

Development Management Committee

Members of the Development Management Committee:

Conservatives	Liberal Democrats
Mr V Thomson (Chairman) Mrs L Neal (Vice-Chairman) Mrs Y Bendle	Dr M Gray Mrs V Bell
Mr D Bills Mr B Duffin Mrs F Ellis Dr C Kemp Mr G Minshull Mrs A Thomas	Please note that planning application Item no.s 1-7 will be heard from 10am Planning application Item nos 8-17 will be heard from 2.00pm onwards
Pool of Substitutes Mr L Dale Mr D Fulcher Mr D Goldson Mr J Hornby Dr N Legg Mr J Mooney Mr G Wheatley	
Pre-Committee Members' Question Time 9.00 am Blomefield Room	

Agenda

Date

Wednesday 28 March 2018

Time

10.00 am

Place

Council Chamber
South Norfolk House
Cygnet Court
Long Stratton, Norwich
NR15 2XE

Contact

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PLEASE NOTE that any submissions (including photos, correspondence, documents and any other lobbying material) should be received by the Council by noon the day before this meeting. We cannot guarantee that any information received after this time will be brought to the Committee's attention. Please note that where you submit your views in writing to your District Councillor, this is described as "lobbying" and the District Councillor will be obliged to pass these on to the planning officer, where they will be published on the website.

Please arrive at the commencement of the meeting if you are intending to speak on items 1-7, and arrive at 2.00pm if you intend to speak on items 8-17.

This meeting may be filmed, recorded or photographed by the public; however, anyone who wishes to do so must inform the Chairman and ensure it is done in a non-disruptive and public manner. Please review the Council's guidance on filming and recording meetings available in the meeting room.

If you have any special requirements in order to attend this meeting,
please let us know in advance

Large print version can be made available

SOUTH NORFOLK COUNCIL – DEVELOPMENT MANAGEMENT COMMITTEE

Please familiarise yourself with this information if you are not in receipt of the agenda.

If the meeting room is busy, please use the upstairs public gallery until such time as your application is heard. You will need to be in the main meeting room if you wish to speak in regard to an application. Please be aware that the Committee can over-run, and if your application is later on the agenda it may be some time before your application is heard.

GENERAL INFORMATION ABOUT DEVELOPMENT MANAGEMENT

The Development Management process is primarily concerned with issues of land use and has been set up to protect the public and the environment from the unacceptable planning activities of private individuals and development companies.

The Council has a duty to prepare a Local Plan to provide a statutory framework for planning decisions. The Development Plan for South Norfolk currently consists of a suite of documents. The primary document which sets out the overarching planning strategy for the District and the local planning policies is the Joint Core Strategy for Broadland, Norwich and South Norfolk. The Strategy is broadly consistent with the National Planning Policy Framework (NPPF) and accompanying technical guidance and was adopted by South Norfolk Council in March 2011, with amendments adopted in 2014. It is the starting point in the determination of planning applications and as it has been endorsed by an independent Planning Inspector the policies within the plan can be given full weight when determining planning applications.

South Norfolk Council adopted its Local Plan in October 2015. This consists of the Site Specific Allocations and Policies Document, the Wymondham Area Action Plan, the Development Management Policies Document. The Long Stratton Area Action Plan was also adopted in 2016. These documents allocate specific areas of land for development, define settlement boundaries and provide criterion based policies giving a framework for assessing planning applications. The Cringleford Neighbourhood Development Plan was also 'made' in 2014 and Mulbarton Neighbourhood Development Plan made in 2016, and full weight can now be given to policies within these plans when determining planning applications in the respective parishes. Some weight can also be given to the policies in the emerging Neighbourhood Development Plan for Easton. In accordance with legislation planning applications must be determined in accordance with the policies of the Development Plan, unless material considerations which are relevant to planning indicate otherwise.

The NPPF states that the purpose of the planning system is to achieve sustainable development. The core planning principles contained within the NPPF are summarised as:

- To be genuinely plan-led
- To drive and support sustainable economic development
- Seek high quality design
- Conserve and enhance the natural environment
- Encourage the effective use of land
- Conserve heritage assets

The factors to be used in determining applications will relate to the effect on the "public at large" and will not be those that refer to private interests. Personal circumstances of applicants "will rarely" be an influencing factor, and then only when the planning issues are finely balanced.

THEREFORE, we will:

- **Acknowledge the strength of our policies**
- **Be consistent in the application of our policy, and**
- **If we need to adapt our policy, we will do it through the Local Plan process.**

Decisions which are finely balanced and contradict policy will be recorded in detail to explain and justify the decision and the strength of the material planning reasons for doing so.

OCCASIONALLY, THERE ARE CONFLICTS WITH THE VIEWS OF THE PARISH OR TOWN COUNCIL. WHY IS THIS?

We ask local parish and town councils to recognise that their comments are taken into account. Where we disagree with those comments it will be because:

- Districts look to 'wider' policies, and national, regional and county planning strategy.
- Other consultation responses may have affected our recommendation.
- There is an honest difference of opinion.

A G E N D A

1. **To report apologies for absence and identify substitute voting members (if any);**

2. **To deal with any items of business the Chairman decides should be considered as matters of urgency pursuant to Section 100B (4) (b) of the Local Government Act, 1972;** [Urgent business may only be taken if, "by reason of special circumstances" (which will be recorded in the minutes), the Chairman of the meeting is of the opinion that the item should be considered as a matter of urgency.]

3. **To receive Declarations of Interest from Members;**
(Please see flowchart and guidance attached, page 8)

4. **Minutes of the Meeting of the Development Management Committee held on 31 January 2018;**
(attached – page 10)

5. **Planning Applications and Other Development Control Matters;**

(attached – page 19)

To consider the items as listed below:

Item No.	Planning Ref No.	Parish	Site Address	Page No.
1	2017/2450/H	COSTESSEY	23 Margaret Road Costessey NR5 0AU	19
2	2017/2247/D	SWARDESTON	Land Off Bobbins Way Swardeston Norfolk NR14 8DT	24
3	2017/1828/RVC	ALDEBY	Aldeby Business Park Common Road Aldeby NR34 0BL	45
4	2017/2515/F	DISS	Morrisons, Victoria Road, Diss, IP22 4XF	57
5	2018/0126/H	COSTESSEY	192 West End Costessey Norfolk NR8 5AW	69
6	2017/2490/F	WYMONDHAM	Land Adj to 4 Norwich Common Wymondham Norfolk	73
7	2017/2701/O	EAST CARLETON	Former Nursery Site To The West Of Low Common Swardeston NR14 8LG	81
8	2017/2845/F	HETHERSETT	Land North Of Twin Barn Farm Ketteringham Lane Hethersett NR9 3DF	91
9	2018/0272/F	HETHERSETT	Land To The Rear Of 3 Great Melton Road Hethersett Norfolk	99
10	2017/2743/F	GREAT MOULTON	Land North Of Frosts Lane Great Moulton Norfolk	104
11	2017/2920/F	WRAMPLINGHAM	Land West of The Street Wramplingham Norfolk	111

Item No.	Planning Ref No.	Parish	Site Address	Page No.
12	2017/2795/F	NEWTON FLOTMAN	Relish Restaurant And Bar Old Street Newton Flotman NR15 1PD	119
13	2017/2796/LB	NEWTON FLOTMAN	Relish Restaurant And Bar Old Street Newton Flotman NR15 1PD	119
14	2018/0004/F	ALDEBY	Church Farm Waterheath Road Aldeby Norfolk NR34 0DQ	127
15	2018/0017/F	REDENHALL WITH HARLESTON	Swan Hotel 19 The Thoroughfare Harleston IP20 9AS	131
16	2018/0082/RVC	WHEATACRE	Old Mill House Beccles Road Wheatacre Norfolk NR34 0BS	138
17	2018/0199/F	COSTESSEY	Land To The Rear Of 45-49 Stafford Avenue Costessey Norfolk NR5 0QF	144

6. Sites Sub-Committee;

Please note that the Sub-Committee will only meet if a site visit is agreed by the Committee with the date and membership to be confirmed.

7. Planning Appeals (for information); (attached – page 149)

8. Date of next scheduled meeting – Wednesday 25 April 2018

1. GUIDELINES FOR DETERMINING THE NEED TO VISIT AN APPLICATION SITE

The following guidelines are to assist Members to assess whether a Site Panel visit is required. Site visits may be appropriate where:

- (i) The particular details of a proposal are complex and/or the intended site layout or relationships between site boundaries/existing buildings are difficult to envisage other than by site assessment;
- (ii) The impacts of new proposals on neighbour amenity e.g. shadowing, loss of light, physical impact of structure, visual amenity, adjacent land uses, wider landscape impacts can only be fully appreciated by site assessment/access to adjacent land uses/property;
- (iii) The material planning considerations raised are finely balanced and Member assessment and judgement can only be concluded by assessing the issues directly on site;
- (iv) It is expedient in the interests of local decision making to demonstrate that all aspects of a proposal have been considered on site.

Members should appreciate that site visits will not be appropriate in those cases where matters of fundamental planning policy are involved and there are no significant other material considerations to take into account. Equally, where an observer might feel that a site visit would be called for under any of the above criteria, members may decide it is unnecessary, e.g. because of their existing familiarity with the site or its environs or because, in their opinion, judgement can be adequately made on the basis of the written, visual and oral material before the Committee.

2. PUBLIC SPEAKING: PLANNING APPLICATIONS

Applications will normally be considered in the order in which they appear on the agenda. Each application will be presented in the following way:

- Initial presentation by planning officers followed by representations from:
- The **town or parish council** - up to 5 minutes for member(s) or clerk;
- **Objector(s)** - any number of speakers, up to 5 minutes **in total**;
- The **applicant**, or **agent** or any **supporters** - any number of speakers up to 5 minutes **in total**;
- **Local member**
- Member consideration/decision.

TIMING: In front of you there are two screens which tell you how much time you have used of your five minutes. After four minutes the circle on the screen turns amber and then it turns red after five minutes, at which point the Chairman will ask you to come to a conclusion.

MICROPHONES: In front of you there is a microphone which we ask you to use. Simply press the left or right button to turn the microphone on and off

WHAT CAN I SAY AT THE MEETING? Please try to be brief and to the point. Limit your views to the planning application and relevant planning issues, for example: Planning policy, (conflict with policies in the Local Plan/Structure Plan, government guidance and planning case law), including previous decisions of the Council, design, appearance and layout, possible loss of light or overshadowing, noise disturbance and smell nuisance, impact on residential and visual amenity, highway safety and traffic issues, impact on trees/conservation area/listed buildings/environmental or nature conservation issues.

3. FILMING AT COUNCIL MEETINGS: GUIDANCE

Members of the public and press are permitted to film or record meetings to which they are permitted access in a non-disruptive manner and only from areas designated for the public. No prior permission is required, however the Chairman at the beginning of the meeting will ask if anyone present wishes to record proceedings. We will ensure that reasonable facilities are made available to the public and press to assist filming or recording of meetings.

The use of digital and social media recording tools, for example Twitter, blogging or audio recording is allowed as long as it is carried out in a non-disruptive manner.

HEALTH AND SAFETY INFORMATION

Fire alarm	If the fire alarm sounds please make your way to the nearest fire exit. Members of staff will be on hand to escort you to the evacuation point
Mobile phones	Please switch off your mobile phone or put it into silent mode
Toilets	The toilets can be found on the right of the lobby as you enter the Council Chamber
Break	There will be a short comfort break after two hours if the meeting continues that long
Drinking water	A water dispenser is provided in the corner of the Council Chamber for your use

PLANNING APPLICATIONS AND OTHER DEVELOPMENT CONTROL MATTERS

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

A	Advert	G	Proposal by Government Department
AD	Certificate of Alternative Development	H	Householder – Full application relating to residential property
AGF	Agricultural Determination – approval of details	HZ	Hazardous Substance
C	Application to be determined by County Council	LB	Listed Building
CA	Conservation Area	LE	Certificate of Lawful Existing development
CU	Change of Use	LP	Certificate of Lawful Proposed development
D	Reserved Matters (Detail following outline consent)	O	Outline (details reserved for later)
EA	Environmental Impact Assessment – Screening Opinion	RVC	Removal/Variation of Condition
ES	Environmental Impact Assessment – Scoping Opinion	SU	Proposal by Statutory Undertaker
F	Full (details included)	TPO	Tree Preservation Order application

Key to abbreviations used in Recommendations

CNDP	Cringleford Neighbourhood Development Plan
J.C.S	Joint Core Strategy
LSAAP	Long Stratton Area Action Plan – Pre Submission
N.P.P.F	National Planning Policy Framework
P.D.	Permitted Development – buildings and works which do not normally require planning permission. (The effect of the condition is to require planning permission for the buildings and works specified)
S.N.L.P	South Norfolk Local Plan 2015
	Site Specific Allocations and Policies Document
	Development Management Policies Document
WAAP	Wymondham Area Action Plan



DECLARATIONS OF INTEREST AT MEETINGS

When declaring an interest at a meeting Members are asked to indicate whether their interest in the matter is pecuniary, or if the matter relates to, or affects a pecuniary interest they have, or if it is another type of interest. Members are required to identify the nature of the interest and the agenda item to which it relates. In the case of other interests, the member may speak and vote. If it is a pecuniary interest, the member must withdraw from the meeting when it is discussed. If it affects or relates to a pecuniary interest the member has, they have the right to make representations to the meeting as a member of the public but must then withdraw from the meeting. Members are also requested when appropriate to make any declarations under the Code of Practice on Planning and Judicial matters.

Have you declared the interest in the register of interests as a pecuniary interest? If Yes, you will need to withdraw from the room when it is discussed.

Does the interest directly:

1. affect yours, or your spouse / partner's financial position?
2. relate to the determining of any approval, consent, licence, permission or registration in relation to you or your spouse / partner?
3. Relate to a contract you, or your spouse / partner have with the Council
4. Affect land you or your spouse / partner own
5. Affect a company that you or your partner own, or have a shareholding in

If the answer is "yes" to any of the above, it is likely to be pecuniary.

Please refer to the guidance given on declaring pecuniary interests in the register of interest forms. If you have a pecuniary interest, you will need to inform the meeting and then withdraw from the room when it is discussed. If it has not been previously declared, you will also need to notify the Monitoring Officer within 28 days.

Does the interest indirectly affect or relate any pecuniary interest you have already declared, or an interest you have identified at 1-5 above?

If yes, you need to inform the meeting. When it is discussed, you will have the right to make representations to the meeting as a member of the public, but must then withdraw from the meeting.

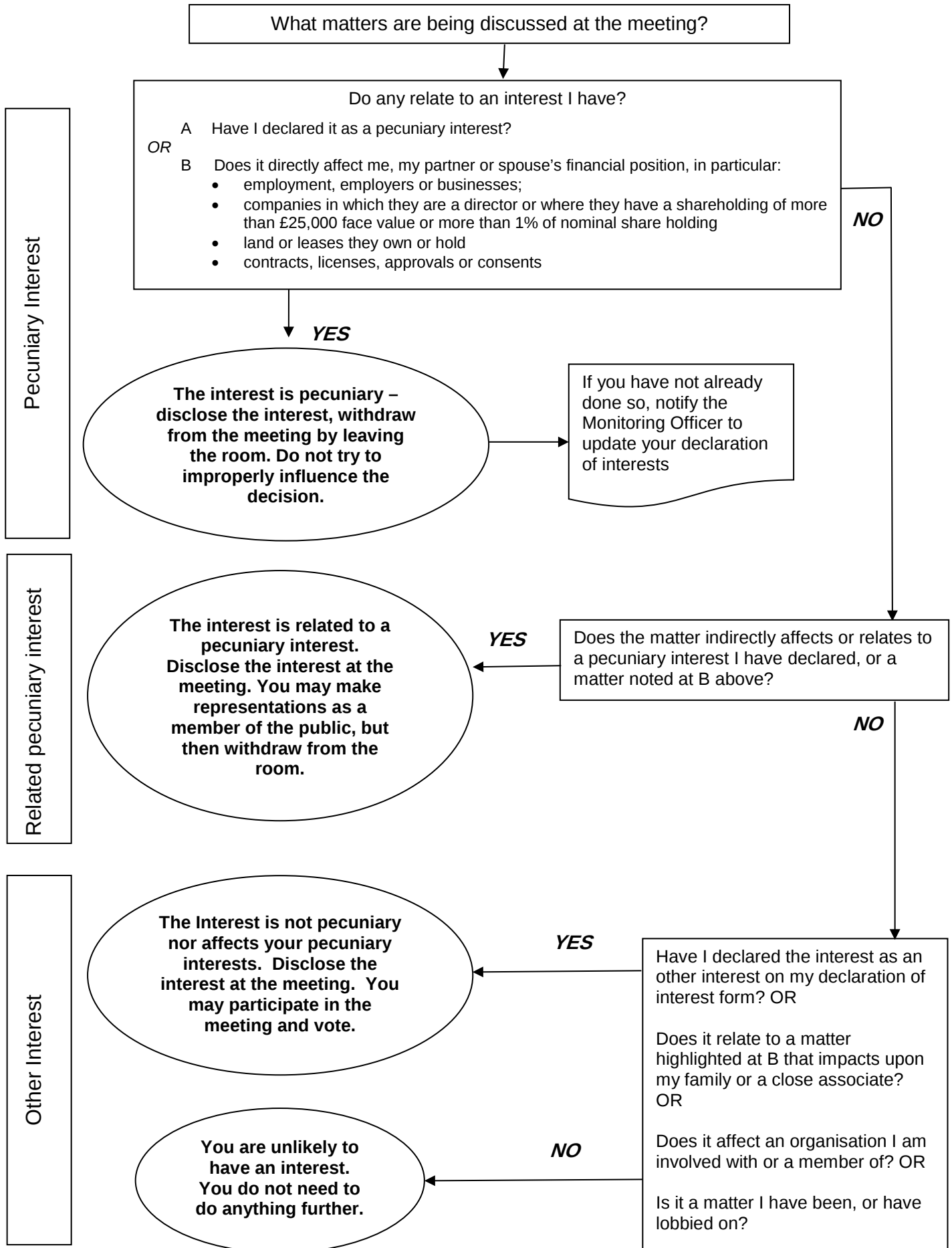
Is the interest not related to any of the above? If so, it is likely to be an other interest. You will need to declare the interest, but may participate in discussion and voting on the item.

Have you made any statements or undertaken any actions that would indicate that you have a closed mind on a matter under discussion? If so, you may be predetermined on the issue; you will need to inform the meeting, and when it is discussed, you will have the right to make representations to the meeting as a member of the public, but must then withdraw from the meeting.

FOR GUIDANCE REFER TO THE FLOWCHART OVERLEAF.

PLEASE REFER ANY QUERIES TO THE MONITORING OFFICER IN THE FIRST INSTANCE

DECLARING INTERESTS FLOWCHART – QUESTIONS TO ASK YOURSELF





DEVELOPMENT MANAGEMENT COMMITTEE

Minutes of a meeting of the Development Management Committee of South Norfolk District Council held at South Norfolk House, Long Stratton, on Wednesday 31 January 2018 at 10.00 am.

Committee Members Present:	Councillors:	V Thomson (Chairman), F Ellis, M Gray, C Kemp, G Minshull and L Neal
Apologies:	Councillors:	Y Bendle, B Duffin, C Gould, J Mooney and A Thomas
Substitute Members:	Councillors:	D Bills for Y Bendle C Foulger for B Duffin N Legg for C Gould L Dale for A Thomas G Wheatley for J Mooney
Officers in Attendance:	The Development Manager (H Mellors), the Development Management Team Leader (R Collins), the Major Projects Team Leader (T Lincoln), the Senior Planning Officers (C Watts, Claire Curtis and C Raine) and the Planning Officer (H Bowman)	

16 members of the public were also in attendance.

376. DECLARATIONS OF INTEREST

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

Application	Parish	Councillor	Declaration
2017/2131/O (Item 1)	BRACON ASH AND HETHEL	All	Local Planning Code of Practice Lobbied by Objector
		N Legg	Other Interest Member of Bracon Ash Parish Council and knows the Applicant
		C Foulger	Other Interest Local Member

2017/1804/RVC (Item 2)	WORTWELL	All M Gray	Local Planning Code of Practice Lobbied by Objector Local Planning Code of Practice Lobbied by Applicant
2017/2686/O (Item 5)	THARSTON AND HAPTON	L Neal	Other Interest Member is currently working with the Agent with regard to the Poringland Neighbourhood Plan
2017/2802/O (Item 6)	HETHERSETT	L Dale and D Bills	Local Planning Code of Practice Lobbied by Applicant

377. MINUTES

The minutes of the Development Management Committee meeting dated 3 January 2018 were confirmed as a correct record and signed by the Chairman.

378. PLANNING APPLICATIONS AND OTHER DEVELOPMENT CONTROL MATTERS

The Committee considered the report (circulated) of the Director of Growth and Business Development, which was presented by the officers. The Committee received updates to the report, which are appended to these minutes at Appendix A.

The following speakers addressed the meeting with regard to the applications listed below.

APPLICATION	PARISH	SPEAKER
2017/2131/O	BRACON ASH AND HETHEL	Cllr P Leigh – Mulbarton Parish Council M Shelley – Agent for Applicant K Keable – Applicant A Snowling – in support of the Applicant
2017/1804/RVC	WORTWELL	J Putman – Agent for Applicant P Willes - Objector
2017/2450/H	COSTESSEY	Cllr V Bell – on behalf of Objectors (T and E Beckett) Cllr V Bell – Local Member
2017/2686/O	THARSTON AND HAPTON	J Parker – Agent for Applicant

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

379. PLANNING APPEALS

The Committee noted the planning appeals. Officers clarified the position with regard to application 2017/1012, Saxlingham Nethergate, explaining that the appeal had resulted in a change to one of the conditions.

