhance natural assets, and follow the hierarchy of avoiding, mitigating and then as a last resort compensating for impact. It would therefore be expected that the respect with the mitigation hierarchy the sett and a 30m buffer will be excluded from the developed area but</p>	
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			<p>could be incorporated within the soft landscape plan). This buffer needs identifying prior to determination and securing in the knowledge that if further setts are found these will also be considered within the design.</p> <p>o. With regards the full application a pre-construction survey would be integrated within the CEMP: Biodiversity and impacts from lighting mitigated via a sensitive lighting strategy which will also need to consider known paths (these will need illustrating in the EMS as part of the dark corridor/buffer plan.</p> <p>p. An updated badger survey will need securing as part of the outline application (with the result used to inform it).</p> <p>Reptile: Further information required prior to determination</p> <p>q. A low population of grass snakes are present- associated with pond and grassland habitat. It is proposed to mitigate impacts by translocating the reptiles (see para 3.2.38 of the EMS), and providing hibernacula and refugia within the landscape strategy (see para 3.2.5).</p> <p>r. The EMS needs amending to reflect impacts associated with each phase and identify the location of the translocation (see 3.2.38) and this area shown on the site layout plan and protected from future development. At the present time only a preliminary site has been identified along the scrub corridor north of the arable field (see para 3.2.39) however the EMS advises that this will require the removal of 'invasive' scrub to create more grassland (see 3.2.41). The scrub is of value for nesting birds, and badgers (there is a sett in scrubby corridor), and the extent of habitat removal is not clear - creation of habitat for one species should not be at the expense of another or loss</p>	
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			<p>of another habitat.</p> <p>s. I support the suggestion to create a minimum of 6 refugia/hibernacula and create reptile habitat within the details of which will be provided in the Strategic Landscape and Ecological Strategy, Biodiversity Gain Plan and Management' (see comment g).</p> <p>t. Enhancements e.g. numbers of log piles, rubble piles and egg laying habitat need providing upfront (see 3.2.42) with the locations secured within the strategy plans/detailed at reserved matters.</p> <p>u. As per para 3.2.41 of the EMS - reptile fencing and habitat management will need including within the CEMP: Biodiversity`.</p> <p>v. Additional measures proposed in 3.2.48 needs clarifying as the EMS needs to precise.</p> <p>w. Ongoing management of habitats for reptiles will be secured as part of the LEMP (see 3.2.50). x. The EMS will also need to show where the dark corridors are for connectivity of reptile habitats (ponds and wet ditches will need to be dark). Great Crested Newts: Further information required prior to determination</p> <p>y. Great crested newts are present onsite and within a 250m and a licence will be required to permit derogation from the law. The EMS is not clear which licensing route for great crested newts will be pursued and details for both District Level Licence and A13 licence route are provided. Pond 3 is now included within the red line and the EMS needs amending accordingly (e.g. Table 2-1 notes there is one pond onsite).</p>	
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			<p>z. Chris please be advised that DLL is not available in Norfolk for the foreseeable future (ponds will be delivered over winter 2024/2025 at the earlier). Reference to DLL should therefore be disregarded for the purpose of determination (unless determination is delayed until winter 2024/2025 in which case we will need the countersigned IACPC and Appendix 3 (red line map)). Standing advise on GCN is of material consideration however the developer has not provided information as to the number of GCN populations and their size, the nature of the population. Please can we request sight of this. Reference should be made to any advise received from Natural England regarding licencing policy 4 if this is proposed (it was mentioned in discussions at the start of the year) but at the present time there is not sufficient survey information provided and I am also not satisfied that, in line with standing advice, the proposed mitigation/compensation is adequate and would not expect Natural England to grant a license at this time. See below for more information:</p> <p>aa.The proposed mitigation includes (i) provision of one pond shown below (pink circle): (ii) exclusion fencing directing amphibians to amphibian tunnels (which need including within the drainages strategy (iii) Use of amphibian tunnels beneath roads (because the translocation pond is surrounded on all four sides by development),and (iiii) habitat mitigation within 500m of the translocation pond (para 3.2.61) is on land associated with the outline application which does not give sufficient certainty of creation. Maintenance of scrub area along the northern boundary is neither mitigation ncor compensation for habitat loss. It is requested that the land required for habitat compensation is shown on the site plan so that it can be protected from future development – it also needs to be</p>	
