

COMMITTEE MEMBERSHIP:

Councillors: M. Gingell, A. Kitchen, S. Olander (ex-officio), R. Peaty (Vice-Chair), E. Taylor (Chair), J. Welch

FOR INFORMATION:

S. Browne, D. Collins, S. Kiddie, A. Kitchen, K. Murphy (ex-officio), J. Robertson, L. Sinfield, G. Waterman, J. Wooddissee, Town Clerk (CEO), Deputy Town Clerk (COO)

Diss Express

DISS TOWN COUNCIL

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TOWN CLERK

Mrs S Villafuerte Richards (CiLCA)

Our ref: PL 12/07/23

NOTICE OF MEETING

Dear Members of the Public and Press,

You are cordially invited to attend a meeting of the **Planning Committee** to be held in the **Council Chamber** at **Diss Corn Hall** on **Wednesday 12th July 2023** at **6.45pm** to consider the business detailed below.

Sarah Villafuerte-Richards
Town Clerk

AGENDA

- 1. Apologies**
To receive and consider apologies for absence.
- 2. Nomination of Substitute Representatives**
To note nominated substitute representatives attending in place of those who have sent their apologies.
- 3. Declarations of Interest and Requests for Dispensations**
To note any declarations of members' pecuniary and/or non-pecuniary/other interests pertaining to items on the following agenda, to note any dispensations granted in respect of business to be discussed and to consider any requests for dispensations.
- 4. Minutes**
To confirm as a true record, the minutes of the Planning Committee held on 14th June 2023 (copy herewith).
- 5. Public Participation**
To consider a resolution under Standing Orders 3d to 3h to suspend the meeting to hear comments from members of the public on items to be discussed on the agenda (*the period of designated time for public participation is 20 minutes unless directed by the Chairman of the meeting and individual members of the public are entitled to speak for a maximum of five minutes each*).
- 6. Items of URGENT business**
To discuss any item(s) of business which the Chair or Town Clerk has previously been informed at least 24 hours before the meeting and decides should be considered as a matter of urgency (*councillors are reminded that no resolutions can be made under this agenda item*).

7. New Planning Applications and Development Control Matters

To receive and comment on planning applications and other development control matters (report herewith).

App. No	Applicant	Address	Proposal
2023/1588	DPSK Ltd	27 Mere St, Diss, IP22 4AD	Change of use from Retail to Hot Food takeaway, single storey rear extension and associated internal and external alterations.

8. South Norfolk Council Planning Decisions

To note the planning decisions made by the Planning Authority since the last meeting (copy herewith).

9. Date of Next Meeting

To note that Planning committee meetings will precede scheduled committee dates should applications require committee consideration.

NOTES

1 - Council has a statutory legal duty under the Localism Act 2011 s2 and has adopted a code dealing with the conduct that is expected of members in order to promote high standards of conduct as required by the Act. Members' disclosable pecuniary interests are kept on a register available to view on the Council's website. Allegations about the conduct of a councillor may be made to the District Council's Monitoring Officer. Diss Town Council has also adopted a dispensation policy.

The reports and enclosures referred to in this agenda are supplied to councillors only. They are available (unless marked confidential) for public inspection on our website at <https://www.diss.gov.uk/planning>

DISS TOWN COUNCIL
MINUTES
DRAFT

Minutes of the meeting of the **Planning Sub-Committee** held in the **Council Chamber** at **Diss Corn Hall** on **Wednesday 14th June 2023 at 6pm.**

Present: Councillors: M. Gingell
A. Kitchen
K. Murphy (ex-officio)
E. Taylor (Chair)
G. Waterman
J. Welch

In attendance: Sarah Villafuerte-Richards – Town Clerk
District Councillor Minshull
4 members of the public
1 member of the press

PL0623/01 ELECTION OF CHAIRMAN

Members considered election of a chairman. It was

RESOLVED: To elect Cllr Taylor as Chairman of the Planning Committee for the Mayoral year 2023-24.

PL0623/02 APOLOGIES

Apologies were received and accepted from councillors Peaty (Holiday) and Olander (work).

PL0623/03 VICE-CHAIRMAN

Members considered election of a Vice-Chairman. Cllr Peaty put himself forward for consideration as Vice-Chair of the Planning Committee in advance of the meeting. It was

RESOLVED: To elect Cllr Peaty as Vice-Chair of the Planning Committee for the Mayoral year 2023-24.