(The meeting closed at 1.05pm)

Chairman

Updates for DEVELOPMENT MANAGEMENT COMMITTEE
– 31st January 2018

Item	Updates	Page No
Item 1 2017/2131	Letter of support received from Richard Bacon M.P. summarised as follows: – The scheme will make a considerable contribution to South Norfolk's obligations to provide served plots under the Self-Build & Custom Housebuilding Act 2015. – The proposal is consistent with the National Planning Policy Framework (NPPF) and South Norfolk Local Plan. – Considers that significant benefits will flow from the application which would outweigh any demonstrable harm that may arise. – This is an excellent exemplar scheme which I support. – Welcomes the positive reception that this proposal has received. 1 petition received objecting to the application, summarised as follows (copies sent to all Members via email as lobbying material): – Impact on Countryside – introduces 15 dwellings into what is an open site representing an urbanisation of the site and substantial change to its appearance and harm to the character of the open countryside. – Impact on setting of Grade II listed Bracon Lodge – development of land would break historic and visual connection and have a negative impact on the setting of the farmhouse. – Ecology and impact on Great Crested Newts and their habitat – questions what the proposed mitigation strategy and that the impact of GCN cannot be fully understood – Flood risk/drainage –LLFA objection and requests for additional information. (Note that the LLFA has since removed their objection). – Deliverability of the development – it is not clear if the test of the site being deliverable as set out in the NPPF have been demonstrated. The application does not appear to provide certainty of how or when the road services would be installed or when phasing will be implemented. Also, there is no indication that site can be developed the development plan 5-year period. – Self-build/custom build need – we understand that the Council has already identified sufficient potential self-build plots to meet the needs of those who are currently registered on its register. As such this application may not be meeting a particular need. Officer response:	14

	It is considered that the agenda adequately addresses the points raised above.	
Item 2 2017/1804	Officers are aware that Members have received lobbying material from the occupants of the neighbouring property no.127, including legal representations. The applicant has confirmed that they have an opposing view of the legal position of the land. Officer response: It is considered that the proposed grampian style condition to undertake the mitigation works of earth banking, turfing and erection of a fence prior to occupation of the dwelling is appropriate in this instance.	32
Item 3 2017/2450	No updates	40
Item 4 2017/2604	No updates	45
Item 5 2017/2686	The applicant has confirmed that no trees will be removed either side of the access to the site. However nearby hedges in and around the trees may need some trimming back to achieve the required vision splay. The highways authority have confirmed that vision splay improvements, as previously requested are on the corner of Picton Road and Forncett Road.	51
Item 6 2017/2802	Officer: Appeal Decision Appendix 2 was not attached to the agenda. Copies sent to all Members via email and paper copies will be available at the meeting. As a point of clarification, Members will note the comments of the Planning Inspector in respect of scale on residential amenity. The scale of the dwelling will be determined at the outline stage. Officers consider that subject to appropriate design, layout and detailing in respect of room and window configuration and boundary treatments at the reserved matters stage either a single storey or two storey dwelling could be accommodated on the site without the detriment to residential amenity or character and appearance of the area.	58

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 Business Development's final determination.

Major Applications

- 1 Appl. No : 2017/2131/O**
Parish : BRACON ASH AND HETHEL
- Applicants Name : Mr & Mrs Kevin Keable
Site Address : Land West Of Long Lane Bracon Ash Norfolk
Proposal : Phased outline proposal for 15 Self/Custom Build Dwellings and Access
- Decision : Members voted 9-1 (with 1 abstention) for **Approval**

Approved with conditions

1. Time limit for implementation - the submission of the first reserved matters and first residential plot reserved matters within one year and works to commence within two years. Other plot reserve matters to be submitted within two years and implemented within three years.
2. In accordance with plans
3. Standard highways conditions
4. Visibility splay to be provided
5. Construction Traffic Management Plan
6. Off-site highway works for footpath
7. Surface water drainage scheme
8. Materials to be agreed
9. Landscaping scheme and management
10. Ecological management plan
11. Renewable energy
12. Water efficiency
13. Reserved matters to be submitted – appearance, landscaping, layout and scale
14. Submission of a phasing plan
15. Each reserved matters to show it complies with the phasing plan; its relationship with plot in accordance with the approved Design Code and Plot Passports; and submit a street scene to demonstrate the relationship with other approved plots.

Subject to completion of S106 agreement to secure a commuted sum for affordable housing and a contribution for off-site play equipment improvements.

Other Applications

2 Appl. No : 2017/1804/RVC
Parish : WORTWELL

Applicants Name : Mr Tony Sprake
 Site Address : 133 High Road Wortwell IP20 0EN
 Proposal : Variation of Condition 2 following Application Number
 2017/0686/RVC - To obtain consent for revised levels and boundary
 treatment/landscaping

Decision : Members voted 5-4 (with 1 abstention) for **Approval**

Approved with conditions

- 1 In accordance with submitted amendments
 - 2 Materials as agreed
 - 3 Boundary treatments as agreed
 - 4 Water efficiency
 - 5 Provision of parking and service areas
 - 6 Provision of visibility splays
 - 7 Unexpected contamination
 - 8 Backfill and turf prior to first occupation
 - 9 Earth specification to be agreed
 - 10 Levels as in approved plan
- NOTE Profile of slope to the rear of the site

3 Appl. No : 2017/2450/H
Parish : COSTESSEY

Applicants Name : Mr & Mrs S Swatman
 Site Address : 23 Margaret Road Costessey NR5 0AU
 Proposal : Rear and side extensions

Decision : Members voted 6-3 (with 2 abstentions) to **DEFER** (to a future
 meeting of this Development Management Committee) for a Sites
 Sub-Committee visit

Note: The Committee indicated the reason for the Sites Sub-Committee visit was that the material planning considerations were finely balanced and member assessment and judgement could only be concluded by assessing the issues directly on site.

4 Appl. No : 2017/2604/F
Parish : BRESSINGHAM AND FERSFIELD

Applicants Name : Mr Nick Glendinning
Site Address : Land South of Boyland Hall Common Road Bressingham Norfolk
Proposal : Reconstruction of a barn to form a dwelling and part reconstruction
 and part conversion of another barn to form a second dwelling and
 change of use of land and buildings from agricultural to residential.

Decision : Members voted unanimously for **Approval**

Approved with Conditions

1. In accordance with amendments
- 2 External materials as agreed
- 3 No PD for Classes ABCDE & G
- 4 No PD for fences, walls etc
- 5 Domestic Microgeneration Equipment
- 6 Vehicular access over the ditch
- 7 Visibility splay shown on plan
- 8 Access gate restrictions
- 9 Provision of parking, service
- 10 Surface Water as agreed
- 11 Foul water to package treatment plant
- 12 New Water Efficiency
- 13 Reporting of unexpected contamination
- 14 Boundary treatment to be agreed

5 Appl. No : 2017/2686/O
Parish : THARSTON AND HAPTON

Applicants Name : Mr Tom Mayes
Site Address : Land North Of Picton Road Tharston Norfolk NR15 2YD
Proposal : The erection of 3 No. dwellings with associated access and car
 parking areas

Decision : Members voted 9-2 for **Refusal**

Refused

- 1 Not sustainable development
(poor relationship with existing facilities; rural character and
impact on trees)

6 Appl. No : 2017/2802/O
Parish : HETHERSETT

Applicants Name : Mr David Bain
Site Address : Land To East Of 88 Ketts Oak Hethersett Norfolk
Proposal : Outline planning permission for proposed dwelling

Decision : Members voted unanimously for **Approval**

Approved with Conditions

- 1 Outline time limit - 5 Year Land Supply
- 2 In accordance with submitted drawings
- 3 Standard outline requiring Reserved Matters
- 4 External materials to be agreed
- 5 Standard Highway Outline Condition
- 6 Contaminated land - submit scheme
- 7 Implement of approved remediation
- 8 Reporting of unexpected contamination
- 9 Surface Water to be agreed
- 10 Boundary treatment to be agreed
- 11 Slab level to be agreed
- 12 Water Efficiency
- 13 Single-storey dwelling

PLANNING APPLICATIONS AND OTHER DEVELOPMENT CONTROL MATTERS**Report of Director of Growth and Business Development****Applications referred back to Committee following Site Panel Visit**

- 1 Appl. No : 2017/2450/H**
Parish : COSTESSEY

Applicants Name : Mr & Mrs S Swatman
 Site Address : 23 Margaret Road Costessey NR5 0AU
 Proposal : Rear and side extensions

Recommendation : Approval with Conditions
 1 Full Planning permission time limit
 2 In accordance with amendments

1 Planning Policies

1.1 National Planning Policy Framework
 NPPF 07 : Requiring good design

1.2 Joint Core Strategy
 Policy 2 : Promoting good design

1.3 South Norfolk Local Plan
 South Norfolk Local Plan Development Management Policies
 DM3.11 : Road safety and the free flow of traffic
 DM3.13 : Amenity, noise, quality of life
 DM3.4 : Residential extensions and conversions within Settlements
 DM3.8 : Design Principles applying to all development

2. Planning History

2.1 1994/1580 Erection of replacement garage Approved

3. Consultations

3.1 Town Council Original plans
 Approve

 1st Amended plans
 No objection
 Neighbours had complained about overshadowing and reduction of light. Under the proposed amendments the roof height has not actually been reduced, just flattened, so it is unlikely that the light issue will have been solved. It was noted that the Planning Officer had taken the trouble to ascertain the facts at the site.

 2nd Amended plan
 Object
 Neighbours explained their objections regarding proximity, light, slope of ground, overshadowing and general domination over their property. Councillors expressed concerns about all these points and noted that although there were steps down into the kitchen from the original building there was no corresponding reduction in roof

height, which was no lower than on the first design.
 RECOMMENDED REFUSAL on the following grounds:
 overshadowing, removal of light from neighbours' property

- | | | |
|-----|-----------------------|--|
| 3.2 | District Councillor | To be reported to committee. The fall of land levels will mean so much build to get up to floor level then extension will mean serious overlooking of neighbours |
| 3.3 | Other Representations | <p>Original plans
 2 letters of support</p> <p>1 letter of objection
 Unacceptable loss of natural light
 View replaced with brick wall and roof which will be overbearing and obtrusive
 Overlooking
 Patio area overshadowed causing a slippery surface
 Concerns with regard to damage and possible damp penetration
 Could cause structural instability</p> <p>1st amended plan
 1 letter of objection
 Do not overcome concerns
 Proximity to boundary cause problems with construction and maintenance work</p> <p>2nd amended plan
 1 letter of objection
 Still cause significant loss of daylight
 Visually dominate the outlook
 Overlooking and loss of privacy
 Overbearing
 Overshadow patio area</p> |

4. Introduction

- 4.1 This application was deferred for a Site Panel visit. Those members present viewed the application from the site and also visited and viewed from 21 Margaret Road.

5. Assessment

- 5.1 The proposal seeks planning permission for the erection of a single storey rear extension and a side extension increasing the width of the property across its whole length. The proposal also involves the conversion of an existing garage into the residential space including the installation of patio doors in the rear elevation, it should be noted that the conversion of the garage does not require planning permission.
- 5.2 The property is a semi-detached single storey property situated within the development limits for Costessey. The site and surrounding area have changes in ground levels, with the neighbouring property to the east set at a slightly lower level and the site sloping down towards the rear boundary.
- 5.3 The originally submitted plans proposed a rear extension adjoining the boundary with the adjacent neighbouring property and a balcony on the rear of the proposal. There were concerns raised with regard to the impact of the proposal through bulk on the boundary and overlooking of the neighbouring property. Consequently, amended plans have been submitted removing the balcony and stepping the proposal in from the adjoining boundary by approximately 0.88 metres.

- 5.4 The application is assessed against Policy DM3.4 which confirms that extensions to dwellings within a development boundary will be permitted provided they:
- a) Incorporate a good quality design which maintains or enhances the character and appearance of the building, street scene and surroundings; and
 - b) Do not have an unacceptable impact on the amenities of neighbouring occupiers or adversely affect neighbouring commercial uses.
- 5.5 Specifically, proposals must provide and maintain:
- c) Suitable amenity and utility space; and
 - d) Adequate access and parking
- 5.6 With regard to criterion a), the rear extension will not be visible within the street scene. The alterations to the side elevation of the property will be visible within the street scene but as they retain a similar appearance to the original dwelling any impact will be minimal. The design of both extensions is consistent with that of the existing dwelling. It is considered that the scheme complies with the requirements of criterion a) as well as those of Policy DM3.8 which requires a scheme to achieve an acceptable standard of design.
- 5.7 With regard to criterion b), the rear extension extends beyond the rear elevation by 4.4 metres with a height of 3 metres adjacent to the original dwelling but due to the level changes the proposed rear elevation will be 3.5 metres in height. There are proposed steps from patio doors down to the garden on this rear elevation.
- 5.8 Objections have been received from the Parish Council and the adjoining local resident raising concerns over the location and scale of the rear extension and the loss of privacy to the rear garden due to the change in ground levels. Concerns have also been raised regarding overshadowing of the neighbours patio area and the dominant impact on the view from the neighbouring property.
- 5.9 With regards to the overshadowing of the neighbouring property due to the orientation of the proposed extension to the west of the neighbour and its relationship and scale in regard of the original dwelling it is considered that any overshadowing from the proposal would not be so significant to their residential amenities to warrant refusing the application.
- 5.10 The neighbour has concerns with regard to the overbearing impact of the proposal on the view from their windows. Although part of the proposal will be visible from the window of the neighbouring property it will not be the whole length of the extension and will not be so dominant to justify refusing the application.
- 5.11 With regard to overlooking from the proposal there is an existing patio area to the rear of the property where the extension is to be located. The proposed floor area will be at the same level as the patio with steps in a similar position to the existing. Any view from the extension will be looking towards the rear of the neighbour's garden and not the immediate garden space. The view from the proposed doors in the rear of the existing garage will also view the rear of the neighbouring gardens.
- 5.12 The proposal would continue to provide sufficient private amenity space and it is evident that the proposal would not have any impact on the existing parking for the site.
- 5.13 For the above reasons the requirements of criterion b) are met as are those of Policy DM3.12 which requires sufficient on-site parking to be provided and those of DM3.13 which safeguards neighbour amenity.

5.14 Under Section 143 of the Localism Act the council is required to consider the impact on local finances. This can be a material consideration but in the instance of this application the other material planning considerations detailed above are of greater significance.

5.15 This application is not liable for Community Infrastructure Levy (CIL)

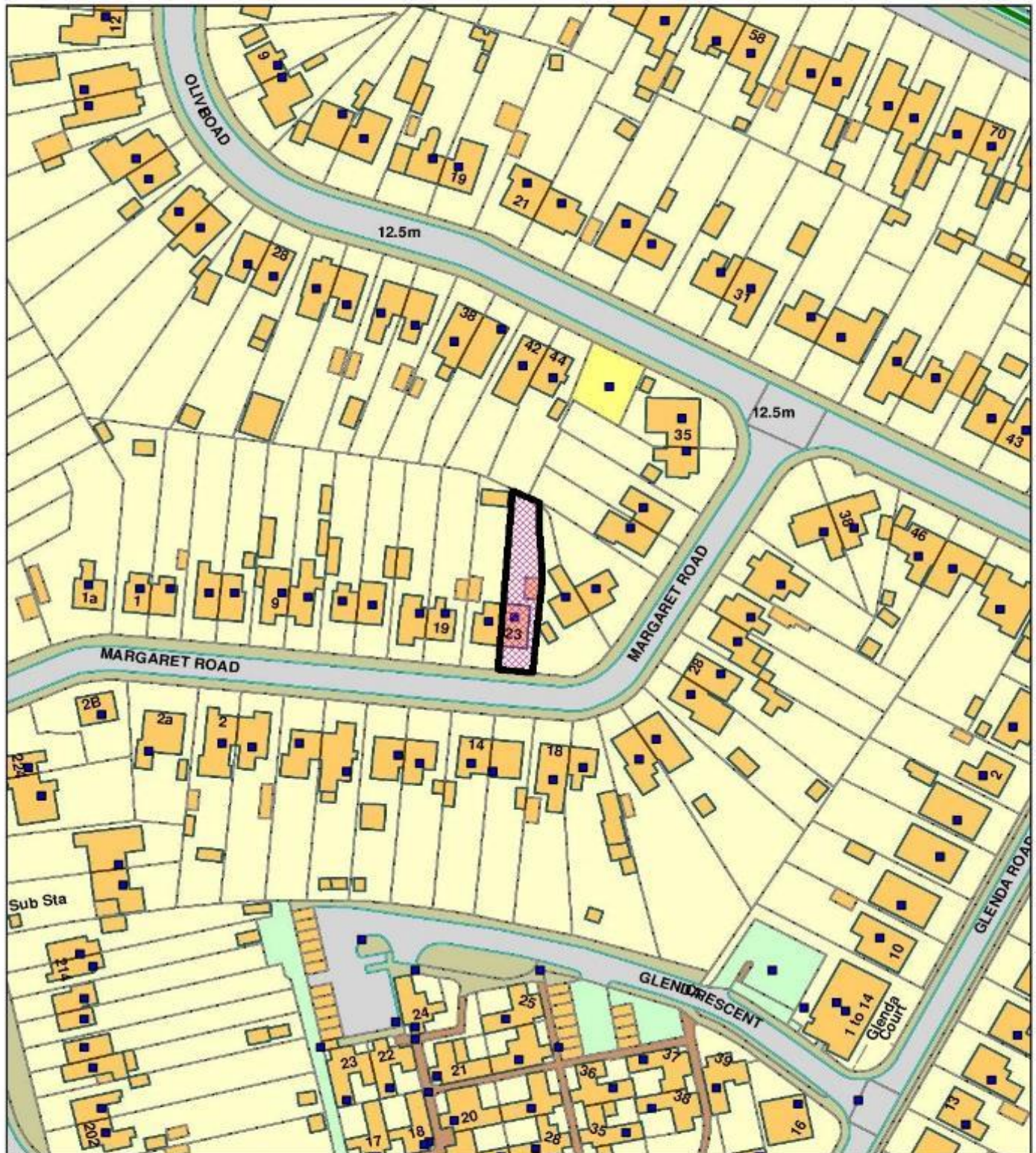
6 Conclusion

6.1 The site is within the development limit for Costessey. The proposed extension is considered acceptable in design terms and would safeguard neighbour amenities and therefore accords with policies DM3.4, DM3.8, DM3.12 and DM3.13 of the South Norfolk Local Plan 2015. The proposal is therefore recommended for approval.

Contact Officer, Telephone Number Lynn Armes 01508 533960
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2017/2450

Appendix 1



Scale 1:1,250

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South Norfolk Council, Cygnet Court, Long Stratton, Norwich, NR15 2XE Tel (01508) 533633

Major applications

- 2 Appl. No : 2017/2247/D**
Parish : SWARDESTON
- Applicants Name : Bennet PLC
Site Address : Land Off Bobbins Way Swardeston Norfolk NR14 8DT
Proposal : Reserved matters application for demolition of existing buildings, residential development of 38 dwellings and ancillary works following outline permission 2014/1642 for access, appearance, landscaping, layout and scale.
- Recommendation : Authorise Director of Growth and Business Development to Approve with Conditions
 1. Conditions of outline must be met
 2. In accordance with amended plans
 3. Implementation of landscaping scheme and management to be agreed.
- Subject to no objection from Norfolk County Council Highway Authority and no new material considerations being raised by other consultees and third parties.

1 Planning Policies

- 1.1 National Planning Policy Framework
NPPF 07 : Requiring good design
NPPF 08 : Promoting healthy communities
NPPF 10 : Meeting the challenge of climate change, flooding and coastal change
NPPF 11 : Conserving and enhancing the natural environment
- 1.2 Joint Core Strategy
Policy 1 : Addressing climate change and protecting environmental assets
Policy 2 : Promoting good design
Policy 3: Energy and water
Policy 4 : Housing delivery
Policy 6 : Access and Transportation
Policy 9 : Strategy for growth in the Norwich Policy Area
Policy 10 : Locations for major new or expanded communities in the Norwich Policy Area
Policy 20 : Implementation
- 1.3 South Norfolk Local Plan Development Management Policies
DM1.1 : Ensuring Development Management contributes to achieving sustainable development in South Norfolk
DM1.2 : Requirement for infrastructure through planning obligations
DM1.3 : The sustainable location of new development
DM1.4 : Environmental Quality and local distinctiveness
DM3.1 : Meeting Housing requirements and needs
DM3.8 : Design Principles applying to all development
DM3.11 : Road safety and the free flow of traffic
DM3.12 : Provision of vehicle parking
DM3.13 : Amenity, noise, quality of life
DM3.14 : Pollution, health and safety
DM3.15 : Outdoor play facilities/recreational space
DM3.16 : Improving level of community facilities
DM4.2 : Sustainable drainage and water management

DM4.3 : Facilities for the collection of recycling and waste
 DM4.4 : Natural Environmental assets - designated and locally important open space
 DM4.7 : Strategic gaps between settlements within the Norwich Policy Area
 DM4.8 : Protection of Trees and Hedgerows
 DM4.9 : Incorporating landscape into design

1.4 Supplementary Planning Documents
 South Norfolk Place Making Guide 2012

Statutory duties relating to Listed Buildings, setting of Listed Buildings: S66(1)

Listed Buildings Act 1990 provides: "In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority, or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses."