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			<p>delivered alongside the pond.</p> <p>bb.It is not clear from the EMS how large the translocation pond would be (standing advise states it must be of the same area or more than that lost), or if the proposed translocation pond would be able to be accommodated as it is not shown alongside the proposed drainage strategy (see drawing 70091262- DRSTRGY-002 revision P04 which shows a swale in this area (see right)).</p> <p>cc.To provide high quality habitat there should be terrestrial habitat buffer around the new pond (for DLL pond creation this is at least 3m wide) and the banks should be 1:10 to 1:20 for GCN with a variety of depths between 1 – 3.5 m. It is also not clear how the new pond would be filled, and water levels maintained (by necessity it is separate to the SuDS). The pond should also not be artificially illuminated at night (and there would be some light spill from the adjacent proposed scheme 2022/1974) although this has not been consented yet) (see below yellow shows an approximation of the extent of lighting from 2022/1974). The proposed pond would be sandwiched between a new road and the existing engineering works which is not the best location) and it is not clear from the timetable in Table 3-1 whether the ponds would be established and ready for GCN prior to translocation (it will take at least one full growing season).</p> <p>dd.It is also proposed to re-instate Pond 2 following construction of the road but the EMS needs to be clear when will be completed. I am also not satisfied with the proposed gradient of the ponds which according to the drainage strategy the banks of pond 2 will be graded 1:3 which is not the ideal gradient for GCN which is 1:10 or 1:20. As with the newly created pond there should be a variety of depths but given the</p>	
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			<p>amended shape these depths may not be achievable (causing the pond to dry out in summer). Cross sections of Pond 2 before and after would assist.</p> <p>ee. Pond 2 will also be connected to Pond 3 as shown below. Please can we seek clarification as to whether the hydro brake flow control chamber is suitable for use where grass snake, great crested newts and water voles are present. Please can we seek confirmation from WSP that the drainage strategy has, as implied in the EMS, been designed with great crested newts and water voles in mind (i.e preventing them becoming trapped and killed).</p> <p>ff. The timing of drainage of the Pond 2 (see 3.2.82) in late autumn / winter (typically between October to February) conflicts with the timing of trapping for water voles which should be early spring (1st March to 15th April) or autumn as a last resort (15th September and 30th November). Water voles should not be trapped over the winter months as they are difficult to catch. How will this be resolved within the proposed timetable?</p> <p>gg. Table 3-1 should also reflect the phased nature of the proposal and impacts (is 2031 the completion of the full and outline schemes or just the full application for the road. Table 3-1 should also include creation of compensatory pond and establishment. The mitigation strategy should also consider impacts to Pond 3 to enhance the pond for water voles. The work schedule (Table 3-1) needs to include creation of the translocation pond (which needs to be established prior to destructive works in autumn 2025 (it is unlikely that it would be sufficiently established in a season.</p>	
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			<p>Water Vole</p> <p>hh. During the water vole surveys water vole field signs were recorded at three watercourses and two waterbodies: Ditch 4; Ditch 5; Ditch 2a; Pond 2 and Pond 3 (e.g. below):</p> <p>ii. In the first instance the EMS needs to separate out impact associated with each phase of the scheme. With regards to the full application ditch 2a will be lots in its entirety- it is not clear how long the ditch is, and 116m of bankside habitat will be directly impacted due the road, and 135m temporarily impacted but reinstated. An A11 mitigation licence will be required but it is not clear from the information provided if Natural England would grant a licence.</p> <p>jj. To compensate for impacts it is proposed to translocate water voles from Pond 2 and ditch 2a to pond 3. In line with standing advice the proposal should provide more or better habitat for the water voles, improve water quality and/or enhance bank and vegetation structure but it is not clear if this can be provided by pond 3 which appears smaller than that to be lost. It is not clear if Pond 3 will provide more or better habitat as the EMS notes in para 3.3.32 that ‘pond may require enhancement to be undertaken prior to the movement of water voles’ which may include removal of vegetation, re-profiling..’. The EMS needs to be clear what is required to adequately compensate for impacts associated with the loss of pond 2 and ditch 2a, and provide more/better habitat. Based on that proposed there would appear to be a net loss of habitat suitable for water voles. Can any of the proposed swales be enhanced for water voles?</p> <p>kk. Para 3.3.4 of the EMD advise a minimum 1m buffer from the banks during construction. This is contrary to best practice guidelines which</p>	