PL0623/04 NOMINATION OF SUBSTITUTE REPRESENTATIVES

There was one. Councillor Waterman substituted for councillor Peaty.

PL0623/05 DECLARATIONS OF INTERESTS AND REQUESTS FOR DISPENSATIONS

Minute No.	Councillors Name	Personal/Other Interest	Pecuniary Interest	Reason
PL0623/10	K. Murphy		X	This councillor is a member of the Development Management Committee at South Norfolk District Council.

PL0623/06 MINUTES

It was

RESOLVED: That the minutes of the meeting of the Planning Committee held on 5th April 2023 were a true record and were signed by the Chairman.

PL0623/07 PUBLIC PARTICIPATION

Members considered a resolution under Standing Orders 3d to 3h to suspend the meeting to hear comments from members of the public on items to be discussed on the agenda. There were no members of the public.

PL0623/08 ITEMS OF URGENT BUSINESS

There were no items.

PRE-PLANNING APPLICATION

Members considered a pre-planning application presentation by Artisan Planning & Development Consultants regarding a proposed development scheme for the Eastern end of Victoria Road, the site adjoining De Lucy House. The applicant reiterated that it was pre-application, that all details would be available on their website, evolving throughout the process and they want to engage stakeholders on the plans to date at the earliest opportunity, which is advocated by the Planning Authority.

The Chair summarised the constraints with the site which may affect the proposal provided by the Planning Authority at this pre-application stage:

1. It outside the Diss Development Boundary
2. It is in flood zones 2 and 3 and the site level is lower than the road which could lead to run off into the river Waveney and Frenze Beck and the risk of pollutants
3. There is a housing development DIS5 on the western section of the site.
4. Open Countryside (central and eastern section of the site)
5. It is in the river valley
6. There is an indicative green corridor shown in the DDNP which has now passed the examination stage and carries weight.

The Town Council also received a strong objection from the Chair of the River Waveney Trust (RWT) shortly before the meeting. This reiterated many of the points raised above with reference to:

1. Flooding and adverse impact on water quality
2. Government requirements for a minimum 10% net gain on bio-diversity.
3. Lack of public access to the river.

There was general agreement from the planning committee that although this development would be welcomed by many in the town, members would need to review the proposed solutions / mitigation to the above points prior to inform their decision. The Town Council would be prepared to work with all stakeholders including the Diss & District Neighbourhood Plan (DDNP) Steering Group. It was also noted that the DDNP had now passed examination and carries material weight and the chair suggested that the various policy documents and the design guide should be fully considered.

The developer responded by indicating that many of the technical assessments (e.g., flood risk, transport) have been undertaken and will be available when the application is considered and confirmed that the existing Costa in Mere Street will be retained.

It was also noted that investment in Diss from multinationals along with the provision of Electric Vehicle Charging Points is positive however there may be brownfield sites that suit this type of development better given the environmental challenges.

Councillor Simon Olander entered the meeting.

NEW PLANNING APPLICATIONS AND DEVELOPMENT CONTROL MATTERS

Councillors received and commented on planning applications and other development control matters.

Regarding application 2023/1410, the use and vision for the land alongside the river is good. The riverside pathway, bridge and access to the Fair Green bridge will make it possible to cycle or walk from Fair Green to Palgrave without any sort of road traffic. However, the access to the site is unsuitable. The proposed roadway is only around 3.6m wide in places and could not be widened sufficiently. There is also no possibility for the necessary 3m wide pedestrian and cycle path leading to the proposed housing and riverside walk areas.

There was a view that it was considered premature to be looking at this site before there is a clearer vision for access across DIS7 (the old Feather Factory site) to the riverside walk area (without which the layout access and numbers of the enabling housing cannot be resolved).

Members also requested an explanation for the land swap shown on this application where meadowland to the southeast has been swapped with land on the Palgrave side of the river Waveney which is contrary to both Policies DIS2 and DDNP15/16.

A neighbouring resident spoke requesting an ecological impact assessment that deals with the entirety of the site and not a small area, an arboricultural survey to determine impact on trees and a full transport and access statement. The Chair advised that these assessments would be part of the full planning application.

Proposal 2023/1431 would bring back into use an area that has since Covid become redundant. It is in an area that is all employment land and would not be out of place in this location. The site can be viewed from parts of the Norwich bound platform although it is partially screened by trees. Consideration should be given to custom built secure units which would be more in keeping than shipping containers. It was agreed a note to the planning officer would be included regarding the lack of consultation with neighbouring companies.