2. Planning History

- | | | | |
|-----|-----------|---|---------|
| 2.1 | 2014/1642 | Outline application with all matters reserved except for access for demolition of existing buildings, residential redevelopment and ancillary works | Refused |
|-----|-----------|---|---------|

Appeal History

- | | | | |
|-----|-----------------|---|---------|
| 2.2 | 15/00027/AGREFU | Outline application with all matters reserved except for access for demolition of existing buildings, residential redevelopment and ancillary works | Allowed |
|-----|-----------------|---|---------|

3 Consultations

- | | | |
|-----|-----------------------|---|
| 3.1 | Town / Parish Council | <p>Comments on amendments:</p> <ul style="list-style-type: none"> • No updated comments received at time of writing report. <p>Summary of detailed comments on original scheme:</p> <ul style="list-style-type: none"> • Accepted that outline permission has been granted to build 39 dwellings on the site but is felt that insufficient consideration has been given to those existing dwellings in Cavell Close and Wood Gardens in this revised plan. • The land along the West boundary of the proposed site is considerably higher, over 1.5 metres in places, than both Cavell Close and Wood Gardens and these existing homes will be overlooked by the new development. The parish council feels that this could be mitigated by repositioning the proposed bungalows or even adding more bungalows along this boundary. • The affordable homes are all in a cluster to the south end of the site which is in contravention of planning policy. • Feel strongly that an increase in shared equity allocation would greatly benefit the community given the extreme difficulty of young local residents getting onto the housing ladder. • Garaging and parking facilities is at a bare minimum and falls far short of the likely requirements in reality. Also have concerns regarding the width of some of the proposed roads which are likely to become blocked due to parked cars. |
|-----|-----------------------|---|

- The proposed recreational area falls short of the requirements for this size of development which is contrary to policy. Concerned regarding any proposal to address the shortfall in this application. In addition, there appears to be no clear plan as regards maintenance of the facility that is being provided.
- Much work seems to have been done to address the surface water drainage issue from this site but concerns still exist, given the difference in land levels between the proposed site and adjoining properties. Concerned about flooding to existing properties and existing drains along the B1113 which are unable to cope with heavy rainfall.
- Concerns raised with regard to the boundary between the new homes and the existing development. We request a condition be made, if the plan is approved in its current form, that a strip of land be landscaped along this boundary to provide screening from neighbouring properties.

3.2 District Councillors:
Cllr Legg & Cllr
Foulger

Comments on amendments:

- No updated comments received at time of writing report.

Comments on original scheme:

- To committee. There are concerns about the layout, parking, overlooking, maintenance and surface water drainage.
- This application is causing alarm and justified concerns from both the Swardeston Parish Council as well as many residents. It does appear that the proposed two storey dwellings at the furthest end of the site away from the B1113 is on a part of the site that is considerably higher than the existing dwellings to the north by around two metres. It is enough that on a site level with the surrounding existing dwellings that the proposed dwellings should not overlook into those properties. In this proposal that scenario is greatly exacerbated by the considerably greater height of the development site above the surrounding properties. This serious problem can be simply alleviated by insisting that any proposed new dwelling on higher land should be single storey.
- Can I ask if the planning officer dealing with this application has visited the site and has made themselves aware of this apparent problem and the legitimate concerns of residents and if so what is his/her thoughts to alleviate these concerns?

3.3 SNC Senior
Conservation and
Design

No objection

Comments on amendments:

- The scheme is acceptable.

Original comments:

- The scheme is acceptable in principle. The private drive with hedge to the south of the play space is acceptable, and it is a good aspect that the buildings front towards this space, but the hedge will obscure the parking spaces.
- There is a variety of building frontages facing towards the street. The gable ends of units 15 & 16 will be very prominent in terms of overlooking the public space, it will be important to have some fenestration so that they are not just blank gable ends facing towards the POS.
- I would suggest that there is no real need for a hedge to the front of units 27 & 28. Being between vehicle accesses with

vehicle movements, it is likely that over time the hedge may not get established with vehicle damage etc. It would be better for the frontage of 27/28 to have any boundary treatment etc directly in front of units 27 & 28. The parking court should have an appropriate surface – e.g. roll top gravel – rather than plain tarmac which would be unsightly – or too large an area of setts.

- | | | |
|------|---|--|
| 3.4 | NCC Ecologist | <p>No objection</p> <ul style="list-style-type: none"> I have reviewed the Appeal Decision and the plans so far do not appear to conflict with the ecological conditions. As such I have no objection to these proposals. |
| 3.5 | SNC Environmental Quality Team | <p>No comments received.</p> |
| 3.6 | SNC Play and Amenities Officer | <p>No objection</p> <p>Comments on amendments:</p> <ul style="list-style-type: none"> I have no objections as to the location of play areas. |
| 3.7 | NCC Highways | <p>Comments on amendments:</p> <ul style="list-style-type: none"> Awaiting updated comments at time of writing report. <p>Original comments</p> <ul style="list-style-type: none"> Amendments required in respect of internal layout visibility splays, junctions, visitor parking, turning heads, parking spaces, private drives, and garages. |
| 3.8 | SNC Housing Enabling & Strategy Officer | <p>No objection</p> <p>Comments on amendments:</p> <ul style="list-style-type: none"> The affordable housing package is acceptable. <p>Original comments:</p> <ul style="list-style-type: none"> JCS Policy 4 requires 33% affordable housing, and this application complies by proposing 13 affordable homes. The mix of property types is acceptable and the layouts and internal floorspaces are acceptable. |
| 3.9 | Anglian Water Services Ltd | <p>No objection</p> <ul style="list-style-type: none"> The proposed method of surface water management does not relate to Anglian Water operated assets. As such, we are unable to provide comments on the suitability of the surface water management. The sewerage system at present has available capacity for these flows. |
| 3.10 | NCC Lead Local Flood Authority | <p>No objection</p> <p>Comments on amendments:</p> <ul style="list-style-type: none"> Additional information has been provided. The applicant now demonstrates how surface water drainage will be managed on site without increasing flood risk on the site or elsewhere, in line with National Planning Policy Framework (NPPF). <p>Original comments:</p> <ul style="list-style-type: none"> Surface water scheme is generally acceptable, however there are some concerns that require further consideration. Infiltration testing should ideally be carried out at the same depth of the permeable paving, in order to better understand the |

infiltration to the ground. Tests in the location of the main area/s of permeable paving, based on the updated site layout should be sufficient to better understand the link between the test results and proposed method of infiltration.

- A summary of the critical results of the 2017 drainage scheme micro calculations should be provided.
- The proposed increase in the size of the highway drain and acceptability of connecting the development into system has not been concluded.

3.11 NHS England

No comments received

3.12 SNC Landscape Architect

Comments on amendments:

- The planting plan now shows a field gate installed where the gap of the hedging is. This does make establishment/management of the hedges much less problematic. Ideally, the eastern boundary hedge will be in the control of one party, the same one as that maintains the open space.
- It's disappointing that a small section of the hedge has to be box; this is a result of the tight building layout. Box, however is native and – eventually – will achieve the height necessary.
- We will also need to condition for implementation of the planting in accordance with an agreed timetable. We also will require a long-term management plan for the open space and the eastern hedgerow (amongst other things, it will need to set out management responsibilities and minimum managed heights for hedges (which should be the same as the adjacent fences).

Comments on amendments:

- We are still not getting the continuous countryside hedge on the eastern boundary that I consider is important for this rural-edge scheme. To be explicit, what I seek is a native mixed hedge along the entire length (but I am happy for localised variation in the mix if Building Regs. necessitate). I realise that I overlooked that the proposed mix includes a non-native species of hazel, which needs to be corrected. The plan requires a further revision.
- I am happy for the revised plan to be conditioned. We will also need to condition implantation, and a long-term management plan.

Original comments:

- The east boundary is now shown as a close-board fence on the outside of a hedge. This aspect of the site faces open countryside and a public footpath so must be sympathetic to the rural situation; the current proposal is therefore not acceptable. Furthermore, the areas adjacent to the garages at plots 1 and 8 are now proposed to not be planted at all. In the interest of wildlife connectivity and visual amenity, this needs to be continuous.
- On the previous plan the north boundary treatment was not specified, but this is now shown as close-board. It is assumed that the off-site vegetation will be retained; if this is the case, then the fencing is acceptable, but clarification would be useful.

- No information is given for the treatment along the southern boundary; the planting that was initially proposed is now deleted.
- A revised landscape scheme is therefore still required.

3.13 Other Representations

9 letters of objection received and 1 letter of support, summarised as follows:

Comments on amendments:

- The proposed site planning application has been improved in layout and landscaping.
- The new proposed properties have been repositioned away from our immediate rear boundary which has alleviated our previous concerns regarding privacy.
- It appears on the plan that our conifer hedge is on the other side of our boundary line however this is not the case as they were planted within our side of the fence line, some of the original posts still remain although the branches have overgrown them.
- We find this new site plan application more acceptable.
- Object to the 2 storey dwellings along the south boundary and 1.8m close boarded fence.

Original comments:

- The proposed site layout has 2-storey dwellings in the rear corners on the site, where the land is considerably higher than the existing dwellings.
- It would be more acceptable to move these 2 storey dwellings to part of the site where the land is lower and replace them with single storey dwellings at the rear of the site
- Access and roads on development are too narrow.
- The site has bungalows nearby but has proposed that the tallest buildings are placed on the highest land overlooking existing properties.
- The mature trees and hedges that screened our back garden have already been removed. We would request that some form of natural screening be reinstated to ensure our privacy.
- A development of this size is not in keeping with the character of the village and is far too large.
- Few amenities and a development of this size will add pressure to the local Doctors surgery and schools.
- Why isn't the developer directed to move these two story houses to a lower part of the site and place bungalows on the higher land of the site.
- Object to the 2 storey dwellings along the south boundary, particularly in respect of the height of the properties on land which is much higher than the surrounding area.
- The proposed site layout is an improvement on the previous outline plan.

4 Assessment

- ### 4.1
- The application seeks reserved matters approval for 38 dwellings on land off Bobbins Way in Swardeston.

- 4.2 The site itself is located to the east of Cavell Close and to the north of properties on Wood Lane. The land to the north comprises greenhouses relating to Bobbins Nursery and a farm shop. The land to the east of the site is agricultural land. The site boundaries to the south and east are enclosed by a mixture of trees and hedgerows.
- 4.3 The site slopes gently upwards from north to south and there is also a change in level between the site and the properties in Cavell Close, which are at a lower level than the site.
- 4.4 This application follows the grant of planning permission allowed on appeal by the Secretary of State (ref APP/L2630/W/15/3039150 decision dated 29 January 2016 under application 2014/1642). The development would be accessed from the B1113 via Bobbins Way. The scheme would provide 38 dwellings of which 33% are affordable units, consisting of the following:
- Open market dwellings
19 x 4 bedroom houses
6 x 3 bedroom houses
- Affordable dwellings
3 x 2 bedroom bungalows
4 x 1 bedroom flats
4 x 2 bedroom houses
2 x 3 bedroom houses
- 4.5 The principle of residential development has already been established by the appeal decision for the site. The Planning Inspector in reaching this decision concluded that the appeal proposal would not lead to significant and demonstrable harm to the character and appearance of the area and that the benefits of providing additional dwellings where the Council could not demonstrate a five-year supply of housing, outweighed the conflict with policies that seek to protect the countryside.
- 4.6 A copy of the Inspector's appeal decision and schedule of conditions is attached as Appendix 2.
- 4.7 A S106 legal agreement was secured with the outline consent for the site and this secured a number of obligations, including affordable housing and recreational space and play equipment obligations. A subsequent Deed of Variation has been agreed to amend the open space and play obligations in accordance with the outline consent. The S106 secures a sum for the extension or improvement of recreational facilities or equipment within Swardston, in lieu of the provision of children's play space on site.
- 4.8 Having regard to the fact that the principle of residential development has been established, the main issues for consideration of this application are:
- highways issues;
 - layout and appearance;
 - landscaping and open space;
 - ecology;
 - drainage;
 - residential amenity;
 - affordable housing; and
 - renewable energy and water efficiency.

Highways issues

- 4.9 The principle of the development being served off Bobbins Way and number of dwellings was considered acceptable at outline stage subject to the provision of an appropriate

visibility splay on either side of the access onto the B1113. The Highway Authority has confirmed that they have no objection to the proposed access arrangements subject to the conditions of the outline planning permission.

- 4.10 With regards to the detailed road layout of the site, the Highway Authority have made a number of detailed comments with regards to the technical specifications of the scheme to comply with the County Council highway standards. Comments on the subsequent amended plan are still awaited from Norfolk County Council as Highway Authority at the time of writing this report and will follow as an update.
- 4.11 In respect of parking provision, policy compliant levels of parking have been exceeded across the site, equating to 2 spaces per 2 & 3 bedroom dwelling and 3 to 4 spaces per 4 bedroom dwelling. Garages are also sized to ensure sufficient storage space in addition to parking that comply with the Parking Standards for Norfolk Guide (2007).
- 4.12 With regards to pedestrian and cycle connections, the site layout has been designed to connect into the surrounding village by providing direct, safe and convenient walking and cycle routes. The layout allows easy pedestrian and cycle movement through the site connecting to Bobbins Way and the B1113.
- 4.13 The proposal is therefore considered to comply with the requirements of policies DM3.12 and DM3.13 of the South Norfolk Local Plan, subject to confirmation from the highway authority that they are satisfied that the internal site layout complies with highway standards.

Layout and appearance

- 4.14 Policy 2 of the JCS and section 7 of the NPPF requires all development to achieve good design.
- 4.15 The general layout of the site, which has been informed by the outline planning permission and amended following discussions with the Council's Senior Conservation and Design Officer, is considered acceptable. The amended proposals include a variety of buildings that face towards the street and public open space to help create a sense of character focused around a central open space.
- 4.16 The proposals deliver a range of dwellings that reflects the local vernacular using traditional materials and appropriate elevational detailing informed by the surrounding character. Buildings are proposed in prominent and logical locations to reinforce the overall character combined with landscaping and public open space. The combination of these elements ensures that the local identity is reinforced and that buildings positively contribute to the site layout.
- 4.17 The majority of car parking is on plot, with one small parking bay which is directly overlooked by properties and screened by landscaping to minimise views of cars from the road. Dwellings generally benefit from garages that help to support street scenes and remove parked cars from the road. This has led to tandem parking in some instances, but this is required to support the street scene where on plot parking is proposed between detached and semi-detached dwellings. In respect of parking provision, policy compliant levels of parking have been provided across the site as noted above. On this basis it is considered that the parking arrangements, on balance, are acceptable in design terms.
- 4.18 In terms of affordable housing, this has been integrated into the site following amendments to the overall housing layout and mix of dwellings. The affordable housing has been distributed in two small groups to the east and west of the site and are not distinguishable from other housing types in terms of design quality. Their position within the overall development, proximity to the public open space, elevational treatments and

detailing are considered to be acceptable in terms of the character created and are in accordance with the South Norfolk Place Making Guide SPD.

- 4.19 Overall, it is noted that the Council's Senior Conservation and Design Officer considers that the amended scheme is acceptable, resulting in a development with its own distinctive character that relates positively to its surroundings. The proposal therefore meets the requirements of Policy 2 of the JCS, section 7 of the NPPF and policy DM1.4, DM3.8 and DM4.3 of the South Norfolk Local Plan and South Norfolk Place-Making Guide SPD. In addition to the above, a Building for Life assessment has been carried out, which scores 11 greens out of 12.

Landscaping and open space

- 4.20 With regards to the landscaping, the applicant has submitted a Landscaping Scheme, which has been amended during the course of the application to provide details of the provision of plants and landscaping, including a hedgerow along the eastern boundary of the site. The Council's Landscape Architect has confirmed that the landscaping scheme is now acceptable and has recommended a condition requiring implementation of the landscape scheme in accordance with the agreed details. A condition has also been recommended requiring a landscape management plan to be submitted to provide details of the long-term management for the eastern boundary hedgerow and play area & recreational open space.
- 4.21 In terms of open space, this has been enhanced from the original outline proposals, to create a focal point within the development and provide a good level of separation between the proposed dwellings and existing residential properties on Cavell Close. Other amendments have including enhancing the site boundaries and supplementing them with additional planting to ensure that there is an appropriate interface with the rural setting. The Landscape Architect has confirmed that the amendments and overall landscape approach is acceptable in this regard.
- 4.22 In terms of meeting the Council's open space requirements, an area of 2000sq/m of older children's/adult's recreation space is proposed, with a commuted sum secured in the S106 Agreement, to be used for the extension or improvement of indoor or outdoor recreational facilities or equipment within Swardeston. The sum is to be used in lieu of the actual provision of 1000sqm of children's play space on site.
- 4.23 The principle of securing a financial contribution in lieu of the provision of children's play space was agreed at the outline stage and is necessary to deliver the number of consented dwellings on the site at an appropriate density. The Council's Play and Amenities Officer has confirmed that this approach is acceptable. As such and subject to the provisions set out in the S106, it is considered that the open space requirements have been met.
- 4.24 With regards to the future management responsibilities and long-term design objectives, it is recommended this is subject to a condition requiring the submission of details at a later stage. As such it is considered that the proposed landscaping is acceptable and accords with Policies DM4.9 and DM4.10 of the South Norfolk Local Plan.

Ecology

- 4.25 The County Ecologist has carried out an assessment of the proposals, concluding that the appeal decision and proposals do not conflict with the original ecological conditions and as such have no objections to the proposals. Therefore, subject to the compliance with the conditions of the outline consent, it is considered that the impacts on ecology are acceptable and accords with the NPPF section 11, conserving and enhancing the natural environment and JCS Policy 1, addressing climate change and protecting environmental assets.

Surface and foul water

- 4.26 Condition 4 of planning permission 2014/1642, requires that concurrently with the submission of the reserved matters, a surface water drainage scheme is submitted to, and agreed in writing by the local planning authority.
- 4.27 The application is supported by a Surface Water Drainage Scheme that builds on the Flood Risk Assessment to provide details of the drainage proposed.
- 4.28 The report has been updated and additional information has been provided in response to comments from the Lead Local Flood Authority (LLFA) who have subsequently agreed that the applicant now demonstrates how surface water drainage will be managed on site without increasing flood risk on the site or elsewhere, in line with National Planning Policy Framework (NPPF).
- 4.29 As such it is considered that sufficient information has been submitted to adhere with the submission element of condition 4 of planning permission ref 2014/1642, and that the proposals comply with the second part of the condition, which requires the details of the surface water drainage scheme to be agreed by the local planning authority.
- 4.30 With regards to foul water capacity, this was considered at the outline stage and is proposed to be via the main sewer by Anglian Water who have confirmed that there is capacity within the network. As such the proposals are considered acceptable in this regard.

Residential amenity

- 4.31 Policy DM3.13 requires development to have regard to the impacts on residential amenity.
- 4.32 Potential impacts on residential amenity of existing properties largely relate to those properties along the south and west boundaries of the site. It is noted that land along the west boundary of the site is higher than both Cavell Close and Wood Gardens and that there is a change along this boundary.
- 4.33 In response to the concerns raised by the Parish Council and neighbours regarding the height and scale of the proposed dwellings along these boundaries, the site layout and house types have been amended to minimise the impact on the amenity of existing dwellings in terms of loss of light, outlook or privacy. Consequently, three single storey dwellings are now proposed in the west corner of the site to the rear of Cavell Close and Wood Gardens, rather than two storey dwellings. The reduced scale and position of the properties proposed, together with the separation from existing properties and proposed boundaries is considered sufficient to ensure that there would be no significant adverse impact on existing residential amenity.
- 4.34 In terms of the amenities of residents on Cavell Close that back onto the proposed public open space, it is felt that the relative distance and separation between the open space is acceptable ensuring no adverse impact on amenity in terms of loss of light, outlook or privacy. Furthermore, the relationships between the new and proposed dwellings is sufficient that future owners will each have adequate levels of amenity in terms of outlook, privacy and light and have suitable sized and private amenity spaces.
- 4.35 The amended scheme is therefore considered to comply with the requirements of Policy DM3.13 of the South Norfolk Local Plan that requires development to have regard to the impacts on residential amenity.

Affordable housing

- 4.36 Policy 4 of the JCS requires 33% of the total number of units to be affordable, unless it can be demonstrated that it is not viable to do so. In this instance the scheme proposes 12 affordable homes (10 for rent and 3 for shared equity), which equates to 33% of the total number of properties. The Council's Housing and Enabling Officer has reviewed the mix and confirmed that it is acceptable, meeting the housing needs of a range household types and sizes.
- 4.37 With regards to the location of the affordable housing, this has been integrated into the site following amendments to the overall housing layout as noted above in my report. As such the scheme is considered to comply with the requirements of JCS Policy 4 and Policy DM3.1 of the South Norfolk Local Plan.

Heritage Assets

- 4.38 There are no listed buildings located within the application site and the site is not within a Conservation Area. There are some distance views of St Mary's Church to the west, however the Church is well screened from the site by virtue of other buildings and trees between it and buildings. The Council's Senior Conservation and Design Officer has confirmed that the proposed development would not have any adverse impact on the setting of heritage assets, including St Marcy's Church, which is separated by Cavel Close, Norwich Road and other intervening features. It is therefore considered that the development is acceptable in terms of policy DM4.11 of the South Norfolk Local Plan. In addition to the Development Plan policies, S66(1) Listed Buildings Act 1990 requires local planning authorities to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. In consideration of the Council's duties under those Acts it is considered, for the reasons set out above, that the proposal would not adversely affect the special architectural or historic interest of heritage assets.

Renewable energy and water efficiency

- 4.39 Policy 1 and 3 of the JCS require the sustainable construction of buildings and water conservation in addition to requiring 10% of the predicted energy requirements to be delivered by on site decentralised and renewable or low carbon energy. Precise details and compliance with the policy will be secured by the conditions of the outline planning permission.

Financial considerations

- 4.40 Under Section 143 of the Localism Act the council is required to consider the impact on local finances. This can be a material consideration but in the instance of this application the other material planning considerations detailed above are of greater significance.
- 4.41 This application is not liable for Community Infrastructure Levy (CIL) as outline permission was granted prior to CIL being adopted by the Council.