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			<p>use a 3-5m buffer. What is the justification for deviating from the guidelines. There should be no discharges of silty water (or otherwise) into the existing ponds. II. Impacts on Ditches 4 and 5 must be considered within the EMS.</p> <p>Case Officer comments on the above:</p> <p>This confirms the areas that still require further work by the applicant and this is already reflected in the resolution put forward to the Development Management Committee.</p> <p>Environment Agency comments on reconsultation:</p> <p>We have reviewed the email from the architect, dated 19 April 2024, which confirms the development will connect to the mains sewers for foul drainage. We are therefore withdrawing our objection related to foul drainage.</p> <p>However, we are maintaining our objection relating to groundwater protection due to the absence of a Preliminary Risk Assessment (PRA). We have repeated that objection below for convenience.</p> <p>Groundwater Protection The submitted Site Investigation Factual Report has provided information on the ground conditions at the site. Before we can consider the application in more detail, we request that the applicant submits a PRA to support the Site Investigation Report. The PRA should detail:</p>	
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			<ul style="list-style-type: none"> • all potential contaminants associated with an airfield use and any other former uses at the site. In addition, the operational life span of the airfield should be detailed and the possible use of PFAS and associated substances considered. • a conceptual model of the site indicating sources, pathways and receptors • potentially unacceptable risks arising from contamination at the site. <p>Case Officer comments on the above:</p> <p>These most recent comments have been forwarded onto the applicant for their consideration. In light of these the resolution put forward should be revised to also include the need to address the outstanding ground water pollution matter to the satisfaction of the Environment Agency prior to any approval being issued.</p> <p>For completeness as these are not included in the committee report, the Environment Agency’s two previous sets of comments are as follows</p> <p>Thank you for your re-consultation dated 23 April 2024. We have reviewed the email from the architect, dated 19 April 2024, which confirms the development will connect to the mains sewers for foul drainage. We are therefore withdrawing our objection related to foul drainage.</p> <p>However, we are maintaining our objection relating to groundwater protection due to the absence of a Preliminary Risk Assessment (PRA). We have repeated that objection below for convenience.</p> <p>Groundwater Protection The submitted Site Investigation Factual Report has provided</p>	
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			<p>information on the ground conditions at the site. Before we can consider the application in more detail, we request that the applicant submits a PRA to support the Site Investigation Report. The PRA should detail:</p> <ul style="list-style-type: none">• all potential contaminants associated with an airfield use and any other former uses at the site. In addition, the operational life span of the airfield should be detailed and the possible use of PFAS and associated substances considered.• a conceptual model of the site indicating sources, pathways and receptors• potentially unacceptable risks arising from contamination at the site. <p>We have reviewed the documents, as submitted, and are raising objections on the grounds of groundwater protection and foul water drainage.</p> <p>Groundwater Protection</p> <p>We object to this development as its planning application does not demonstrate that the risks of pollution to controlled waters are acceptable or can be appropriately managed. We therefore recommend that planning permission is refused.</p> <p>Reasons</p> <p>The previous use of the development site as an RAF airfield presents a high risk of contamination that could be mobilised during construction to pollute controlled waters.</p>	
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			<p>Controlled waters are particularly sensitive in this location because the site is located:</p> <ul style="list-style-type: none">• within Source Protection Zone 3• upon a principal aquifer <p>As the planning application is not supported by an appropriate risk assessment, it does not meet the requirements set out in paragraphs 174 and 183 of the National Planning Policy Framework.</p> <p>Overcoming our Objection</p> <p>The applicant should submit a Preliminary Risk Assessment (PRA) which considers all potential contaminants associated with an airfield use and any other former uses at the site. In addition, the operational life span of the airfield should be detailed and the possible use of PFAS and associated substances considered.</p> <p>Foul Water Drainage</p> <p>We object to the proposed development, as submitted, because it involves the use of a non-mains foul drainage system in circumstances where it may be reasonable for the development to be connected to a public sewer but no justification has been provided for the use of a non-mains system. We note that the red line boundary for the site is within 150m from the nearest connection point to Anglian Water Services (AWS) Mains Network.</p> <p>Private sewage treatment facilities should only be used where it is not reasonable for a development to be connected to a public sewer,</p>	