App. No	Type	Applicant	Address	Proposal	Response
2023/1410	Outline Planning Permission	Mr R Ling	Land South of Park Road, Diss, Norfolk	Erection of up to 13 new dwellings & garages with creation of the new link, ecology enhancement area & amenity land.	<p>Recommend Refusal</p> <p>Although the use and vision for the land alongside the river is good, access to the site is unsuitable. The proposed roadway is only around 3.6m wide in places and could not be widened sufficiently. There is also no possibility for the necessary 3m wide pedestrian and cycle path leading to the proposed housing and riverside walk areas.</p> <p>Members also requested an explanation for the land swap shown on this application where meadowland to the southeast has been swapped with land on the Palgrave side of the river Waveney which is contrary to both Policies DIS2 and DDNP15/16.</p> <p>Now that the Diss & District Neighbourhood Plan has passed examination and carries weight, this should be factored into any deliberations.</p> <p>Committee would be happy to see the decision deferred until the points raised have been resolved. If this is not possible, then we must recommend refusal as we don't believe that either DTC or SNDC are able to make an informed decision on this outline application. The DDNP need to be involved in this process and be treated as consultees on all Neighbourhood Plan sites within the 7 parishes.</p> <p>It was noted that a full ecological impact assessment that deals with the entirety of the site, an arboricultural survey and a transport and access statement would be provided as part of the full planning application but required to make an informed decision.</p>
2023/1431	Change of Use	Need2store Ltd	Car Park at units 1A&1B Gilray Road, Diss	Change of use of car park to 31 self-storage shipping containers. New fencing and entry gates.	<p>Recommend Approval</p> <p>This proposal would bring back into use an area that has since Covid become redundant. It is in an area that is all employment land and would not be out of place in this location.</p> <p>Consideration should be given to aesthetically improving the storage facility.</p> <p>***Note to Planning Officer – neighbouring companies have not been notified and no notices have been posted around the site – you may wish to extend the deadline to allow them to respond.</p>

PL0623/11 SOUTH NORFOLK PLANNING DECISIONS

Members noted the planning decisions made by the Planning Authority since the last meeting.

PL0623/12 DATE OF NEXT MEETING

Members noted that Planning committee meetings will precede scheduled committee dates should applications require committee consideration.

Meeting closed at 6.59pm

Councillor E. Taylor
Committee Chairman

PLANNING MEETING 12 JULY 2023

Application no. 2023/1588 27 Mere Street Diss Norfolk IP22 4AD
Change of use from Retail to Hot Food takeaway, single storey rear extension
and associated internal and external alterations

IN THE APPLICANT'S PROPOSAL THEY SAY THE FOLLOWING:

This Statement supports an application for Planning Permission and Listed Building Consent for the change of use of the ground floor from a Retail unit (Use Class E) to a Hot Food Takeaway (Sui Generis), construction of a single storey rear extension, installation of extraction equipment and internal and external alterations.

The proposed extension to the rear elevation will be 3.6 metres in depth, 8.3 metres in width and have a flat roof with a maximum height of 3.1 metres. The materials will match existing. A new PPC Aluminium door and frame will be located to the rear elevation finished in RAL7043 Traffic Grey.

A customer area is proposed to the front of the unit behind which will be a food prep area and kitchen. The existing store room and staff W.C will remain. A new store room, office and wash up area will be created via new stud walls. A cold room will be provided within the proposed extension to the rear.

The existing shopfront and entrance door will be retained, repaired as necessary and repainted RAL 7043 Traffic Grey. No changes are proposed to the side elevations

To the north of the development site, off Mere Street, are multiple commercial premises, some of which have residential units above. To the east of the development site is a single residential building, with gardens and residences beyond.

To the south is a café / restaurant and then more commercial premises and a church. To the east of Mere Street are commercial premises and a public open space.

The most recent application for a change of use away from retail was planning application ref. 2021/2244/CU which was permitted in December 2021 at 3 Wills Yard. The Case Officer report stated at the time that: "The change of use of 3 Wills Yard would not result in fewer than 60% of ground floor being used for A1 purposes using old class definitions, and therefore would comply with DM2.5. Diss Town Centre Area currently maintains 78% of its units under the new use Class E, as of 9th November 2021, prior to the change of 3 Wills Yard. The new class definitions would enable businesses providing various products or services from buildings under Class E the ability to switch into retail use without planning permission if demand dictated. This allows the town to still maintain a large pool of potential retail units."