5. Conclusion

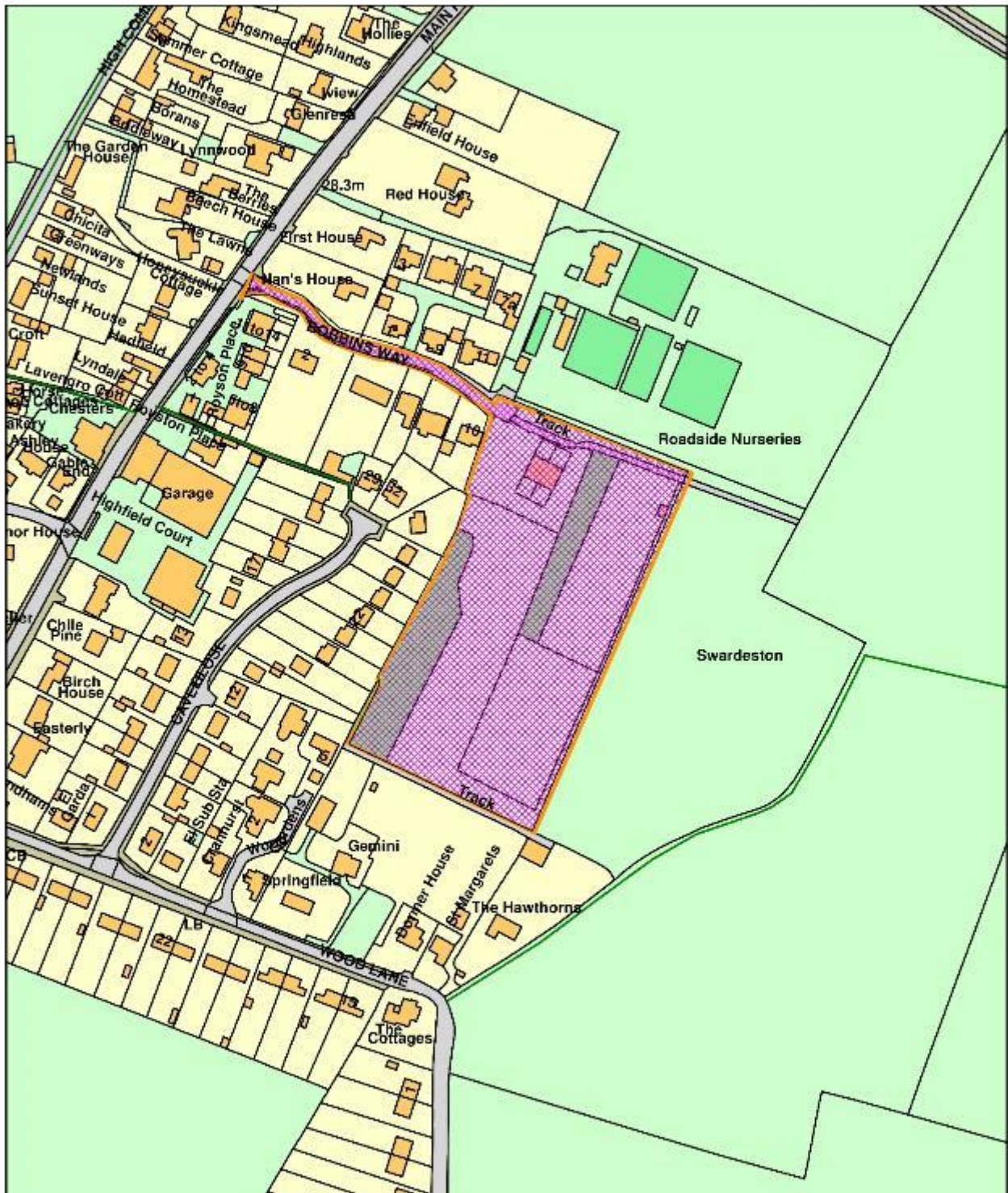
- 5.1 With the principle of development having been established by the appeal decision, it is evident that the current scheme has had regard to the conditions of the Inspector's decision, where necessary, and the scheme complies with the requirements of Policy 1, 2, 4 and 15 of the Joint Core Strategy and South Norfolk Local Plan Policies DM1.1, DM1.3, DM1.4, DM3.1, DM3.2, DM3.8, DM3.11, DM3.12, DM3.13, DM3.14, DM3.16, DM4.2, DM4.3, DM4.8 and DM4.9

- 5.2 Subject to the imposition of conditions and no objection from the Highway Authority, the application is recommended for approval.

Contact Officer, Telephone Number Chris Watts 01508 533765
and E-mail: cwatts@s-norfolk.gov.uk

2017/2247

Appendix 1



Scale 1:2,500

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South Norfolk Council, Cygnet Court, Long Stratton, Norwich, NR15 2XE Tel (01508) 533633



Appeal Decision

Hearing held on 29 September 2015

Site visit made on 29 September 2015

by D J Board BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 29 January 2016

Appeal Ref: APP/L2630/W/15/3039150

Land off Bobbins Way, Swardeston, Norwich, NR14 8DT

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Jenkinson Properties Ltd against the decision of South Norfolk District.
 - The application Ref 2014/1642/O, dated 11 August 2014, was refused by notice dated 12 December 2014.
 - The development proposed is demolition of existing buildings, residential development and ancillary works.
-

Decision

1. The appeal is allowed and planning permission is granted for demolition of existing buildings, residential development and ancillary works in accordance with the terms of the application, Ref 2014/1642/O, dated 11 August 2014, subject to the conditions in Annex A.

Application for costs

2. At the Hearing an application for costs was made by Jenkinson Properties Ltd against South Norfolk Council. This application will be the subject of a separate Decision.

Procedural Matters

3. The application was submitted in outline, with the detailed matter of access submitted for consideration. The other matters are reserved for future consideration. I have dealt with the appeal on this basis.
4. Since the submission of the appeal the Council has updated its position on Housing Land Supply. In light of this the Council has, in effect, withdrawn its substantive objection to the scheme. This is subject to the provision of affordable housing and open space.

Main Issue

5. The main issue is whether or not the proposal would be a suitable site for housing, having regard to the principles of sustainable development.

Reasons

6. The development plan includes the Joint Core Strategy (JCS) for Broadland, Norwich and South Norfolk and saved policies of the South Norfolk Local Plan

Appeal Decision APP/L2630/W/15/3039150

(LP). Within the current planning policy framework the site is in the countryside.

7. The Council confirmed prior to and at the Hearing that it can no longer demonstrate a five year supply of housing. I have no reason to disagree. Therefore paragraphs 49 and 14 of the National Planning Policy Framework (the Framework) are engaged and the relevant policies for the supply of housing should not be considered up to date.
8. LP Policy ENV8 is designed to protect the countryside rather than being 'relevant to the supply of housing'. In this regard it is not out of date and is relevant to the consideration of matters of character and appearance. I have also been referred to policies 3, 9 and 15 from the JCS. I consider that these policies are consistent with the Framework.
9. The largest part of the built up area of Swardeston is location adjacent to the site. The built up area wraps around the site to its south and west. The site is directly adjacent to the settlement boundary. I appreciate that the proposal would introduce built development onto an area that is currently open in appearance. However, the limit of the site to the south east would be broadly contiguous with the extent of the existing nursery buildings. In addition I note that there is open countryside to the east. However, overall, the site would relate well to the development around it. Within the immediate context it would not represent a significant outward extension. The immediate area has a residential feel and as such development of this site would not appear out of place.
10. The site would not be visible from the main road (B1113) as it would sit behind existing properties on this road and Bobbins Way. From Wood Lane the site would be glimpsed through the existing properties. I appreciate that the piece of land is on the edge of the settlement. However, it would be seen against the backdrop of existing development on Cavell Close and Bobbins Way. This would serve to lessen the impact of the development. Overall, the addition of dwellings in this location would not fundamentally alter the appreciation of Swardeston as a settlement within the wider rural landscape.
11. Paragraphs 7 and 8 of the Framework require the economic, social and environmental dimensions of sustainable development to be considered together. The provision of new dwellings would provide employment during construction. Future residents would also be likely to make use of the existing services in the village. However, I appreciate that whilst there are some services in the village they are limited in number and type. Therefore there would be some economic benefits but these would be limited and in some cases temporary.
12. With regard to the social role the village does have some facilities. In particular my attention has been drawn to the fact that Swardeston is identified as a 'service village' within the JCS policy 15. The village also benefits from bus services with onward connection to larger settlements in the area and to Norwich. Walking and cycling would be possible within the village. Nevertheless I appreciate though that access to other settlements to reach a substantial range of facilities would be reliant on the car.
13. The site is close to other housing and would not be an isolated development in the countryside. It would be as accessible to services as other dwellings in the

Appeal Decision APP/L2630/W/15/3039150

settlement boundary. Furthermore, Swardeston is located within a rural district. I understand that Norwich is accessible. However, in the context of the whole district Swardeston does have some facilities. Overall whilst the location is not a significant benefit in transport terms it is not wholly without advantages.

14. The final dimension of sustainable development is the environmental role. I have considered the effect of the proposal on the character and appearance of the area and found that, overall, the provision of housing in this location would not have a harmful effect on the character and appearance of the area.
15. I therefore conclude that the site would be a suitable site for housing, having regard to the principles of sustainable development.

Other matters

16. Whilst not reasons for refusal I have carefully considered the comments from local residents. In particular issues have been raised regarding loss of privacy, impact on outlook, surface water and foul drainage and construction traffic.
17. I appreciate that near neighbours are concerned about the resultant relationship. The layout of the development would be part of the reserved matters submission. There is strong planting to the site boundaries and suitable intervening distances could be achieved so there would not be loss of privacy or outlook. There is no substantive evidence that the site could not be adequately drained. Consequently this matter could be dealt with by condition. Construction management could also be dealt with by condition.
18. Swardeston Parish Council is concerned about the development of the appeal site and other sites. In particular that there are other sites that would be preferable and in addition that if both this site and another site were to be developed then there would be a disproportionate number of new dwellings in the village. It is not for me to make a judgement about the suitability or otherwise of other sites. I have considered the appeal before me on its individual merits and relevant and local and national planning policy.
19. The Framework sets out policy tests for the seeking of planning obligations and there are similar statutory tests contained in Regulation 122 of the Community Infrastructure Regulations (2010) (CIL) which must be met for obligations to be given weight. These tests apply to the submitted obligation.
20. Provision for affordable housing is necessary to address local and national policy requirements and to help meet local needs for such housing. There is also a need for the provision of public open space on the site and an associated commuted sum. These obligations are directly related to the development and are fairly and reasonably related to it in scale and kind, as well as being necessary to make it acceptable. They also related specifically and directly to the site. Therefore I have taken the obligation into account.
21. The South Norfolk CIL has been adopted and a payment is required in respect of infrastructure improvements in the area. The collection of the CIL is undertaken by the relevant charging authority, on service of a notice that planning permission has been granted in relation to chargeable development. As such, the requirement for, and enforcement of, the payment of a contribution in relation to infrastructure within the area is not a matter for consideration in this appeal.

Conditions

22. The Council has suggested a number of conditions which it considers would be appropriate were I minded to allow the appeal. I have considered these in light of the Framework and Planning Practice Guidance and for clarity some of the proposed wording is amended. Conditions are necessary that relate to the standard time limits and submission of reserved matters. A condition regarding the identification of the approved plans is required for the avoidance of doubt. Landscaping would be a reserved matter. Therefore a specific condition would not be necessary.
23. To ensure proper drainage of the site conditions relating to surface water and foul drainage strategies are also necessary. In the interests of highway safety conditions requiring the provision of visibility splays, roads and footways and on site parking for construction would be reasonable and necessary. In the interests of protected species conditions are necessary to secure the appropriate searching of the site and any buildings.
24. To protect the living conditions of adjoining occupiers conditions to require details of external lighting, construction works and delivery times would be necessary. Conditions would also be necessary to ensure that adequate measures for dealing with contamination are in place. In accordance with the requirements of JCS policy 3 conditions requiring a scheme for low carbon energy and water conservation measures are necessary.

Conclusion

25. The appeal proposal would not lead to significant or demonstrable harm to the character and appearance of the area or to any wider sustainability objectives when assessed against LP policies, including ENV8 and the policies of the Framework. In light of this, and the benefits of the proposal in providing additional dwellings, I consider that the conflict with policies that seek to protect the countryside would be outweighed by other considerations. Having had regard to all other matters raised I therefore conclude that the appeal should be allowed.

D J Board

INSPECTOR

Annex A – Conditions

1. Application for the approval of the reserved matters must be made before the expiry of three years from the date of this permission. The development hereby permitted should be begun before the expiration of two years from the date of approval of the last of the reserved matters to be approved.
2. No development shall commence until the plans and descriptions giving details of the reserved matters referred to above shall have been submitted to and approved in writing by the local planning authority. These plans and descriptions shall relate to appearance, scale, landscaping and layout of any building to be erected together with the precise details of the type and colour of the materials to be used in their construction.
3. The development hereby permitted shall be carried out in accordance with the application form, plans and drawings and other documents and details submitted or provided by the applicant including drawing numbers 6010/LM/01 F; 6010/RD01; 6010/S/01 Rev A.
4. Concurrently with the submission of reserved matters a surface water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include:
 - a. Written confirmation of the run off rate at a level below 5 l/s or as agreed with the Environment Agency;
 - b. Dimensions and calculations that demonstrate that the surface water drainage scheme would accommodate the critical duration 1 in 100 year rainfall event (incorporating the recommended allowances for the potential impacts of climate change);
 - c. Plans and drawings to be submitted showing the locations and dimensions of all aspects of the proposed surface water management scheme;
 - d. Details of how the scheme shall be maintained and managed after completion.
5. No works shall commence on the site until such time as detailed plans of the roads, footways, foul and surface water drainage have been submitted to and approved in writing by the Local Planning Authority. All construction works shall be carried out in accordance with the approved plans and shall thereafter be retained in the agreed form.
6. No works shall be carried out on roads, footways, foul and surface water sewers otherwise than in accordance with the specification of the Local Planning Authority.
7. No dwelling shall be occupied until the road(s) and footway(s) shall be constructed to binder course surfacing level from the dwelling to the adjoining County road in accordance with the details to be approved in writing by the Local Planning Authority.
8. Prior to the first occupation of the development hereby permitted a visibility splay measuring 2.4 x 59 metres shall be provided to each side of the access where it meets the highway and such splays shall thereafter be maintained

at all times free from any obstruction exceeding 0.225 metres above the level of the adjacent highway carriageway.

9. No development shall commence until a scheme detailing provision for on site parking for construction workers for the duration of the construction period has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented throughout the construction period.
10. A qualified ecologist must be present prior to and during the demolition of the piggery building. The building should be hand searched for roosting bats by an ecologist. The building should be left in a condition unfavourable to for roosting bats before demolition. The search should be conducted at a time of year when bats are unlikely to be using the building as a roost, ideally November to March, avoiding the coldest periods.
11. A qualified ecologist must be present during the hand searching of significant piles of potential refuge habitat and prior to mechanical vegetation removal. No trenches or ground excavations should be left open without a means of reptiles/amphibians being able to find their way out. All piles of spoil, timber or rubble should be kept clear of the ground by removal either to a skip, or by being elevated, to ensure that potential refuge sites are not inadvertently created.
12. No external lighting shall be erected unless full details of its design, location, orientation and level of illuminance (in Lux) provided have first been submitted to and agreed in writing with the Local Planning Authority. Any agreed lighting shall thereafter be implemented in accordance with the approved details.
13. In the event that contamination that was not previously identified is found at any time when carrying out the approved development, it must be reported in writing immediately to the Local Planning Authority. All development shall cease and shall not recommence until: (a) a report shall be submitted and agreed in writing by the Local Planning Authority which includes the results of an investigation and risk assessment together with proposed remediation scheme to deal with the risk identified and (b) the agreed remediation scheme has been carried out and a validation report demonstrating its effectiveness has been approved in writing by the Local Planning Authority.
14. Concurrently with the submission of the reserved matters a scheme that details how the development shall be designed and built to achieve a water consumption rate of no more than 105 litres/person/day shall be submitted to and agreed in writing with the Local Planning Authority. No occupation of any dwellings shall take place until the Local Planning Authority has received written confirmation that the development has been constructed in accordance with this requirement. All completed water conservation measures shall be installed in accordance with the agreed details and thereafter retained.
15. Concurrently with the submission of the reserved matters a scheme for generating a minimum of 10% of the predicted energy requirement of the development from decentralised renewable and/or low carbon sources for the dwellings shall be submitted to and approved in writing by the Local

Appeal Decision APP/L2630/W/15/3039150

Planning Authority. No dwelling shall be occupied until the agreed strategy has been implemented in so far as it relates to that dwelling. The approved scheme shall remain for the lifetime of the development.

16. No development shall commence until a timetable for the hours of deliveries associated with the construction works on site has been submitted to and agreed in writing with the Local Planning Authority. The agreed timetable shall be adhered to throughout the construction phase.

Appeal Decision APP/L2630/W/15/3039150

APPEARANCES

FOR THE APPELLANT:

Jason Parker	Parker Planning
Jason Barber	David Footer Associates
Michael Bobbin	Land Owner

FOR THE LOCAL PLANNING AUTHORITY:

Chris Raine	South Norfolk Council
Tracey Lincoln	South Norfolk Council
Jo Hobbs	South Norfolk Council
Lynn Armes	South Norfolk Council

INTERESTED PERSONS:

Stuart Brown	Local resident
John Marjoram	Local resident
S Huntley	Swardeston Parish Council

DOCUMENTS:

1. Appellant's cost application
2. JCS Policy 9
3. Summary of Appeal APP/L2630/A/14/2227526
4. Planning obligation
5. JCS Policy 3
6. Report on the examination into the South Norfolk Local Plan (Site Allocations & Policies Document, Development Management Policies Document and Wymondham Area Action Plan) dated 28 September 2015
7. Local Plan – Site Specific Allocation & Policies DPD Map 021, Swardeston

Application referred back to Committee

- 3. Appl. No : 2017/1828/RVC**
Parish : ALDEBY

Applicants Name : Mr Akerman
 Site Address : Aldeby Business Park Common Road Aldeby NR34 0BL
 Proposal : Variation of Condition 4 (Hours of Use) of 2000/0917 - Change of Use from B2 (General Industrial) use to mixed B2 (General industrial) and B8 (Storage/Distribution) use - to allow permanent change to hours of use (following temporary change to hours of use under Permission 2015/1994)

Recommendation : Approval with conditions
 1 Specific Use – B2/B8
 2 Restricted hours of use
 3 No extraction / fan system
 4 No outside manufacturing
 5 No retail sales
 6 No vehicle repairs or maintenance
 7 retention of fencing
 8 Highways signs to be agreed
 9 Management plan

1 Planning Policies

- 1.1 National Planning Policy Framework
 NPPF 01 : Building a strong competitive economy
 NPPF 03 : Supporting a prosperous rural economy
- 1.2 Joint Core Strategy
 Policy 5 : The Economy
 Policy 16 : Other Villages
 Policy 17 : Small rural communities and the countryside
- 1.3 South Norfolk Local Plan Development Management Policies
 DM2.1 : Employment and business development
 DM3.11 : Road safety and the free flow of traffic
 DM3.13 : Amenity, noise, quality of life
 DM3.14 : Pollution, health and safety

2. Planning History

- | | | | |
|-----|-----------|---|----------|
| 2.1 | 2015/1994 | Variation of Condition 4 of planning permission 2000/0917 | Approved |
| 2.2 | 2000/1367 | Erection of fencing to secure site | Approved |
| 2.3 | 2000/0917 | Change of Use from B2 (General Industrial) use to mixed B2 (General industrial) and B8 (Storage/Distribution) use | Approved |
| 2.4 | 2014/1410 | Change of use from office to day centre for Sense and construction of access ramp and platform | Approved |

3. Consultations

- | | | |
|-----|---|---|
| 3.1 | Town / Parish Council | <p>Recommend approval</p> <ul style="list-style-type: none"> • Positive local employer • Improvements to the site • Have given small local businesses the opportunity to rent some of the smaller buildings |
| 3.2 | District Councillor | <p>If the applicant is unwilling to re-site the gates and amend their operation then this application will need to be determined by the committee due to the particular impacts on the amenity of the next door neighbour and to allow time for Environmental Health to carry out an investigation on site of the changed layout and its impact on the neighbour.</p> |
| 3.3 | NCC Highways | <p>The Highway Authority have received a number of comments from local residents and the Parish Council concerning increased numbers of vehicles entering the business park via Dun Cow Road and Common Road rather than the signed route along Rectory Road/Beccles Road.</p> <p>Recommend condition that directional signs should be agreed and an informative note on works to the public highway.</p> |
| 3.4 | SNC Community Services - Environmental Quality Team | <p>No comments received</p> |
| 3.5 | SNC Community Services - Environmental Quality Team | <p>No objection subject to submission of a management plan.</p> |
| 3.6 | Other Representations | <p>Four letters of support</p> <ul style="list-style-type: none"> • Concerns over traffic - lost traffic turns at Dun Cow Road, would suggest traffic direction signs as the application is for a permanent change • Small road but is used by a number of people <p>Three letters of objection</p> <ul style="list-style-type: none"> • Security gate at the entrance to the site, emits additional noise and disturbance - would not be heard 24/7 • Lights and pollution • Seagulls causing mess and noise • Noise caused by engines and reversing alarms • Security - if entrance gates are left open there would be a greater risk of burglary • Increased use of traffic • Issues with traffic - no footpath or speed restrictions • Noise and disturbance from drivers late at night <p>A further consultation was undertaken based on further information submitted in support of the application and the following 2 comments were received:</p> |

OBJECT STRONGLY to the Hamilton's storage and distribution having 24-hour access. It is a nightmare living here because of the noise, constant bikes revving, cars revving, there's a lot of banging, cars and caravans in and out all-day long. The Hamilton's lorries start as early as 4.30am with engines idling, radios blaring out. There is a sign on the gate saying, "RESPECT NEIGHBOURS" but the sign is so small the lorry drivers did not even know it was on there.

There is more caravan storage being made at the back of the site so there will be more and more vehicle movements all through the summer.

We would like to have some peace and quiet at some point during the evening and weekends. It would be lovely if we could have a least one day of peace a week.

What started out as a removal company has now turned into an industrial estate which is obviously devaluing our property. Surely 7am til 10pm is more than sufficient.