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			<p>because of the greater risk of failures leading to pollution of the water environment posed by private sewerage systems compared to public sewerage systems.</p> <p>This objection is supported by planning practice guidance on non-mains drainage which advises that the first presumption must be to provide a system of foul drainage discharging into a public sewer (ref ID 34-020-20140306).</p> <p>Only where, having taken into account the cost and/or practicability, it can be shown to the satisfaction of the local planning authority that connection to a public sewer is not feasible, should non-mains foul sewage disposal solutions be considered.</p> <p>In this instance the justification provided by the applicant for non-connection to the mains sewerage system is deficient in the following respects:</p> <ul style="list-style-type: none">• The applicant has failed to demonstrate that they have explored connection to mains drainage.• The applicant has not provided a foul drainage assessment in support of the proposal to demonstrate that it is not feasible to connect to mains, and a package treatment plant for foul drainage would be appropriate at this site. <p>We recommend that the applicant liaises with AWS, to discuss options for connection to Mains.</p> <p>We look forward to being re-consulted on any amendments to the drainage methodology or upon receipt of a foul drainage assessment,</p>	
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			<p>where we will provide bespoke comments.</p> <p>Overcoming our objection</p> <p>To overcome our objection the applicant should thoroughly investigate the possibility of connecting to the public foul sewer, and either revise their application to propose a mains connection or submit evidence that demonstrates that this is not feasible.</p> <p>Lack of capacity or plans to improve capacity in the sewer is not a valid reason for a development to install a private sewerage system. In such cases the developer should explore how a lack of capacity may be overcome so that their development can be connected to a public foul sewer. In these cases, if an applicant decides to apply for a water discharge permit for private treatment facilities, we are likely to refuse to grant the permit.</p> <p>We have attached a copy of the FDA1 Foul Drainage Assessment Form with this letter, which the applicant can use as part of their evidence justification should they consider mains connection to be unfeasible for this site.</p> <p>Third party representation received as a consequence of the reconsultation are summarised as follows:</p> <ul style="list-style-type: none">- The Ecological Mitigation Strategy has whole sections and numerous words pixelated/overwritten so the report cannot be read in full which is unfair.- The consultation period has not expired before going to committee. <p>Case Officer comment on the above:</p>	
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			<p>The sections of the report referred to are redacted due to them containing “sensitive” information relating to badger setts. The recommendation within the committee report reflects and takes account of the fact that the consultation period is still ongoing on the committee date.</p> <p>Anglian Water comments on the reconsultation:</p> <p>It falls outside of our statutory sewage boundary. We therefore have no comments.</p> <p>Case Officer comments on the above:</p> <p>Noted no further action required.</p> <p>Water Management Alliance comments on the reconsultation:</p> <p>Repeated their previous comments</p> <p>Case Officer comments on the above:</p> <p>Noted no further action required.</p> <p>SNC Environmental Quality Team comments on the reconsultation:</p> <p>Repeated their previous comments</p> <p>Case Officer comments on the above:</p>	
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			<p>Noted no further action required.</p> <p>SNC Ecology, Biodiversity and Tree Manager comments on the reconsultation</p> <p>.....</p>	
2	2021/2437	Land east of Beccles Road, LODDON	Members to note that this scheme includes 33% affordable housing provision and meets the requirements of site allocation policy S.LO.1 of the adopted Greater Norwich Local Plan. Officers therefore consider that it remains consistent with the newly-adopted plan.	23
3	2023/2213	Land at the junction of Frenze Brook and the River Waveney, Victoria Road, DISS	<p>The agent has provided a letter/technical note (attached) from their lighting consultant with comments in response to those relevant paras of the report to Committee regarding the lighting proposals. The agent has asked that this is brought to the Committee’s attention.</p> <p>The agent has provided a letter (attached) from the “recipient organisation” in respect of the proposed food bank</p> <p>The River Waveney Trust have commented (07/05) further:</p> <p>“Thank you for consulting us about the additional material submitted by the applicants .I would refer you to our original representations that make</p>	26

			<p>it clear that our objection is one of principle on the grounds of conflict with policy and harm to the river landscape and environment. Mitigating adverse impacts cannot affect our in-principle objection, especially as there is no over-riding or site-specific need for the proposal. If anything, the additional material heightens rather than ameliorates our concerns:</p> <p>a) The proposed 3m buffer zone between the development and the River Waveney cannot be achieved because hardstanding and tree protection barriers intrude into it.</p> <p>b) There are no proposals to treat potentially polluting run-off from roads and parking areas. This is particularly concerning because hardstanding is proposed so near the River Waveney - see a) above.</p> <p>c) Any additional light pollution in this area of proven bat activity should be avoided, and merely reducing the adverse impact does not reduce our concern.”</p>	
4	2023/2742	Land north of Yarmouth Road HECKINGHAM	DEFERRED	52
5	2023/1332	Black Hall Farm, Traice Road FUNDENHALL	DEFERRED	67

6	2023/1505	Land west of 15 Needham Road HARLESTON	NO UPDATES	74
7	2023/3458	Land west of Town Farm, Pound Lane DITCHINGHAM	NO UPDATES	88
8	2024/0414	22 Tunneys Lane DITCHINGHAM	NO UPDATES	104