Therefore, given the above, and the overall number of units within the Town Centre, the change of use of the application site away from retail to use as a Hot Food Takeaway would not result in less than 60% of units remaining within retail (Class E) use

Impact on Heritage Assets

The property is Grade II Listed and forms part of a group of Listed Buildings including no. 25, 27, 33, and 35. A majority of the nearby buildings particularly on Mere Street and Chapel Street are also Listed as can be seen from the Historic England Map excerpt below.

The property was first listed on 8 June 1972 and is listed as 25-27 Mere Street and it is also located within the Diss Conservation Area which was originally designated in 1974 with amendments made to the boundary in 1994.



Figure 6: Historic England Map Excerpt

Chairs comments

This is yet another application for a hot food takeaway. It seems to me that that we seeing quite a shift away from retail to fast food in Diss. Whilst this will be welcomed by many it does in my opinion diminish the character of the town.

As we are still likely to have more than 60% of businesses in the town centre which are the old class A1 retail as designated in the SNC Diss place guide there is every chance that this planning application will succeed.

I have brought this to committee as I think we have more than enough food outlets in the town centre and I wanted to gauge the committees view on this and how we should tackle it going forward as a number of the empty buildings may also possibly go down the same route.

I am particularly saddened that a fairly large listed building in a prominent position in the conservation area may add to visitor view "that we are another town in decline".

I am not making any recommendation but will leave this to the committee after we have debated this application.

Cllr Eric Taylor Chair of Planning

REVISION	AMENDMENTS	DATE	CHD
1			

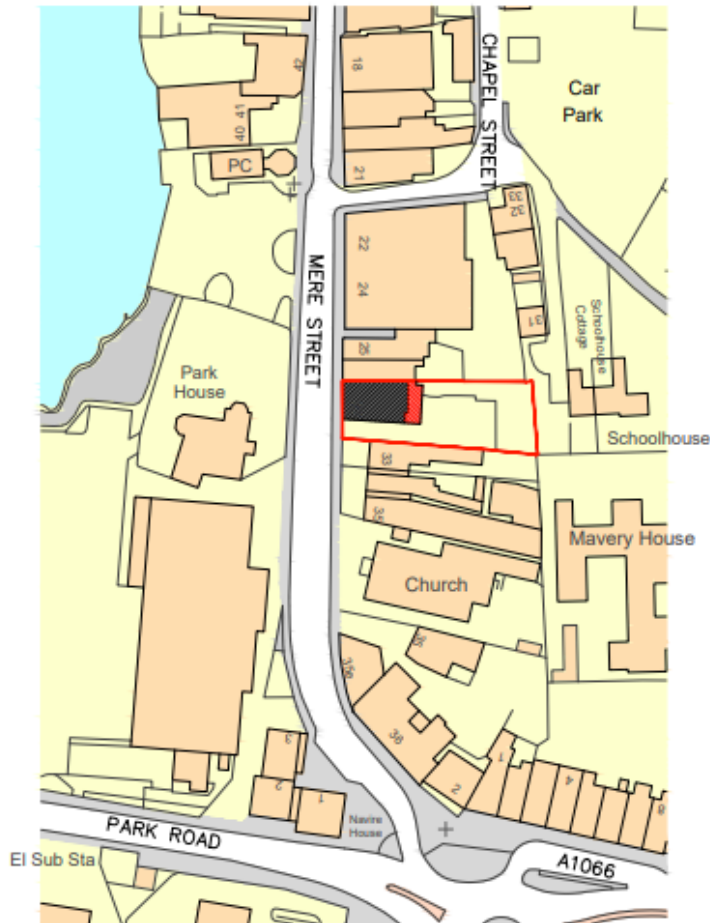
APPLICATION SITE

27 Mere Street,

Diss, Norfolk

IP22 4AD

Site Area 572m² (0.057Ha)



Ordnance Survey, (c) Crown Copyright 2023. All rights reserved. Licence number 100022432