A further letter of objection has been received and is summarised as follows:

The main concern is noise, traffic and pollution caused by vehicles entering, waiting and exiting the site. The previous operation did have permission for longer opening hours but these were restricted times of the year and they only entered the site using this access, they exited using another. A new factor is the business units to rent which contribute to noise and disturbance. Therefore, this change of use needs to be carefully looked at.

The applicants has submitted further information in support of their application but it is not clear how drivers will be made aware of instructions about entering and leaving the site; the sign into the site is not very big; and who will enforce the rules to all the different users of the site. Hamiltons claim that they monitor noise but it is not clear how this is done.

The new gate is heavier and more intrusive than the old one, it makes a grating noise and clangs once when opening and twice when closing and the damper pads have made little difference. Hamiltons historically have not been prompt in responding to local concerns so we are concerned that they will not do this in the future.

The neighbouring property, has further pointed out that there is an alternative access to the north, which could be used to serve the business and would not impact amenity.

4 Assessment

Background

- 4.1 Councillors may recall this application to agree the opening hours of application reference 2015/1994 on a permanent basis, which was previously heard at planning committee on 11th October 2017 and deferred for clarity on the impacts of the opening hours on the neighbouring properties. The earlier committee report has been appended to this report for information.

4.2 Since this time officers have been meeting with the immediate neighbour and the applicant to progress this application. The applicant has also submitted more information and explanation in support of their proposals and this has been publicly consulted upon to ensure local people have the opportunity to respond. The two responses received are summarised above in the 'representations' section of this report.

4.3 Previously this application was recommended for approval with proposed conditions.

Policy

4.4 Adopted Policies NPPF 1, JCS 5 and DM2.1 all support sustainable development of the economy both in the rural and urban area, including securing economic growth to support jobs and prosperity.

4.5 Policies DM2.1 and DM3.13 both seek to protect the amenities of neighbouring properties from economic development. Impact on the amenity of neighbours is the principle concern about allowing the increased opening hours on a permanent basis. All other matters are covered in the appended 11/10/2017 Committee report.

4.6 Following the earlier committee, the applicants have submitted the following additional information:

4.7 They state that all staff and associated parties have been briefed and asked to sign up to a Management Plan and Procedures, which state:

- All vehicles must approach with dipped headlights
- The use of radios and horns should not be used when entering and leaving the site
- Other than when gates are opening no vehicles must be left near the entrance to the site with engines idling
- No vehicle shall exceed 20MPH
- Staff should respect residents at all times, shouting is strictly prohibited, unless in case of an emergency
- Inspection of security gates for noise will be carried out on a monthly basis
- A yearly contract for maintenance of the security gates will be in place with a reputable and qualified firm
- Any complaints by residents to be acknowledged within 24 hours, with a full investigation and response in full by no more than 10 working days.

4.8 This Management Plan and Procedures could be conditioned if the application was considered acceptable.

4.9 There is further information provided to demonstrate how much work Hamiltons have done to tidy up the site and make it viable including site clearance, structural works, vermin and sea gull removal and a tidied-up area which serves as caravan and boat storage. They have also installed CCTV, fire and burglary alarms, security gates, all required by insurers.

4.10 The new security gate has caused some local concern. The applicants state that the new gate installed is 1 inch higher (this is than the gate posts which previously existed). Planning permission 2000/0917 required the gate to be set back from its previous position to the current position. The new gate arguably requires planning permission due to the slight increase in height, however, it is in the same position and a gate is shown in this location on the approved plans, therefore it is not considered that we could object to a gate in this location. The applicants state that this gate adds security to the site with the ability to operate it from off site and being electronic has a quieter operation than previously. The gate automatically opens when vehicles approach, to registered number plates. The applicant has had pads fitted to the gate to help reduce noise as it opens and closes.

- 4.11 The applicant has also looked into alternative locations for the gate. The gate cannot be located closer to the highway in order to meet highway standards. Officers previously suggested moving the gate further into the site, the applicants state that there would be greater risk to security if the gate is moved back and this potentially just moves the issue further down the garden of the neighbour's property. The neighbour states that previously the gate was not visible over their wall and causes noise and disturbance. Although the gate is visible over the neighbour's wall, it is only the very top of the gate and given it is only slightly higher, then it is unlikely that it would be considered unacceptable. However, the applicants have stated that they would reduce the height of the gate to its previous height to address this matter.
- 4.12 The applicant states that it is important to note the previous use of the site, which as Waveney Apple growers who had in the region of 250 commercial vehicles with permitted opening hours of 7am till 7pm Monday to Friday and 7 till 1 on Saturdays. During the months of September to December increased operation hours were permitted on Mondays to Fridays 6am till 10pm (Condition 4 of the 2000/0917). Neighbours have raised concerns with opening all day on Saturdays and Sundays and state that the additional opening hours were at restricted times of the year.
- 4.13 In 2015 the Council granted planning permission for a temporary period of 18 months to allow increased opening hours at the site from 7am till 10pm Monday to Sunday with no power tools being used between 7 and 10 Monday to Friday, between 1 and 10 on Saturdays and not at all on Sundays. In addition, five of Hamiltons vehicles can access the site 24/7 for collection and delivery purposes. This current application is to allow a permanent change to these opening hours. Previously it was noted that Environmental Health had no objections to the proposals and had not received any complaints with regards to the development. From the 11/10/2017 Committee meeting we know that there was one neighbouring property which has been affected by the development and did previously contact the Council with concerns.
- 4.14 The applicants have been contacted and asked to consider more restrictive opening hours on a Saturday and Sunday. They have agreed to the hours suggested of:
- 7am to 7pm on Saturdays
No power tools or machinery between 1pm – 7am
- 10am to 6pm on a Sunday
No power tools or machinery
- 4.15 On this basis and subject to conditions, the applicant's comments are noted in terms of the needs of the business and this needs to be balanced against the potential impact on amenity of the neighbouring property. It is considered that the reduced hours of operation on a Saturday and Sunday could still impact the amenity of neighbouring properties, especially the immediate neighbour, number 4, however, given this is an existing operation and the need to support local business, especially rural business and expansion in accordance with Policies NPPF 1, JCS 5 and DM2.1 then the impacts would be reduced to acceptable hours to allow the operation to proceed.
- 4.16 In addition, to the above, the temporary condition allowed five of Hamiltons vehicles to access the site between 10pm and 7am. The applicants have stated this is an essential part of their operation and only happens in exceptional circumstances when a vehicle is returning or commencing an overseas removal. Therefore, on balance of supporting an existing business in accordance with Policies NPPF 1, JCS 5 and DM2.1, then it is acceptable to re-apply this part of the condition.

4.17 Under Section 143 of the Localism Act the council is required to consider the impact on local finances. This can be a material consideration but in the instance of this application the other material planning considerations detailed above are of greater significance.

4.18 This application is not liable for Community Infrastructure Levy (CIL).

5 Conclusion

5.1 The matters associated with the gate has been addressed above. It is noted that the site has an open B2/B8 permission which could operate 7am till 7pm Monday to Friday and 7am till 1pm on a Saturday without needing planning permission. It is considered that there would be impacts from the development if this was to operate into the evening till 10pm all day on Saturdays and Sundays, albeit without power tools. The applicant's comments are noted in terms of the needs of the business and this needs to be balanced against the potential impact on amenity of the neighbouring property. It is considered that the reduced hours of operation on a Saturday and Sunday could still impact the amenity of neighbouring properties, especially the immediate neighbour, number 4, however, given this is an existing operation then the impacts would be reduced to acceptable hours to allow the operation to proceed. On this basis the proposal is considered in accordance with the relevant National and Development Plan policies and is recommended for approval.

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Appendix 2

Development Management Committee

11 October 2017

- 5 Appl. No : 2017/1828/RVC**
Parish : ALDEBY
- Applicants Name : Mr Akerman
Site Address : Aldeby Business Park Common Road Aldeby NR34 0BL
Proposal : Variation of Condition 4 (Hours of Use) of 2000/0917 - Change of Use from B2 (General Industrial) use to mixed B2 (General industrial) and B8 (Storage/Distribution) use - to allow permanent change to hours of use (following temporary change to hours of use under Permission 2015/1994)
- Recommendation : Approval with Conditions
 1 Specific use
 2 Restricted hours of use
 3 No extraction / fan system
 4 No outside manufacturing
 5 No retail sales
 6 No vehicle repairs or maintenance
 7 Retention of fencing
 8 Highway signs to be agreed
 9 Management plan
1. Planning Policies
- 1.1 National Planning Policy Framework
NPPF 01 : Building a strong competitive economy
NPPF 03 : Supporting a prosperous rural economy
- 1.2 Joint Core Strategy
Policy 5 : The Economy
Policy 16 : Other Villages
Policy 17 : Small rural communities and the countryside
- 1.3 South Norfolk Local Plan
Development Management Policies
DM2.1 : Employment and business development
DM3.11 : Road safety and the free flow of traffic
DM3.13 : Amenity, noise, quality of life
DM3.14 : Pollution, health and safety
2. Planning History
- | | | | |
|-----|-----------|---|----------|
| 2.1 | 2015/1994 | Variation of Condition 4 of planning permission 2000/0917- to vary the hours of use (temporary) | Approved |
| 2.2 | 2000/1367 | Erection of fencing to secure site | Approved |
| 2.3 | 2000/0917 | Change of Use from B2 (General Industrial) use to mixed B2 (General industrial) and B8 (Storage/Distribution) use | Approved |
| 2.4 | 2014/1410 | Change of use from office to day centre for Sense and construction of access ramp and platform | Approved |

Development Management Committee

11 October 2017

3. Consultations

- | | | |
|-----|---|---|
| 3.1 | Town / Parish Council | <p>Recommend approval</p> <ul style="list-style-type: none"> • Positive local employer • Improvements to the site • Have given small local businesses the opportunity to rent some of the smaller buildings |
| 3.2 | District Councillor | <p>If the applicant is unwilling to re-site the gates and amend their operation then this application will need to be determined by the committee due to the particular impacts on the amenity of the next door neighbour and to allow time for Environmental Health to carry out an investigation on site of the changed layout and its impact on the neighbour.</p> |
| 3.3 | NCC Highways | <p>The Highway Authority have received a number of comments from local residents and the Parish Council concerning increased numbers of vehicles entering the business park via Dun Cow Road and Common Road rather than the signed route along Rectory Road/Beccles Road.</p> <p>Recommend condition that directional signs should be agreed and an informative note on works to the public highway.</p> |
| 3.4 | SNC Community Services - Environmental Quality Team | <p>No objection subject to submission of a management plan.</p> |
| 3.5 | Other Representations | <p>Four letters of support</p> <ul style="list-style-type: none"> • Concerns over traffic - lost traffic turns at Dun Cow Road, would suggest traffic direction signs as the application is for a permanent change • Small road but is used by a number of people <p>Three letters of objection</p> <ul style="list-style-type: none"> • Security gate at the entrance to the site, emits additional noise and disturbance - would not be heard 24/7 • Lights and pollution • Seagulls causing mess and noise • Noise caused by engines and reversing alarms • Security - if entrance gates are left open there would be a greater risk of burglary • Increased use of traffic • Issues with traffic - no footpath or speed restrictions • Noise and disturbance from drivers late at night |

Development Management Committee

11 October 2017

4 Assessment

- 4.1 The application relates to a site forming 'Aldeby Business Park' that adjoins the development boundaries of Aldeby. Permission was granted in 2000 for use of the site for B2 and B8 uses with an hours of use condition that prevented use in the evenings and at the weekends other than Saturday morning. A further application was submitted under application ref. 2015/1994 to vary the condition which restricted hours of use of the site, so that the opening hours could be extended. This permission was granted for a temporary period of 18 months from the date of permission.
- 4.2 This application seeks consent to vary condition 4 of application ref. 2015/1994, so that the previously temporarily agreed opening hours are granted permanently. The condition would allow for the use of the site between Monday to Friday 07:00 to 22:00, with no power tools or machinery used between 19:00 and 22:00, Saturday 07:00 and 22:00, with no power tools or machinery used between 13:00 and 22:00 and Sundays and Public Holidays 07:00 and 22:00 hours inclusive with no power tools and machinery to be used. Also, between the hours of 22:00 and 07:00 inclusively, five specified HGVs of Hamilton's Removals are permitted access to the site.
- 4.3 The applicant (Hamilton's Removals) originally sought for the condition controlling hours of use to be altered for the benefit of their own operational needs, to allow some vehicles, typically those doing long-distance European removals, to be allowed to return to the site over a longer period of time. Flexibility is also sought for other smaller units which are rented out to local businesses and would benefit from access at evenings and weekends.
- 4.4 The principle of the application has already been assessed and approved, and temporary permission was granted so that in the event of unexpected disturbance during the 18 months, that this would be considered in any forthcoming application.
- 4.5 Policy DM3.13 of South Norfolk Local Plan directs that all development should ensure a reasonable standard of amenity reflecting the character of the local area. Although SNC Environmental Quality Team have not reported any complaints within the 18 month period, I acknowledge a number of concerns raised during the consultation period on this application. These include issues of noise, light pollution and disturbance, specifically in regards to vehicle movement, noise from drivers late at night and disturbance from movement of the security gate.
- 4.6 Following consultation with SNC Environmental Quality Team, although it is not considered that there are sustainable grounds to recommend refusal of the proposal, it has been recommended that a condition is imposed that the applicant must submit a management plan to the local planning authority, to be agreed and complied with. This would be considered a reasonable condition to address the concerns raised, given the distance to the neighbouring residential occupiers of Common Road.
- 4.7 With regard to the noise disturbance from the use of the security gate, I acknowledge comments from a local resident and the District Councillor concerning the impact on amenity through constant access to the site. Although I fully appreciate this concern, as the application relates to the change in operational hours only, it would not be considered reasonable to require the gate to be re-sited, however it is considered that issues of noise could be dealt with by the recommended management plan.

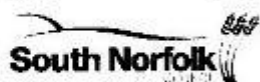
Development Management Committee

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- 4.8 In regards to highway safety, a number of residents have raised concerns with the increase in the number of vehicles entering the business park via Dun Cow Road and Common Road rather than the signed route along Rectory Road/Beccles Road. Following consultation with NCC Highways officer, although it is appreciated that reliance on satellite navigation systems is likely to contribute to this, the extended hours are considered likely to increase traffic movements on the small country roads. As such, minor changes to the existing signage has been suggested, and a condition to this effect has been recommended and would be added to any subsequent permission.
- 4.9 Under Section 143 of the Localism Act the council is required to consider the impact on local finances. This can be a material consideration but in the instance of this application the other material planning considerations detailed above are of greater significance.
- 4.10 This application is not liable for Community Infrastructure Levy (CIL) – No additional floor space.
- 5 Conclusion
- 5.1 Overall, the revised hours of use granted under the temporary period have not been considered to give rise to such a significant level of unexpected disturbance, from the business use of the site, as to warrant refusal of this application.

Contact Officer, Telephone Number Lucy Smith 01508 533821
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Appendix 1



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South Norfolk Council, Cygnet Court, Long Stratton, Norwich, NR15 2XE Tel (01508) 533633

Other Applications

- 4. Appl. No : 2017/2515/F**
Parish : DISS

Applicants Name : Morrisons
 Site Address : Morrisons, Victoria Road, Diss, IP22 4XF
 Proposal : Erection of 4 mixed use retail units, car wash area, tyre service area and small retail pod, within the existing car park.

Recommendation : Approval with Conditions
 1 Full Planning permission time limit
 2 In accordance with submitted drawings
 3 External materials to be agreed
 4 Drainage/Ecology
 5 Servicing

1 Planning Policies

1.1 National Planning Policy Framework

NPPF 01 : Building a strong competitive economy
 NPPF 02 : Ensuring the vitality of town centres
 NPPF 04 : Promoting sustainable transport
 NPPF 07 : Requiring good design
 NPPF 10 : Meeting the challenge of climate change, flooding and coastal change
 NPPF 11 : Conserving and enhancing the natural environment
 NPPF 12 : Conserving and enhancing the historic environment

1.2 Joint Core Strategy

Policy 1 : Addressing climate change and protecting environmental assets
 Policy 2 : Promoting good design
 Policy 5 : The Economy
 Policy 6 : Access and Transportation
 Policy 13 : Main Towns

1.3 South Norfolk Local Plan Development Management Policies

DM1.3 : The sustainable location of new development
 DM2.1 : Employment and business development
 DM2.4 : Location of main town centre uses
 DM3.8 : Design Principles applying to all development
 DM3.11 : Road safety and the free flow of traffic
 DM3.12 : Provision of vehicle parking
 DM3.13 : Amenity, noise, quality of life
 DM3.14 : Pollution, health and safety
 DM4.2 : Sustainable drainage and water management
 DM4.10 : Heritage assets

Statutory duties relating to Listed Buildings, setting of Listed Buildings and Conservation Areas:

S66(1) Planning (Listed Buildings and Conservation Areas) 1990 provides: "In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority, or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses."

S72 Planning (Listed Buildings and Conservation Areas) Act 1990 provides: “In the exercise, with respect to any buildings or other land in a conservation area, of any functions under or by virtue of [the Planning Acts], special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.”

2. Planning History

2.1	2017/2385	Home Shopping Canopy with associated Delivery Vehicle Parking Zone	Approved
2.2	2008/1803	To vary condition 10 on planning permission 2005/1329 - To reflect the Highway Authorities advice that the exit only egress into Park Road is not needed	Approved
2.3	2005/2178	Demolition of 119 Victoria Road in relation to works for new superstore	Approved
2.4	2005/2169	Demolition of existing buildings and extension to car park for an additional 73 spaces - amendments to approved application 2005/0910/D.	Approved
2.5	2005/1770	Amendments to approved application 2005/0910/D comprising of extension to car park for the addition of 80no spaces & extension to store for toilet and ATM facilities, alterations to south west corner of building and 3no additional trolley bays.	Refused
2.6	2003/2180	Proposed extension to existing retail foodstore	Approved
2.7	2003/0953	Proposed demolition of existing building and redevelopment to provide replacement retail store (Class A1) parking, new and amended access with transport & gyratory facilities	
2.8	1997/1709	Extension to existing store and car park with associated works	Approved
2.9	1994/0520	Erection of petrol filling station and car wash	Refused

Appeal History

2.10	1994/0520	Erection of petrol filling station and car wash	Allowed
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3. Consultations

3.1	Town / Parish Council	Car wash and tyre service area – these proposals are more suited to out of town centres; especially as there is an existing car wash facility within the petrol station forecourt. The impact on the riverside walk and its access would be compromised and given that the provision and maintenance of the riverside walk was a condition of the original development consent, these proposals are considered unacceptable. In addition, these services are likely to impact on the ecology of the River Waveney immediately adjacent.
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Loss of car parking spaces - in a 2015 car parking survey on Mere Street, Morrisons was the most popular place to park, evidence shows that a significant proportion of people parking at Morrisons also visit the town centre, there is concern that the loss of car parking spaces will impact on this mutually beneficial co-relationship between this supermarket retailer and Diss town centre.

Retail impact – This proposal could have a detrimental impact on the Heritage Triangle, a recent multi-million pound investment in the town centre and the proposed additional retail units have not been justified. The 2007 retail assessment used in the Core Strategy of the Local Plan to determine what additional retail floorspace Diss could accommodate to 2026 was deemed 'less relevant now, given the current financial climate and changes in shopping habits' by the Planning Inspector at a recent appeal for retail development of the neighbouring Marstons site. The applicant has provided no evidence of a retail impact assessment which is considered essential for this proposal. It is considered there should be sufficient space within their existing footprint to accommodate the proposed retail units. It is also premature to our cross-county boundary Neighbourhood Plan which is in its early stages of development.

Design Quality – the poor quality of design detracts significantly from the conservation area and places the service areas to the road frontage creating an unattractive setting out of keeping with the surrounding area. The juxtaposition of the proposed retail units creates a 'them and us' with the town centre which is considered inappropriate for this location given the existing co-relationship.

Traffic Impact - there is concern about the impact of this proposal on A1066 traffic given the impact these units would have on internal car park traffic flow and the existing vehicle movements in and out of the site.

3.2	District Councillors	To be reported if appropriate.
3.3	Ipswich Council	No comments
3.4	Environment Agency	No comments received
3.5	NCC Ecologist	Initially expressed a recommendation for a Preliminary Ecological Assessment (PEA) but following the submission of further information from the applicant, they recognised the existing land-use, the relatively small-scale of the development and the detail regarding the direction of the water from the car wash. Therefore, they raise no objection to the proposal without the need for further information in this instance.
3.6	SNC Water Management Officer	Initially objected to the proposals on the grounds that no drainage information had been submitted. Following submission of the necessary information, they have no objections with regards to drainage.
3.7	SNC Environmental Waste Strategy	No comments received

- 3.8 SNC Community Services - Environmental Quality Team No comments received
- 3.9 NCC Highways The Transport Statement includes a parking survey to determine existing traffic movements into and out of the car park and the parking accumulation at the busiest times of the week for trading. The parking survey indicates that the peak parking requirement on the Friday was 55% of available parking spaces and on the Saturday, was 75%. With 404 cars parked and 133 vacant spaces. Adding in the parking requirement for the new development the Statement indicates that this will add a need for an extra 20 parking spaces to the above figures. ie 424 cars parked. During the majority of the year therefore the additional facilities are unlikely to cause any particular problem, as I suspect that the car park will have adequate free spaces for customers. It is at busy times where a problem may occur.

According to your figures, The Transport Statement submitted indicates that the Parking Standards require the store to have 499 spaces, there are currently 537 and the proposed development will use up 62 spaces leaving only 475 spaces, which is obviously below the 499 required plus there will be additional retail space within the car parking area generating a parking recommendation for a total of 529 spaces based on the new floor area of 7405m².

The standards take the form of maximum standards for car parking. As with the recent application at Longwater, the effect of the development on the public highway is likely to be low. The site has good pedestrian connectivity to the remainder of the town and is close to the bus station. The site is therefore accessible by all transport modes.

I visited the site on Friday 1 December 17 in order to assess the site at a busy time. A brief parking survey showed that there were 35 free parking spaces at 11.15. Which would indicate that about 500 spaces were in use. If the car park is therefore reduced to 475 spaces there would have been a shortfall of 25 spaces at the time of my visit. By contrast a survey 30 minutes later at Tesco's showed that there were 105 free spaces in their car park. It is clear therefore that the Morrisons is the busier car park. I am aware that many people use the Morrisons Car Park in order to access the town. It would therefore be my opinion that if the Morrisons Car park is full, customers will divert to Tesco's instead.

Both the access road into, and the car parking areas themselves, are privately owned by the applicants, and do not form part of the public highway. We would only be able to object if there is a clear problem on the public highway itself.

The driveway into the car park is quite lengthy and in the event that some queueing back from the car park does occur this is unlikely to back up to the roundabout. Whilst therefore the proposed development will reduce the effectiveness of the car park for customers at peak trading times, for the majority of the year sufficient parking should be available. There does not therefore

appear to be sufficient reason to refuse this application on highway grounds.

In term of the details, experience shows that the car wash can be very popular and is likely to result in some waiting vehicles at busy times. The proposed location for the car wash is not therefore ideal and will result in vehicles waiting in the aisle and causing congestion. In addition, taking into account the likely shortfall of parking as above, I would question whether the proposed tyre bay is necessary or appropriate.

3.10 Other Representations

Six letters of objection have been received making the following comments:

- Further imbalance the two main trading areas of Diss and negate the benefits of the Diss Heritage Triangle project,
- Increase traffic congestion,
- Insufficient car parking provision,
- Inappropriate design. The view from Victoria Road will be of the back of the units with the dirty bin store and fire exits not exactly a welcoming view from the main street, and certainly not enhancing the built environment in which we live.
- Set a precedent for nearby supermarkets to build in their car parks,
- Cause pollution in the River Waveney.

The Diss Heritage Triangle Trust CIO objects to this development on the following grounds:

1. The application is incomplete without daily surveys of existing parking use. These need to show how or whether loss of 62 car park spaces and a trolley station would affect the use and functioning of the supermarket itself. Morrisons' car park is often full, or virtually full. Eliminating 62 parking spaces, irrespective of the extra parking needed for the new shops, would be a major loss of function and amenity and undermines the basis of the original Safeway consent which related parking numbers to sales space.
2. The vehicle tyre and treatment units would adversely impact on the future of the River Waveney walkway and riverine park. No details are provided of the drainage needed to avoid pollution. Nor is any undertaking given not to remove from general use additional car parking spaces necessary for waiting customers' cars.
3. There is an unfortunate anomaly in the Local Plan. Map007 delineating the town centre north of and including Mere Street excludes associated car parks and specifically designates primary and secondary retail use as sections of and frontages of buildings. For the supermarkets the car parks are included within the Town Area with no retail areas defined. Approval of this proposal will establish precedence for all three supermarkets to build separate retail shops within their car parks.
4. The layout of the shop units is retrograde, reverting to retail frontage with pedestrian access adjacent to a busy road. There will also be temptation for delivering vehicles to use the car park for easier off-loading rather than the goods-trolley route shown.
5. The design treatment of the units is unacceptably low and they are unrelated to their surroundings.
6. The proposal will undermine the future economic and social sustainability of the traditional and historic town centre. This application for 93sqm of shopping space has to be read and considered in conjunction with the adjacent Morrison site labelled

'for future development' (Morrison's intentions for this site need also to be made clear), the impending application on the adjacent Marston site for 16,000sqm of new retail space and the Local Plan designation of Site DIS 7, which together could lead to many more thousand square metres of retail use. Anyone of these developments will provide the precedent and reason for approving the next. Such development will inevitably cause decline and decay of the historic trading centre of Diss and be inconsistent with the provisions of the NPPF.

7. The last Marston's application was refused mainly on grounds of unacceptable design. In addition, the inspector specifically recognised and gave considerable weight in her refusal to the ground that retail warehouses of the size, appearance and location then proposed would be detrimental to the future of the Diss Heritage Triangle. Her decision thus critically included the likely adverse impacts on the historic centre. What then applied, still applies both for the Morrisons' application and the Marston proposal as recently presented to Diss Town Council. Deleterious impacts on the traditional centre must be taken into account.
8. No proposal for any sites south of Park Road/Victoria Road within or adjacent to the designated Town Centre should be determined without resolution of the function of the service road roundabout imposed on the Safeway supermarket approval currently part of Morrisons' car park access. This roundabout was meant and constructed to serve adjacent sites. Full use of its potential is essential to good planning practice, the corollary being that it is poor planning practice to consider requirements for individual sites without determining their planning context, in this case how the junction could and should benefit the larger area. This can best be achieved as part of an Action Plan.
9. In 2008 South Norfolk Council commissioned such an Action Plan for Diss centre. Although issued for consultation it was not carried forward as part of the 2015 Local Plan. South Norfolk Council delegated that responsibility to Diss Town Council. At the same time their Market Towns were encouraged to prepare their own Neighbourhood Plans, now a firm political and planning feature of South Norfolk Council policy and practice. This is what Diss and series of surrounding parishes are engaged in. Importantly, and for the first time, this plan will include parishes either side of the county boundary allowing a broad, and sustainable planning approach than was previously achieved, and more realistically take into account recent pressures and demands on High Street trading. The Diss and District Plan is in early stages and the sites between Park Road Victoria Road and the river essential to its success. Any individual proposal now for those sites has to be deemed premature; development needs to accord with the emerging Neighbourhood and Action plans.

An additional letter has been received stating that the following points should be addressed in the officer report (the officer report has been updated to ensure these further points are covered, as well as any additional comments received, as set out below):

1. To claim the site lies within the Diss Town Centre boundary and thus retail use must be allowed cannot be correct.
2. There seems no reason why Morrison's application should be given priority consideration in a manner that usurps the spirit and detail of the statutory Local Plan and the studies underlying its revision; this application should await the consideration of the current Marstons application.

3. The proposal will undermine the economic base of the traditional town centre and thus the historic and heritage qualities protected by the Diss Conservation Area. This commercial impact on heritage assets is too important to dismiss as 'competition'.
4. Poor design hiding behind another feature is no excuse for lack of quality.
5. The primary development consent (2005/1329) granted Morrison on their application to expand the Safeway store (Condition 9) states *"Prior to the commencement of the use hereby permitted the proposed on-site car parking (noted as 487 spaces) ... plus a minimum of 30 cycle parking space for shoppers and 35 cycle parking places for staff shall be laid out ... and retained thereafter for that specific use to ensure the permanent availability of the parking."* If that was Planning Authority's requirement then the community has the right to rely on their decision being maintained and upheld.

The Diss & District Neighbourhood Plan Steering Group objects to this development on the following grounds:

1. This is prejudicial to reduce traffic volumes along the A1066, non-High Street retail (non-convenience) should be on appropriately-serviced commercial sites, ensuring adequate parking around Diss Town Centre.
2. Justification for retail units is inconsistent with evidence in the latest (2017) Retail Assessment. It is also noted that the current designation for retail uses encompasses the whole of the Morrison's and Tesco supermarket sites including the car parks and access roads. This is believed to be an oversight when preparing the plans and the Steering Group will be recommending that this be corrected during preparation of the Greater Norwich Local Plan.
3. The presence of a car wash (which is not required as there is another nearby) and tyre service area and the associated airborne and noise pollution present clear risks to the health and safety of genuine users of the car park, adjacent perimeter road, those accessing the River Waveney footpath, the riverine ecology and the designated Special Landscape Area to the south. The application fails to contain any ecological or wildlife assessments and should be refused on those grounds. The accesses to and provision of the riverside path should be maintained and not with buildings in front.
4. Removal of car parking spaces substantially reduces the level of provision, detrimental to the town centre.
5. This does not satisfy the requirements of the National Planning Policy Framework for good design and has no connection or relation to Diss.
6. The proposed location of retail pods is unsuitable as it mixes delivery vehicles with pedestrians and the tyre servicing area and car wash is open to the public and is a clear and present health and safety risk to passing pedestrians and vehicles.
7. The retail, car wash and tyre servicing units appear to have minimal facilities for staff hygiene and welfare and none for customers. They could open at times when the main supermarket has to be closed and so could not make use of the facilities contained inside it.

The Diss Heritage Traders Group objects to this development on the following grounds:

1. Further development here will take trade away from the historic town centre, and the independent small traders and away from the important and heritage rich area of the town. Recent research from the heritage triangle partnership has shown that just 8 percent of people using Morrison's car park cross Victoria road and venture up into the old town.
2. Traffic congestion in the Park Road / Victoria Road area can be very bad and long queues are common. Additional HGV deliveries for the pods is likely to make the A1066 through Diss even more of a 'bottleneck'.
3. The proposal is at odds with the aims of the emerging neighbourhood plan.
4. This application is one of 80 similar proposals around the country, which does not have the best interests of Diss at heart.

4 Assessment

Principle

- 4.1 The site is located within the Diss Town Centre boundary. Policies 2 of the NPPF and DM2.4 of the South Norfolk Local Plan seeks to locate main town centre uses, such as retail within Town Centre boundaries. Therefore, the principle of development in this location is established by these policies.

Character and appearance

- 4.2 The proposed units within the car park of Morrisons are single storey and of a simplistic design, consisting of four retail pods set in a basic structure with sloping single pitch roof, clad in aluminium cladding with brick cladding to front elevation and powder coated aluminium windows and doors. The tyre fitting area and car wash are simple largely open structures constructed of composite panels.
- 4.3 The car wash and tyre fitting area are located to the rear far southern side of the car park, these are unlikely to be visible other than from within the car park. There is however, a public walkway into Morrisons car park in this southern corner of the site which runs in both directions adjacent to the River Waveney. Although the tyre pod and retail pod run along the southern boundary, it is considered that they are single storey and similar to the trolley stores within the car park and therefore unlikely to have a significant visual impact on the area.
- 4.4 The proposed four retail pods are to be located to the north of the car park off the access road to Morrisons. These will be obscured from view behind the petrol station, which is not of exceptional design. This part of the proposals is also single storey and there is a wall and railings to the boundary of the site with Victoria Road, blocking clear views. From within the site, the pods will be seen on the backdrop of the Morrisons store.
- 4.5 The proposal therefore will not be clearly visible from the Conservation Area, which encompasses the opposite side of Victoria Street to Morrisons. It is considered that given the units are single storey and partially blocked from view by the petrol station and on a backdrop of hardstanding and the Morrisons store, then the proposal will not have an unacceptable impact on the character and appearance of the Conservation Area in accordance with Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and Policies 12 of the NPPF and DM4.10 of the Local Plan.

- 4.6 Some concern has been raised that visually the proposals for the car wash and tyre bay will block access to the river walk. There is space between the two proposals to continue to access this walk, which currently enters into the car park.
- 4.7 There is also a row of Listed Buildings to the north of Victoria Road on the corner of Victoria Road and Mere Street. These buildings are sufficiently distanced from the proposals and the proposals are single storey in the setting of Morrisons car park so as not to impact either the setting or significance of listed buildings nearby. The proposal is therefore considered in accordance with Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and Policies 12 of the NPPF and DM4.10 of the Local Plan.

Amenity

- 4.8 Paragraph 17 of the NPPF and Policy DM3.13 seeks to protect the amenity of neighbouring properties. Given the location and scale of the development proposed, then it is sufficiently distanced from neighbouring properties so as not to impact amenity and the proposal is therefore considered in accordance with Paragraph 17 and Policy DM3.13.

Highways and car parking

- 4.9 The Highways Authority have assessed the proposals and conclude that the Transport survey submitted is appropriate and that the proposals would not impact the highway network. The highways authority has recognised that the proposed development would result in less spaces available for car parking within the Morrisons car park than the maximum number which is set out in their car parking guidance note i.e. there is currently 537, for the size of store 499 spaces maximum would be required and the application proposes the loss of 62 spaces. In addition, the new development would generate the requirement for an additional 30 spaces, taking the maximum requirement to 529 spaces.
- 4.10 The Highways Authority have deemed that the resulting 475 spaces is sufficient to meet the needs of the store, other than in exceptionally busy times; that there is sufficient available car parking within the vicinity to meet any overspill needs; and that the site is a private car park. The Highways Authority does however acknowledge that queueing from the car wash could back up to the roundabout (not the public highway) and questions the appropriateness of the tyre bay. The applicants have been approached with these comments and wish to proceed with the application in its current form. It is not considered that queueing in the car park is a material planning consideration, unless this was to back up onto the highway.
- 4.11 Policies DM3.11 and DM3.12 require new development to protect highway safety and provide appropriate car parking *'using the parking standards adopted by the council as a 'starting point' which may be varied to reflect local conditions such as the availability of public parking, sustainable transport modes, Travel Plan provisions, and design and conservation objectives'* (text taken directly from policy DM3.12). The Highways Authority raise no objection on the grounds of highway safety and therefore the proposal is considered in accordance with Policy DM3.11. Although, the proposal would have less car parking than set out in the adopted car parking standards, the Highways Authority have stated that these are maximum standards and in accordance with policy DM3.12 the standards are a starting point, the proposal is located in a sustainable location, with access to sustainable transport modes and other public car parking is available at Tesco close by.
- 4.12 The applicants have submitted a survey to demonstrate that current car parking levels would provide sufficient car parking for the existing and new development and the Highway Authority agrees with this position other than at exceptionally busy times. On this basis the proposal is considered in accordance with Policy DM3.12 also.

Ecology

- 4.13 Policy 11 of the NPPF requires new development to protect and enhance local ecology. Initially, County Council ecologist requested the applicants undertake a preliminary ecology survey, however, the applicants submitted further information about the scale and proximity of the development proposed and drainage information to demonstrate the proposed run off would not affect the adjacent river and therefore County Council have concluded that the ecological survey would not be required and have no objections to the proposal. Subject to the drainage method being conditioned then the proposal is considered to adequately protect ecology in accordance with Policy 11 of the NPPF.

Flood risk

- 4.14 Policy 10 of the NPPF seeks to direct development to avoid areas at risk of flooding. Information has been submitted to demonstrate that the car wash drainage would not be into the adjacent River Waveney, they propose that all dirty water from the car wash operation shall run into the centre of the graded concrete wet bays into a centralised silt trap connected to the existing petrol interceptor on site. The water shall then connect to the main sewer pipe as existing. This arrangement is subject to receipt of a trade effluent licence which would be sought in due course.
- 4.15 This is acceptable to the water management officer and the County ecologist. The drainage methodology can be conditioned and therefore the proposal is considered in accordance with Policy 10 of the NPPF.

Other matters

- 4.16 External parties have raised concerns about the potential competition from retail units in this location to the heritage triangle. Competition is not a material planning consideration and the site is located within the town centre boundary where retail provision is supported in principle.
- 4.17 Local concerns have been raised about this development setting a precedent for future development of supermarket car parks. As with any new application, any such proposal would be considered on its own merits based on relevant parking and transport survey information.
- 4.18 It is noted that Diss in combination with other neighbouring areas are undertaking a Neighbourhood plan, however, the determination of a planning application cannot be delayed awaiting new policy development and must be determined in accordance with current adopted development plan policies and the national planning policy framework, as set out above.
- 4.19 The Marston's/Thatchers Needle application has been quoted as relevant to the determination of this application. This application was dismissed at appeal due to impact on the setting of the Conservation Area, as well as impact on trees and insufficient information to justify any impact on the vitality and viability of the town centre. The primary concerns of the inspector with regards to impact on the setting of the Conservation Area related to the scale of buildings proposed, which were considered disproportionate to scale of other development in this location i.e. much larger. Obviously, the units proposed are of modest scale and single storey and wouldn't be clearly visible in the Conservation Area or at odds with the current scale of development in the Conservation Area. This proposal is therefore materially different to the refused appeal. In addition, the proposal would not impact trees and is in the town centre boundary so no retail impact assessment would be required in accordance with Policy 2 of the NPPF.

- 4.20 With regards to opening hours, given the extensive hours of opening of the supermarket and relative trading hours (7am till 9pm Monday to Saturday and 10am till 4pm on Sunday – store and 6am till 10pm Monday to Saturday and 8am till 8pm on Sunday – petrol station) it is unlikely that the units would be open when Morrisons store/Morrisons Petrol Station are closed.
- 4.21 With regards to servicing of units a condition could be applied to any subsequent consent to ensure servicing is undertaken during specific hours, similar to that imposed on the Longwater retail pods consent.
- 4.22 As set out above, the site does lie within the town centre boundary. Any review of Town Centre Boundaries would take place through either the Local Plan or Neighbourhood Plan adoption process. As with any planning decision it must be made in the context of current adopted policies. In addition, it is unreasonable for a decision on planning application to await either the adoption of development plan document or the submission/consideration of another planning application. Given the scale of these proposals they are dramatically different to those on the Marstons site and not directly comparable. Therefore, this application cannot reasonably await the determination of this application. The neighbouring site development is however a material consideration, as it is an allocated site in the current Local Plan.
- 4.23 Under Section 143 of the Localism Act the council is required to consider the impact on local finances. This can be a material consideration but in the instance of this application the other material planning considerations detailed above are of greater significance.
- 4.24 This application is liable for Community Infrastructure Levy (CIL).

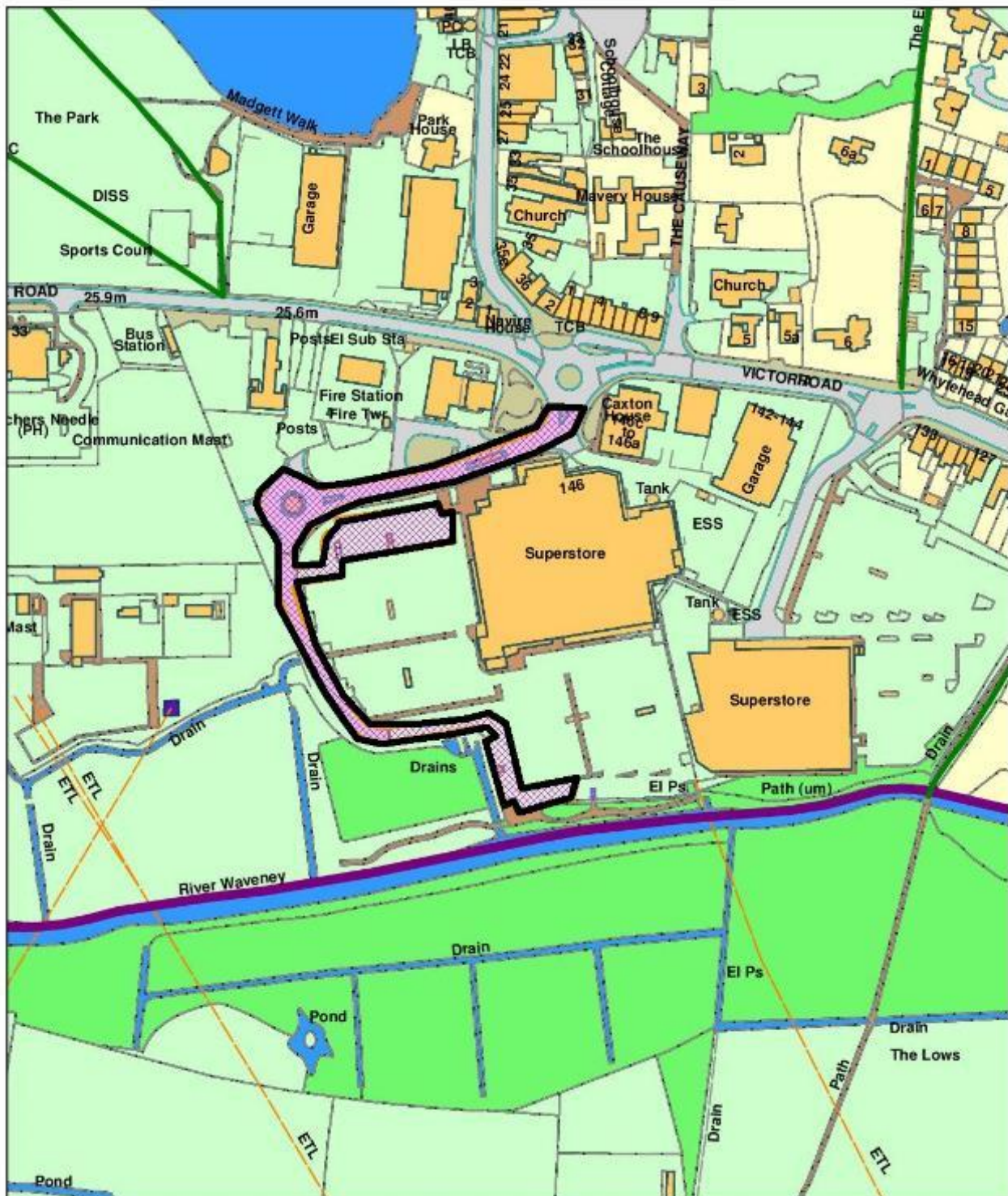
5. Conclusion

- 5.1 The proposal is located within the town centre boundary, outside the Diss Conservation area. The proposal is for single storey units and on a backdrop of other similar designed buildings. The proposal would provide additional retail and facilities to support the existing town centre and is unlikely to have a significant impact on the safety of the highway. Some loss of car parking is envisaged at busy times but other sustainable means of transportation and other nearby parking exists with capacity to meet those needs. The existing store, access and car park is private. The proposal is unlikely to impact amenity, ecology or drainage and for these reasons, as set out above, the proposal is considered in accordance with the relevant National and Development plan policies.

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2017/2515

Appendix 1



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South Norfolk Council, Cygnet Court, Long Stratton, Norwich, NR15 2XE Tel (01508) 533633

5. Appl. No : 2018/0126/H
Parish : COSTESSEY

Applicants Name : Mr & Mrs Simon & Sarah Hawken
 Site Address : 192 West End Costessey Norfolk NR8 5AW
 Proposal : Demolition of existing utility and garage, erection of two-storey front and side extension, incorporating new integrated garage.