Location Plan



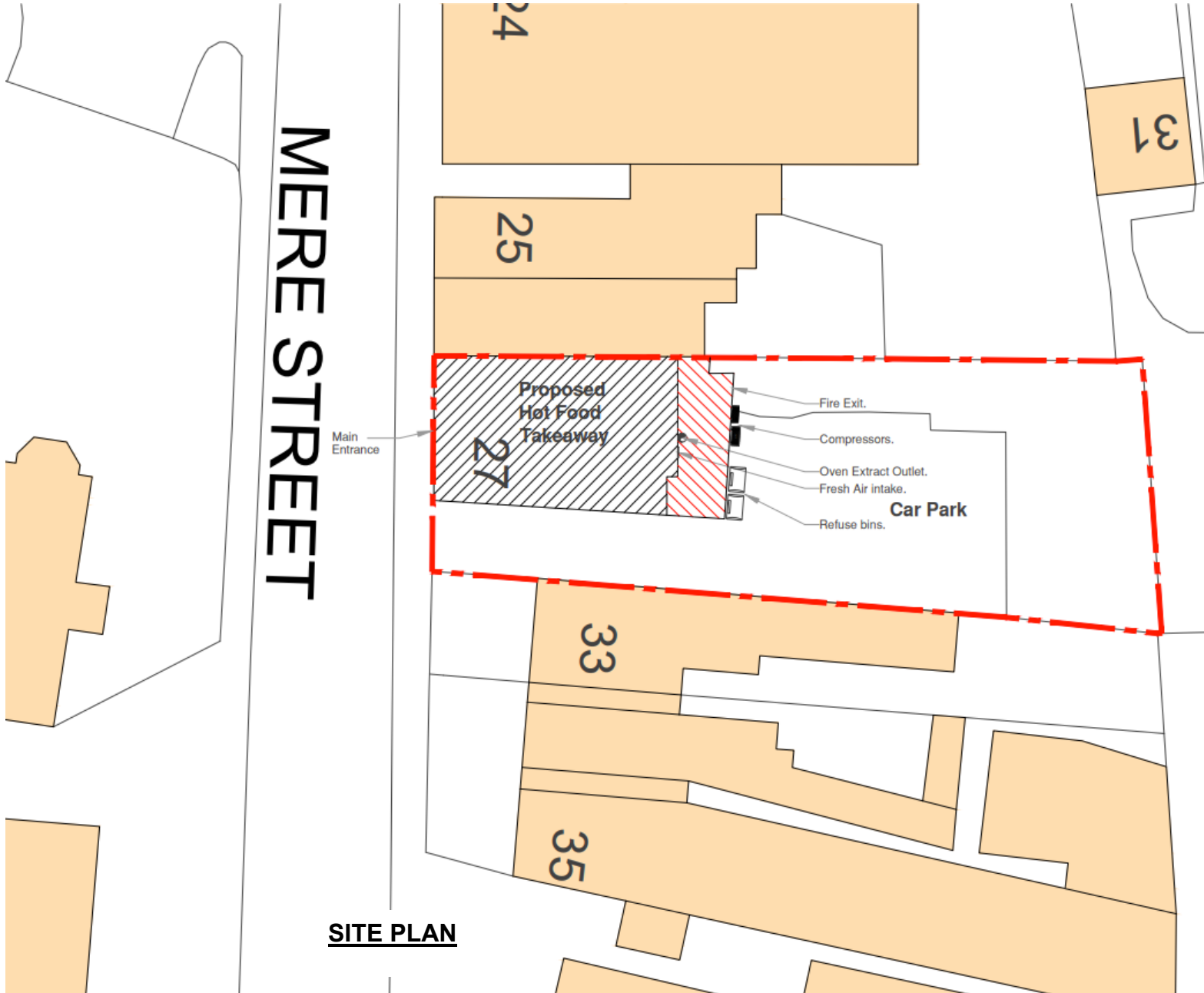
27 Mere Street, Diss, Norfolk. IP22 4AD

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 Telephone 0161 420 4207
 e-mail: hagg@hattrrell.co.uk / www.hattrrell.co.uk

5334-LP-08

Scale 1:1250 @ A4



SITE PLAN

NOTES:
CONTRACTORS MUST VERIFY ALL DIMENSIONS ON SITE BEFORE COMMENCEMENT OF ANY WORK OR PREPARED MANUFACTURED DRAWINGS
DO NOT SCALE FROM THIS DRAWING
ANY DISCREPANCIES ON THIS DRAWING ARE TO BE NOTIFIED TO THE ARCHITECT IMMEDIATELY
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REV	AMENDMENT	DATE	CHG