Recommendation : Approval with Conditions
 1 Full Planning permission time limit
 2 In accord with submitted drawings
 3 Windows to be obscure glazed

1 Planning Policies

1.1 National Planning Policy Framework
 NPPF 07 : Requiring good design

1.2 Joint Core Strategy
 Policy 2 : Promoting good design

1.3 South Norfolk Local Plan Development Management Policies
 DM3.4 : Residential extensions and conversions within Settlements
 DM3.8 : Design Principles applying to all development
 DM3.12 : Provision of vehicle parking
 DM3.13 : Amenity, noise, quality of life

2. Planning History

2.1 No relevant history

3. Consultations

3.1 Town Council Approve

3.2 District Councillor To be reported if appropriate.

3.3 Other Representations
 1 letter of objection
 Loss of light
 Overlooking
 Materials not appropriate to streetscape

4 Assessment

4.1 The proposal seeks planning permission for the demolition of an existing utility room and garage and the erection of a two storey front and side extension incorporating an integral garage.

4.2 The property is a two storey semi detached dwelling within the development limit for Costessey.

4.3 The application is assessed against Policy DM3.4 which confirms that extensions to dwellings within a development boundary will be permitted provided they:

a) Incorporate a good quality design which maintains or enhances the character and appearance of the building, street scene and surroundings; and

b) Do not have an unacceptable impact on the amenities of neighbouring occupiers or adversely affect neighbouring commercial uses.

Specifically, proposals must provide and maintain:

- c) Suitable amenity and utility space; and
- d) Adequate access and parking

- 4.4 With regard to criteria a), whilst the proposal will be visible within the street scene, the surrounding area has a mix of different house types, designs and materials and there is no uniformed appearance to the street scene and as such it is not considered that the extension as proposed would have a significant adverse impact on the surrounding area by virtue of its size, design or position on the site. It is evident that the design, scale, form and choice of materials are all consistent and appropriate to the existing dwelling. For these reasons it is considered that the scheme complies with the requirements of criteria a) of Policy DM3.4 as well as those of Policy DM3.8 which requires a scheme to achieve an acceptable standard of design.
- 4.5 With regard to criteria b) objections have been received from the neighbouring occupier of the dwelling situated to the south of the application site raising concerns regarding loss of light, loss of privacy and the use of aluminium sheet on the façade.
- 4.6 With regard to the loss of light to the neighbouring property, due to the positioning of the proposed extension to the north of the neighbour it is considered that any overshadowing or loss of light from the proposal would not be significant.
- 4.7 With regard to overlooking from the proposal, there is only one proposed first floor window on the rear or side elevation and this is an ensuite window on the rear. The proposed window will be obscure glazed and a condition placed on the decision notice that it should only be top light opening as shown on the submitted plans. For this reason it is not considered that any significant overlooking would occur.
- 4.8 With regard to the concern relating to the proposed aluminium panel on the front elevation of the property, due to the mix of materials and design of properties in the street scene the panel is not considered to be so out of character with the locality as to represent a reason for refusal.
- 4.9 The proposal would continue to provide sufficient private amenity space and it is evident that the proposal would not have any impact on the existing parking for the site.
- 4.10 For the above reasons the requirements of criteria b) are met as are those of Policy DM3.12 which requires sufficient on-site parking to be provided and those of DM3.13 which safeguards neighbour's amenity.
- 4.11 Under Section 143 of the Localism Act the council is required to consider the impact on local finances. This can be a material consideration but in the instance of this application the other material planning considerations detailed above are of greater significance.
- 4.12 The application is not liable for Community Infrastructure Levy (CIL)

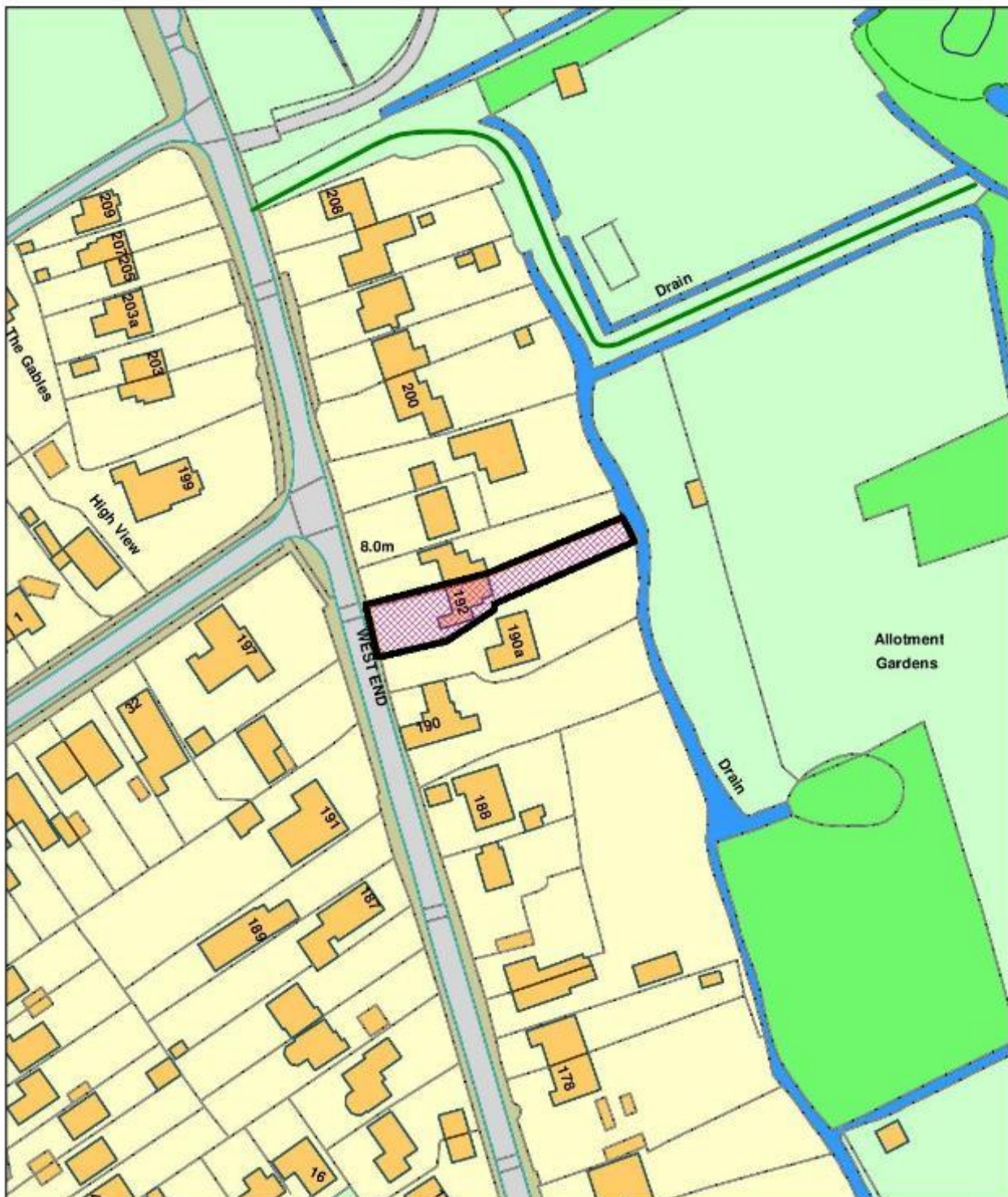
5. Conclusion

- 5.1 The site is within the development limit for Costessey. The proposed extension is considered acceptable in design terms and would safeguard neighbour amenities and therefore accords with policies DM3.4, DM3.8, DM3.12 and DM3.13 of the South Norfolk Local Plan 2015. The proposal is therefore recommended for approval.

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2018/0126

Appendix 1



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South Norfolk Council, Cygnet Court, Long Stratton, Norwich, NR15 2XE Tel (01508) 533633

6 Appl. No : 2017/2490/F
Parish : WYMONDHAM

Applicants Name : Mr & Mrs A Carman
 Site Address : Land Adj to 4 Norwich Common Wymondham Norfolk
 Proposal : Construction of detached dwelling together with detached garage

Recommendation : Approval with conditions
 1 Reduced time limit (5 yr land supply)
 2 In accordance with amendments
 3 Slab level to be agreed
 4 External materials to be agreed
 5 Window details
 6 Specific details to be agreed
 7 No PD for Classes ABCDE & G
 8 Domestic Microgeneration Equipment
 9 Provision of parking, service
 10 Foul drainage to main sewer
 11 Surface Water
 12 Water efficiency
 13 Tree protection
 14 Retention trees and hedges
 15 Reporting of unexpected contamination

1 Planning Policies

1.1 National Planning Policy Framework

NPPF 06 : Delivering a wide choice of high quality home

NPPF 07 : Requiring good design

NPPF 10 : Meeting the challenge of climate change, flooding and coastal change

PPF 11 : Conserving and enhancing the natural environment

1.2 Joint Core Strategy

Policy 1 : Addressing climate change and protecting environmental assets

Policy 2 : Promoting good design

Policy 3: Energy and water

Policy 4 : Housing delivery

Policy 17 : Small rural communities and the countryside

1.3 South Norfolk Local Plan Development Management Policies

DM1.1 : Ensuring Development Management contributes to achieving sustainable development in South Norfolk

DM1.3 : The sustainable location of new development

DM3.5 : Replacement dwellings and additional dwellings on sub-divided plots within Development Boundaries

DM3.8 : Design Principles applying to all development

DM3.11 : Road safety and the free flow of traffic

DM3.12 : Provision of vehicle parking

DM4.2 : Sustainable drainage and water management

DM4.5 : Landscape Character Areas and River Valleys

DM4.7 : Strategic gaps between settlements within the Norwich Policy Area

DM4.8 : Protection of Trees and Hedgerows

DM4.9 : Incorporating landscape into design

Supplementary Planning Documents

1.4 South Norfolk Place Making Guide

2. Planning History

2.1	2017/1584	Proposed two storey dwelling house with detached garage	Refused
2.2	2011/1192	Variation of condition 2 of planning permission 2010/2132/F - to include conservatory and roof lights for storage areas	Approved
2.3	2010/2132	Proposed replacement dwelling (revised scheme)	Approved

3. Consultations

3.1	Town Council	Original proposal Refuse • Outside the development boundary and inside the strategic gap
3.2	District Councillor	To be reported in appropriate
3.3	NCC Highways	Support with conditions
3.4	Arboricultural Officer	Original proposal • Arboricultural Impact Assessment provided is fit for purpose • No further comment required regarding trees. Amended proposal • No further comments
3.5	SNC Water Management Officer	Support with conditions • Application states foul water will discharge to a package treatment • Foul sewer along Norwich Road • Condition foul water drainage and surface water drainage Revised proposal • No further comment
3.6	SNC Community Services - Environmental Quality Team	Support with conditions
3.7	Conservation and Design Officer	Support with conditions • The building is within the grounds of the relatively newly built, but classically and traditionally designed dwelling. • The plot is wide enough to be divided without detracting from existing property and having sufficient space for new dwelling • The existing pattern and grain of development in this area is quite suburban in character, so a well scaled adjacent building can fit into the streetscene without appearing incongruous. This proposed building is set back from the road

- The design approach is to have a narrower and deeper plan than the adjacent plot but similar to others in the area so not incongruous.
- Narrower width of the frontage allows for the new house to appear smaller in streetscene than the existing building which is quite broad in plan.
- The setting back of the top storey will also help to make the new building more 'recessive' and the flat roof will allow it to be read as a smaller scale dwelling in terms of size.
- The scale, size and massing of the new design is therefore acceptable.
- The design style of the building itself is unashamedly contemporary and modern, and although different in character to nearby buildings, the edge of town location with larger plots and slightly more variation in character allows for a more individual approach to building style.
- The floor to ceiling heights are similar to no 4, so the building is read on the same 'plane'
- The building is well balanced and proportioned, with slight projecting central element to make the building symmetrical and focused around the centre.

- 3.8 Other Representations One letter of objection
- Concerned about increased traffic exiting into Norwich Common

4 Assessment

- 4.1 The application seeks full planning permission for a detached two storey single dwelling in the garden of an existing detached dwelling known as 4 Norwich Common. The proposed dwelling is a contemporary design with detached garage to the front of the site. The site is outside the development boundary, within the Norwich Policy Area.

Principle

- 4.2 Members are advised that a key material consideration in regards housing land supply is the Central Norfolk Strategic Housing Market Assessment (SHMA), the most recent version of which was published in June 2017. This is significant new evidence. There is an 8.08 year housing land supply against the SHMA assessment of the Objectively Assessed Need (OAN) for housing. The following paragraphs explain why this effectively diminishes the weight attached to the benefits of increased housing supply.
- 4.3 Planning law (section 38(6) of the Planning and Compulsory Purchase Act 2004) requires that applications be determined in accordance with the Development Plan, unless material considerations indicate otherwise. Material considerations include the National Planning Policy Framework (NPPF).
- 4.4 In accordance with both the Council's adopted development plan and the NPPF, in cases where there are no overriding material considerations to the contrary, development proposals for housing that accord with the development plan should be approved without delay.
- 4.5 In this regard, consideration should be given to Policy DM1.3 which makes provision for development to be granted outside of Development Boundaries, such as this, where one of two criteria are met: either where specific development management policies allow; or, where there are overriding benefits in terms of economic, social and environmental dimensions of sustainable development, as set out in Policy DM1.1.

- 4.6 Where development proposals do not accord with the development plan consideration should be given to whether there are material considerations that otherwise indicate that development should be approved.
- 4.7 Of particular relevance to applications for housing development in this regard is paragraph 49 of the NPPF. This states that: *'housing applications should be considered in the context of the presumption in favour of sustainable development; and that, relevant (local plan) policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites'*. Where policies in the Local Plan are not considered to be up-to-date, paragraph 14 of the NPPF requires decision-taking to approve applications for housing unless the adverse impacts of granting permission, *'would significantly and demonstrably outweigh the benefits'*, when assessed against the policies of the NPPF as a whole.
- 4.8 The 2017 Greater Norwich Area Housing Land Supply Assessment, published as Appendix A of the Joint Core Strategy Annual Monitoring Report, shows that against the JCS requirements there is 4.61 years supply in the combined Norwich Policy Area (NPA), a shortfall of 1,187 dwellings. Consequently relevant policies for the supply of housing in the NPA cannot be considered up-to-date and applications for housing should continue to be determined within the context of paragraph 14 of the NPPF, taking into consideration the narrow interpretation set out in the judgment *Suffolk Coastal District Council (Appellant) v Hopkins Homes Ltd and another (Respondents) Richborough Estates Partnership LLP and another (Respondents) v Cheshire East Borough Council (Appellant)*.
- 4.9 The narrow interpretation states:
- limited to policies dealing only with the numbers and distribution of new housing and excluding any other policies of the development plan dealing generally with the disposition or restriction of new development in the authority's area.*
- 4.10 The JCS housing requirement is, however, now several years old (the JCS was adopted in March 2011, with amendments in January 2014). The evidence on which the requirement is based has now been superseded. In June 2017 an updated Strategic Housing Market Assessment (SHMA) was published for Central Norfolk (the Greater Norwich authorities plus, North Norfolk and Breckland). The SHMA assesses the Objectively Assessed Need for housing between 2015 and 2036 using the most recent evidence available. Unlike the evidence underpinning the JCS, the SHMA also includes an assessment of the contribution made by student accommodation in line with the Planning Practice Guidance.
- 4.11 The SHMA is significant new evidence that is also a material consideration in the determination of planning applications. A housing land supply of 8.08 years can be demonstrated against the SHMA assessment of OAN, a surplus of 5,368 units. The abundant housing land supply that is apparent in relation to the most up-to-date evidence of housing needs should be given weight in the decision making process. This factor effectively diminishes the weight that would otherwise be attached to the benefits of increased housing delivery in the context of Policy DM1.1 and NPPF Paragraph 14.
- 4.12 On the basis of the above, the following assessment seeks to establish the benefits of the scheme and any harm that would be caused in the context of the relevant development plan policies and the NPPF, with reference to the three dimensions of sustainable development (economic role, social role and environmental role). These three headings form a convenient basis for structuring the assessment of the proposal against development plan policies.

Economic role

- 4.13 The NPPF confirms the economic role as:

“contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation: and by identifying and coordinating development requirements, including the provision of infrastructure.”

- 4.14 The scheme would result in some short term economic benefits as part of any construction work and in the longer term by local spending from the future occupants. It is therefore considered that the scheme would bring forward a limited level of economic benefit.

Social Role

- 4.15 The NPPF confirms the social role as

“supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations: and by creating a high quality built environment, with accessible local services that reflect the community’s needs and support its health, social and cultural well-being.”

- 4.16 The proposed scheme would provide housing in a location where the JCS identifies a shortfall in housing land supply against requirements which would represent a social benefit. However, the significance of this benefit is diminished by the most recent evidence of the updated SHMA which identifies a housing land supply in excess of 8 years and this is a material consideration in determining this application.

Design

- 4.17 Policy 7 of the NPPF, policy 2 in the JCS and policy DM3.8 of the Development Management Policies require new development to be of a good quality design.
- 4.18 Permission was refused last year for a dwelling on the site because of its excessive scale and mass, which coupled with its distinctive contemporary design was at odds with the existing adjacent dwelling and would have been detrimental to the character and appearance of the locality.
- 4.19 The existing dwelling on site has a very distinctive appearance and although being relatively new is classically and traditionally built and has strong presence in the streetscene. The existing site is sufficiently wide enough so it can be divided off, using the garden of number 4, without being detrimental to the setting of number 4, which will still be viewed within a sizeable plot and with sufficient space to the sides. The existing pattern of development and grain of the street in this area is quite suburban in character, so a well scaled adjacent building can fit into the streetscene without appearing incongruous.
- 4.20 The scheme has been amended since it was originally submitted, it remains a contemporary design but now has flat roofs which have reduced its scale and it is set back from the road.
- 4.21 The design approach is to have a narrower and deeper plan than that of the adjacent dwelling. This is consistent with other nearby development, so is not incongruous, and because of the narrower width of the frontage allows for the new house to appear smaller in streetscene in comparison to the existing building which is quite broad in plan. The setting back of the top storey will also help to make the new building more ‘recessive’ and the flat roof will allow it to be read as a smaller scale dwelling.

- 4.22 The scale, size and massing of the new design is therefore considered acceptable. The design style of the building itself is unashamedly contemporary and modern, and although different in character to nearby buildings, the edge of town location with larger plots and slightly more variation in character allows for a more individual approach to building style. Nevertheless, the floor to ceiling heights are similar to no 4, so the building is read on the same 'plane'. The building is well balanced and proportioned, with slight projecting central element to make the building symmetrical and focused around the centre.
- 4.23 As a result, it is considered that the design of the proposed dwelling accords with policy 7 of the NPPF, policy 2 of the Joint Core Strategy and policy DM3.8 of the Development Management Policies, which have been given full weight.

Highways

- 4.24 It is proposed to utilise one of the existing accesses to the site, which the Highway Officer raises no objection to. There is sufficient room in the site for cars to park and turn for both the existing and proposed dwellings. Concern has been raised by a resident about the increased traffic entering and exiting onto Norwich Common. It is considered that any increase in traffic would not be significant and as a result the proposal accords with policy DM3.11 and DM3.12 of the Development Management Policies, which have been given full weight.

Residential amenity

- 4.25 The existing dwelling sits in a large plot and the new dwelling can be accommodated on the site without causing any significant loss of amenity in terms of overlooking, over shadowing, loss of light or dominance to the existing property whilst also achieving a good level of amenity to the new property as required by policy DM3.13 of the Development Management policies.

Accessibility

- 4.26 The site is close to the defined development boundary and has easy access to services and facilities without needing to be dependent on the private car.

Self-build

- 4.27 Paragraph 50 of the National Planning Policy Framework (2012) requires Councils to plan for people wishing to build their own homes. The dwelling could be self-build which is an additional benefit.
- 4.28 The proposed dwelling would provide a small benefit in terms of providing a new self-build dwelling in an accessible location where there is not a housing land supply and would not cause any social harm in terms of its design, highway safety or impact on residential amenity.

Environmental Role

- 4.29 The NPPF confirms the environmental role as

"contributing to protecting and enhancing our natural, built and historic environment: and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy."

Landscape

- 4.30 Policy DM4.5 of the Development Management Policies requires all development to respect, conserve and where possible, enhance the landscape character surrounding a development.
- 4.31 The site is on the edge of Wymondham, adjacent to but outside the strategic gap between Wymondham and Hethersett. The site is currently well screened in the landscape with existing trees and hedges, which are to be retained. As a result, it is not considered that the proposed development would result in any significant harm to the local landscape and complies with policy DM4.5 of the Local Plan, which has been given full weight.

Trees

- 4.32 The trees on the south-eastern boundary are subject to Tree Preservation Orders. These trees will not be affected by the development. A arboricultural report has been submitted with the application which the Arboriculturalist considers to be fit for purpose. A method statement and required tree protection has been conditioned. As a result, it is considered that the proposed development accords with policy DM4.8 of the Local Plan which seeks to ensure the protection of trees. This policy has been given full weight.

Ecology

- 4.33 The site is an existing garden which is closely mowed and as a result the proposed development is unlikely to have a significant impact on protected species.
- 4.34 As a result, it is considered the proposed development does not result in any significant and demonstrable environmental harm in accordance with Policy 11 of the NPPF.

Drainage

- 4.35 The agent has now confirmed that foul drainage will discharge to the mains sewer, it is proposed to condition surface water drainage in accordance with Policy 10 of the NPPF.

Other issues

- 4.36 Under Section 143 of the Localism Act the council is required to consider the impact on local finances. This can be a material consideration but in the instance of this application the other material planning considerations detailed above are of greater significance
- 4.37 This application is liable for Community Infrastructure Levy (CIL) as it's a new dwelling.