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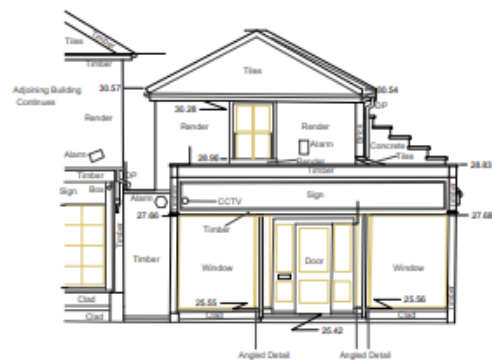
CLIENT

PROJECT
27 Mere Street,
Diss,
Norfolk.
IP22 4AD

DRAWING TITLE
Block Site Plan

SCALE	DRAWN BY	CHECKED	DATE
1:250 (A3)	ISBT	-	MAY/23
DRAWING NO.	REVISION	DATE	BY
C5334-BP09	-		

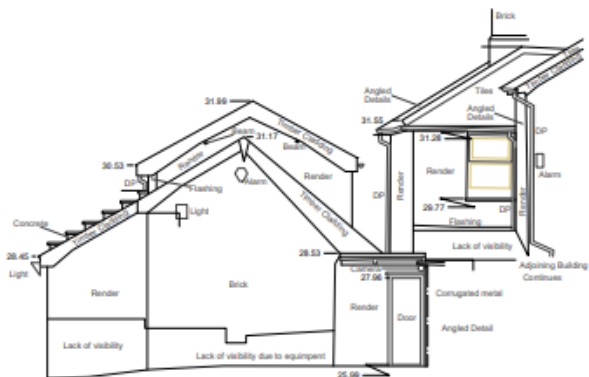
Change Of Use to Hot Food Takeaway



FRONT ELEVATION (Main Street)



SIDE ELEVATION



REAR ELEVATION

NOTES:

CONTRACTOR MUST VERIFY ALL DIMENSIONS ON SITE BEFORE
COMMENCEMENT OF ANY WORK OR PERMANENT
MANUFACTURING DRAWINGS
Use of tools for scaling purposes to be used for
measuring planning purposes only
ANY DISCREPANCIES ON THE DRAWING ARE TO BE
NOTIFIED TO THE ARCHITECT IMMEDIATELY.
MATTRELL LLP COPYRIGHT

REV	AMENDMENT	DATE	CH



HATTRELL LLP

Case E KING COURT BALBOA STREET ALTHROCK CHURCH DELHI 110002 India

www.karger.com/doi/10.1159/000353000

QUIZ

REFERENCES

27 Mare Street,
Diss,
Norfolk.
IP25 4AD

DRAWING TITLE

Existing Elevations

SCALE: 1:50	DRAWN BY: ST	CHECKED BY: -	DATE: May'23
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DRAWING No.	REVISION
C5334-P02	

Change Of Use to Hot Food Takeaway



App. No.	Type	Applicant	Location	Details	LPA Decision Date	LPA Decision
2023/0347	Works to trees in Conservation Area	Mrs Amanda Pooley	99 Denmark Street, Diss, Norfolk, IP22 4LF	Copper Beech- remove dead wood and crown lift by 3m. Birch - fell. Fir - fell. Beech tree- remove dead wood and crown lift by 3m. Walnut -remove dead wood and crown lift by 3m.	04.04.23	
2023/0143	Listed Building	Miss Mary Lambert	99A Denmark Street, Diss, IP22 4LF	Rebuild & lowering of existing chimney top stack	04.04.23	
2023/1083	Householder		30 Cherry Tree Court, Diss, IP22 4QW	Installation of solar panels on existing shed roof	22.06.23	Approval with conditions
2023/1142	Householder		24 Waveney Road, Diss, IP22 4JQ	Removal of garage door with replacement window and minor amendments to fenestration	22.06.23	Approval with conditions
2023/1089	Householder		18 Denmark St, Diss, IP22 4LE	Rebuilding of outbuildings to incorporate into house extension	27.06.23	Approval with conditions
2023/1609	Works to TPO trees		Crossways, 41 Roydon Road, Diss, IP22 4LW	T3 Oak - Remove deadwood, remove epicormic shoots on trunk, reduce all branches which contact cables to ensure 1m clearance. T4 Oak - Remove	28.06.23	Approval with conditions