5 Conclusion

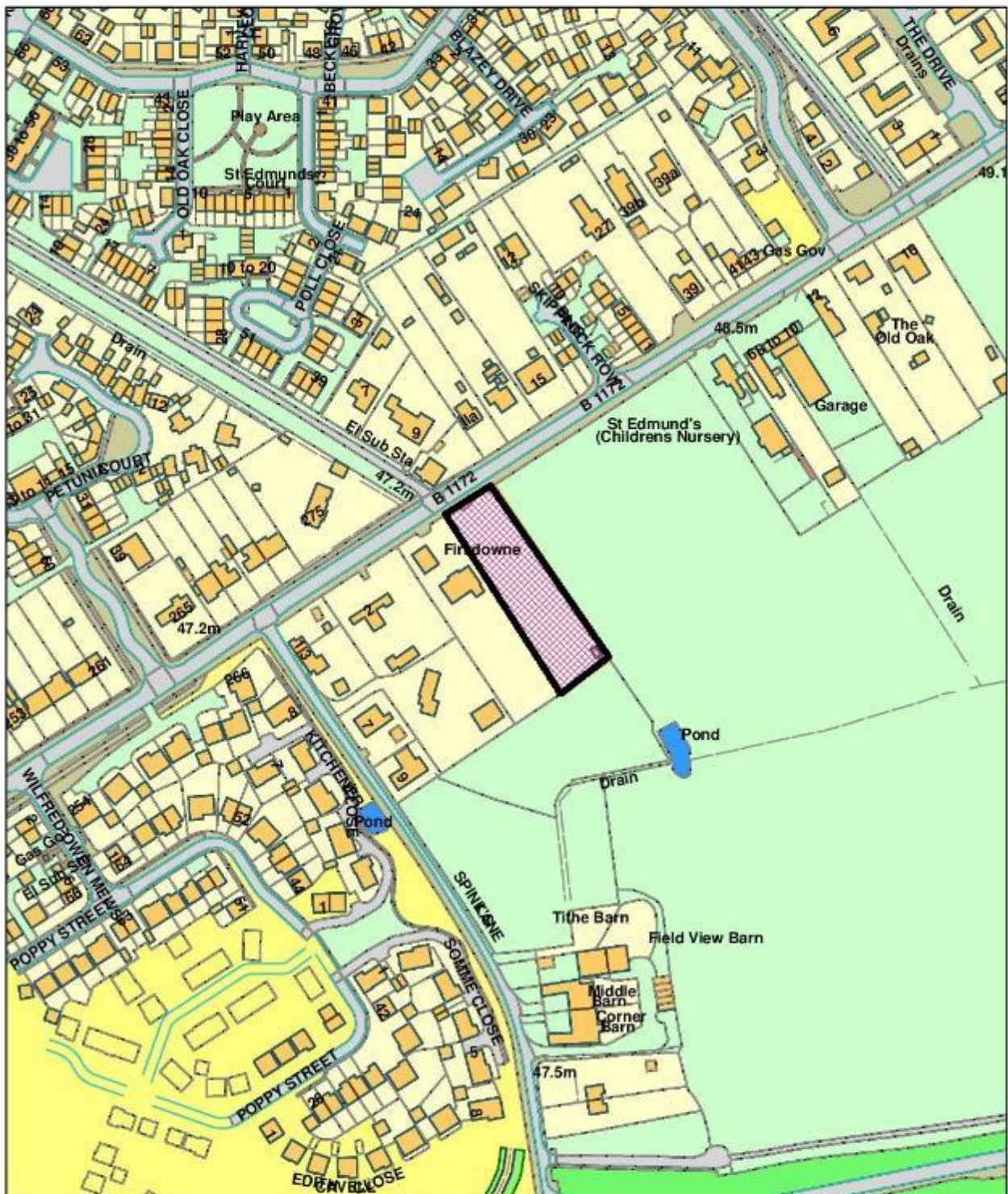
- 5.1 The proposal would satisfy the three roles of sustainability (economic, social and environmental). It is also evident that the proposal complies with the requirements of all relevant Development Management policies identified above. The proposal would not result in significant and demonstrable harm in accordance with paragraph 14 of the NPPF, which is not diminished by the weight which has been attached to the benefits of increased housing supply, as evidenced in the SHMA. For these reasons the application is recommended for approval.

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2017/2490

Appendix 1

Not Set



Scale 1:2,500

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South Norfolk Council, Cygnet Court, Long Stratton, Norwich, NR15 2XE Tel (01508) 533633

7 Appl. No : 2017/2701/O
Parish : EAST CARLETON

Applicants Name : Mr Alan Jones
 Site Address : Former Nursery Site To The West Of Low Common Swardeston
 NR14 8LG
 Proposal : Outline Permission for three dwellings and associated landscaping
 & external works.

Recommendation : Refusal
 1 Impact on rural landscape and character
 2 Poor connectivity
 3 Unsustainable development

1 Planning Policies

1.1 National Planning Policy Framework

NPPF 06 : Delivering a wide choice of high quality home
 NPPF 07 : Requiring good design
 NPPF 08 : Promoting healthy communities
 NPPF 10 : Meeting the challenge of climate change, flooding and coastal
 change
 NPPF 11 : Conserving and enhancing the natural environment

1.2 Joint Core Strategy

Policy 1 : Addressing climate change and protecting environmental assets
 Policy 2 : Promoting good design
 Policy 3: Energy and water
 Policy 4 : Housing delivery
 Policy 6 : Access and Transportation
 Policy 15 : Service Villages

1.3 South Norfolk Local Plan

South Norfolk Local Plan Development Management Policies
 DM1.1 : Ensuring Development Management contributes to achieving sustainable
 development in South Norfolk
 DM1.3 : The sustainable location of new development
 DM1.4 : Environmental Quality and local distinctiveness
 DM3.1 : Meeting Housing requirements and needs
 DM3.8 : Design Principles applying to all development
 DM3.11 : Road safety and the free flow of traffic
 DM3.12 : Provision of vehicle parking
 DM3.13 : Amenity, noise, quality of life
 DM3.14 : Pollution, health and safety
 DM4.2 : Sustainable drainage and water management
 DM4.3 : Facilities for the collection of recycling and waste
 DM4.4 : Natural Environmental assets - designated and locally important open space
 DM4.5 : Landscape Character Areas and River Valleys
 DM4.8 : Protection of Trees and Hedgerows
 DM4.9 : Incorporating landscape into design

2. Planning History

2.1	2017/1686	Outline permission for eight dwellings	Refused
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Appeal History

2.2 18/00001/AGREFU Outline permission for eight dwellings Withdrawn

3. Consultations

3.1 Town / Parish Council No comments received

3.2 District Councillor In my view the original proposal was not suitable and I felt that it should be refused as I felt that it was over development. However now that a much smaller proposal has been put forward that I feel would be more acceptable, I firmly believe must be determined by the Committee.

3.3 SNC Water Management Officer No comments received

3.3 NCC Highways Object: No highway safety issues on the addition of three dwellings, although any proposal to increase the numbers may do so. It is however considered that the same accessibility comments as previous will also apply to the three dwellings.

Given the site's location and lack of alternative access methods it is likely that approval of the application would render the residents mainly reliant on the use of motorised vehicles. Contrary to the aims as suggested in the NPPF and also the Local Transport Plan for Norfolk, to make the fullest possible use of public transport, walking and cycling in order to provide a sustainable development.

3.4 Public Rights Of Way No objection subject to the provision of the footpath remaining clear of obstruction and vegetation at all times.

3.5 The Ramblers No comments received

3.6 SNC Community Services - Environmental Quality Team Support subject to condition reporting unexpected contamination.

3.7 NCC Ecologist Support subject to all mitigation being implemented and scope for increasing the biodiversity value onsite. Landscaping and storage of construction materials should be conditioned.

3.8 SNC Water Management Officer Support subject to condition for the disposal of surface water.

3.9 Other Representations 6 letters of objection: (2 from same address)

- Outside development limits
- Concern on narrow surrounding roads and increase in traffic.
- Would request cooperation of developers before and during the works.
- Not good amenities in the village as stated in the report, the pub closed some time ago, leaving Bobbins (farm shop) the pet shop and a baker all of which are a mile or so away. To reach them you have to negotiate a single track road, there is no footpath.
- There are no streetlights.

- It can be quite dangerous when walking along this road due to the bends, correspondingly not good visibility, the bank is quite steep in places and overgrown and cannot be accessed easily when trying to avoid passing cars.
- There is lack of suitable drainage.
- The bus service again is nearly a mile away to walk, is not very reliable and an even less frequent one runs on Sundays. None run in the evening to Norwich leading to more cars using this very narrow road.
- I am also concerned about the footpath which is at the back of my garden alongside this proposal and wonder how this may be affected by this.
- The proposal will have detrimental effect on the rural character of this area, in particular on wildlife.
- Development could impact on the value of properties.
- The application suggests that this proposal will support the viability of local businesses, presuming that the residents will use these amenities. There is no evidence to support this claim nor any to suggest the local businesses are in need of the support of 3 additional households to remain viable. Indeed, Bobbins Farm Shop was established in 1929 and is well supported from both local and passing trade. In-fact all four of the businesses are based on the main road through the core village and therefore do not need nor can they rely on the support of additional households 0.7miles away to ensure their viability.
- The view from my property is currently uninterrupted to the south and west. If the proposal is approved this will no longer be the case.
- The Planning, Design and Access Statement says "The proposed dwellings will be in keeping with the surrounding styles". The Travel Distance Plan refers to "barn conversion style dwellings". There are no barn conversions or similar designs in the surrounding area. Which statement is correct?
- The addition of 3 houses in this area will have a significant impact on the character of the area, reducing its substantial rural feel, with open fields, a broad range of wildlife including deer, raptors, bats, grass snakes, Tawny and Barn Owls and sand lizards all a regular feature of the area.
- The applicant claims on page 11 that "...DM 4.8 Protection of Trees and Hedgerows There are no trees within the site that will be affected by the development proposal. No hedgerows will be affected by the development proposal...". This claim is misleading and entirely false, given the distance that Poplar roots can travel it is obvious to any layperson that the dwelling intended for plot 1 will definitely cause root damage which may lead to the death of the tree and in turn structural damage to any surrounding structure. The access road, and the dwellings for Plot 2 and 3, whilst between 50 to 100 metres (164 to 328 feet) distance may also impact on the tree roots and their construction will undoubtedly cause irreversible damage.
- Not sustainable development.

1 response of no comment.

2 Letters of support

- While it would be preferable to have open ground behind use, we appreciate more housing is needed.

- Happy to have this arrangement.

4 Assessment

- 4.1 This proposal seeks outline planning permission with all matters reserved for three dwellings. The site is located outside the development boundary within the open countryside and Norwich Policy Area (NPA), and is surrounded by existing properties. The site was a former nursery, but today is predominately an open field with the only evidence of the former use being two chimneys which remain standing.

History

- 4.2 A previous outline application for 8 dwellings under reference number 2017/1686 was submitted and refused. An appeal was submitted but has since been withdrawn as the applicant feels there is general feeling is that the potential for three dwellings has some support from local residents, the Parish Council, and the Local Member rather than the 8 previously suggested.

Principle of development

- 4.3 Members are advised that a key material consideration in regards housing land supply is the Central Norfolk Strategic Housing Market Assessment (SHMA), the most recent version of which was published in June 2017. This is significant new evidence. There is an 8.08 year housing land supply against the SHMA assessment of the Objectively Assessed Need (OAN) for housing. The following paragraphs explain why this effectively diminishes the weight attached to the benefits of increased housing supply.
- 4.4 Planning law (section 38(6) of the Planning and Compulsory Purchase Act 2004) requires that applications be determined in accordance with the Development Plan, unless material considerations indicate otherwise. Material considerations include the National Planning Policy Framework (NPPF).
- 4.5 In accordance with both the Council's adopted development plan and the NPPF, in cases where there are no overriding material considerations to the contrary, development proposals for housing that accord with the development plan should be approved without delay.
- 4.6 In this regard, consideration should be given to Policy DM1.3 which makes provision for development to be granted outside of Development Boundaries, such as this, where one of two criteria are met: either where specific development management policies allow; or, where there are overriding benefits in terms of economic, social and environmental dimensions of sustainable development, as set out in Policy DM1.1.
- 4.7 Where development proposals do not accord with the development plan consideration should be given to whether there are material considerations that otherwise indicate that development should be approved.
- 4.8 Of particular relevance to applications for housing development in this regard is paragraph 49 of the NPPF. This states that: *'housing applications should be considered in the context of the presumption in favour of sustainable development; and that, relevant (local plan) policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites'*. Where policies in the Local Plan are not considered to be up-to-date, paragraph 14 of the NPPF requires decision-taking to approve applications for housing unless the adverse impacts of granting permission, *'would significantly and demonstrably outweigh the benefits'*, when assessed against the policies of the NPPF as a whole.

4.9 The 2017 Greater Norwich Area Housing Land Supply Assessment, published as Appendix A of the Joint Core Strategy Annual Monitoring Report, shows that against the JCS requirements there is 4.61 years supply in the combined Norwich Policy Area (NPA), a shortfall of 1,187 dwellings. Consequently, relevant policies for the supply of housing in the NPA cannot be considered up-to-date and applications for housing should continue to be determined within the context of paragraph 14 of the NPPF, taking into consideration the narrow interpretation set out in the judgment *Suffolk Coastal District Council (Appellant) v Hopkins Homes Ltd and another (Respondents) Richborough Estates Partnership LLP and another (Respondents) v Cheshire East Borough Council (Appellant)*.

4.10 The narrow interpretation states:

limited to policies dealing only with the numbers and distribution of new housing and excluding any other policies of the development plan dealing generally with the disposition or restriction of new development in the authority's area.

4.11 The JCS housing requirement is, however, now several years old (the JCS was adopted in March 2011, with amendments in January 2014). The evidence on which the requirement is based has now been superseded. In June 2017 an updated Strategic Housing Market Assessment (SHMA) was published for Central Norfolk (the Greater Norwich authorities plus, North Norfolk and Breckland). The SHMA assesses the Objectively Assessed Need for housing between 2015 and 2036 using the most recent evidence available. Unlike the evidence underpinning the JCS, the SHMA also includes an assessment of the contribution made by student accommodation in line with the Planning Practice Guidance.

4.12 The SHMA is significant new evidence that is also a material consideration in the determination of planning applications. A housing land supply of 8.08 years can be demonstrated against the SHMA assessment of OAN, a surplus of 5,368 units. The abundant housing land supply that is apparent in relation to the most up-to-date evidence of housing needs should be given weight in the decision making process. This factor effectively diminishes the weight that would otherwise be attached to the benefits of increased housing delivery in the context of Policy DM1.1 and NPPF Paragraph 14.

4.13 On the basis of the above, the following assessment seeks to establish the benefits of the scheme and any harm that would be caused in the context of the relevant development plan policies and the NPPF, with reference to the three dimensions of sustainable development (economic role, social role and environmental role). These three headings form a convenient basis for structuring the assessment of the proposal against development plan policies.

Economic role

4.14 The NPPF confirms the economic role as:

“contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation: and by identifying and coordinating development requirements, including the provision of infrastructure.”

4.15 The scheme would result in some short-term economic benefits as part of any construction work and in the longer term by local spending from the future occupants. It is therefore considered that the scheme would bring forward a limited level of economic benefit.

Social role

4.16 The NPPF confirms the social role as

“supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations: and by creating a high

quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being."

Indicative outline layout

- 4.17 The indicative outline layout shows a layout for three dwellings arranged with two properties on the south of the site and one to the north of the access. An area of land to the north of plot 3 is shown as a pony paddock. The character of this area comprises of dwellings fronting onto the highway following the curvature of the road. This proposal would result in back-land development as the new proposed dwellings would be located behind existing properties, contrary to the prevalent character, which is frontage development.
- 4.18 This proposal is in outline with all matters reserved, therefore the design details of the scheme would be comprehensively assessed at reserved matters stage if this application was supported.
- 4.19 The adopted Sites Specific Allocations and Policies map 021 shows the significant separation distance between the application site and the main settlement of Swardeston to the south east and the intricate network of small rural roads to and from Swardeston settlement.
- 4.20 As set out above, the current position with regards to the lack of a five year supply is diminished having regard to the evidence as set out in the SHMA. Notwithstanding this, the distance from the application site to other facilities including public transport and the design, as well as the precedent for further unsustainable development would result in significant and demonstrable harm which is not outweighed by the approval of 3 dwellings in this location.

Highways

- 4.21 The current application for three dwellings would result in less traffic movements than the previous scheme for 8 dwellings. Taking into account that there are 44 existing properties at Low Common, the addition of three further properties and the resulting additional traffic is not considered to be a significant change. It is not considered therefore that a highway safety objection can be sustained to the three additional properties. Although any proposal to increase the numbers may affect highway safety given the width of the highway in this location. It is however considered that the same accessibility concerns as previously raised on the application for 8 dwellings still apply to the three dwellings.
- 4.22 The site is very poorly related and connected to the main settlement of Swardeston. The road networks to and from the site consists of an intricate network of small rural roads that contain high banks/verges and single track roads with lack of footpaths. The site is remote from services, facilities and employment opportunities, which would mean the development for three dwellings would be vehicle dependant and would generate frequent and intensified vehicular movements along the Intricate network of small rural roads.
- 4.23 Low Common has an average running width of 2.8m, which is insufficient to enable two vehicles to pass and the three passing places are narrow and do not extend to the residential section of Low Common Land. The road network to the west of the site is single vehicle width with a narrow and blind bend.
- 4.24 Due to the unsustainable location and inadequacy of the highway network (roads inadequate to serve the development, poor alignment and restricted width, detrimental to highway safety) the proposal would not be suitable or sustainable (remote from local services and facilities, frequent need to travel by private vehicle). The proposal would be contrary to the aims of the NPPF to support safe and sustainable access for all people and

encourages the importance of being able to make journeys without the reliance on a private vehicle. The proposal would also be contrary to the sustainable transport policies through Norfolk's 3rd Local transport plan 'connecting Norfolk – Norfolk's Transport Plan for 2026' which requires new development to be well located and connected to existing facilities to minimise the need to travel and reduce the reliance on the private car or the need for new infrastructure. Contrary to local plan policies 4 of the NPPF and DM3.10, DM3.11 and DM3.12.

Environmental role

4.25 The NPPF confirms the environmental role as

"contributing to protecting and enhancing our natural, built and historic environment: and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy."

Landscape and character impacts

4.26 The proposal would encroach upon the rural open landscape character and harm the special rural characteristics this site has insofar as gentle undulating landform, small fields, dispersed settlement pattern with wide open views.

4.27 The development of this site for three dwellings would significantly urbanise open rural land, which creates the open countryside landscape and significantly contributes to the existing dispersed settlement pattern, that is a key characteristic to the area as identified in the South Norfolk Landscape Assessment volume 1 (June 2001). The key open view vantage points that this site creates not only defines the rural landscape in contrast from the dispersed existing properties, but also significantly contributes to a wider rural area and creates a distinctive rural setting with the wider landscape character due to the sites gentle undulating landform and openness creating an environmental relationship and views with the wider undulated terrain with the formation of tree species and hedging and dispersed settlement pattern. All of this significantly contributes to key environmental characteristics and sensitivities of the undeveloped site and related wider rural landscape setting.

4.28 Although the development is now only for three dwellings rather than the 8 previously proposed, the proposal would not respect, conserve or enhance the characteristic of the predominant rural landscape character area and as such would be contrary to Local Plan Policies DM4.5, Section 11 of the NPPF and supplementary planning documents South Norfolk Place Making Guide and Landscape Character Appraisal (2001).

Other matters

4.29 A number of third party representations have been made raising a number of matters, including concerns relating to the narrow road network, no footpaths, or street lighting. Also the lack of amenities within the main village of Swardeston. These matters have been addressed within the main body of the report and it has been concluded that this is an unsustainable location for new development, taking into consideration these matters raised.

4.30 A matter was raised with regard to ecology. The ecology officer has commented and is of the opinion there is room to improve the site for biodiversity and recommends conditions. Therefore, I do not consider ecology is a reason to refuse the proposal.

4.31 Under Section 143 of the Localism Act the council is required to consider the impact on local finances. This can be a material consideration but in the instance of this application the other material planning considerations detailed above are of greater significance.

4.32 This application is liable for Community Infrastructure Levy (CIL).

5 Conclusion

5.1 In conclusion, the proposal would significantly and demonstrably impact the rural open landscape and the pattern of development is considered out of character with the usual frontage development which exists locally. The proposal would result in an overreliance on the private car through poor connectivity and limited access to local services and facilities, as well as setting a precedent for further development in this location on the remaining adjacent open spaces. These matters would not be outweighed by the short-term economic benefits of providing three dwellings. In addition, the Council's current position with regards to the lack of a five year supply is diminished having regard to the evidence as set out in the SHMA.

5.2 The proposal would therefore be contrary to paragraph 14 of the NPPF, Policies 4, 6, 7 and 11 of the NPPF, Policy 2 of the JCS and Policies DM1.3, DM3.8, DM3.11, DM3.12 and DM4.5 of the Development Management Policies Document and supplementary planning documents South Norfolk Place Making Guide and Landscape Character Appraisal (2001), the proposal would also be contrary to the sustainable transport policies through Norfolk's 3rd Local transport plan 'connecting Norfolk – Norfolk's Transport Plan for 2026' which requires new development to be well located and connected to existing facilities to minimise the need to travel and reduce the reliance on the private car or the need for new infrastructure.

Reasons for refusal

Impact on rural open landscape and character

5.3 The proposal would significantly impact and encroach on the open rural landscape, characteristic of this site and its contribution to the wider area insofar as gentle undulating landform, small fields, dispersed settlement pattern with wide open views as identified by the South Norfolk Landscape Assessment volume 1 (June 2001).

5.4 This proposal would significantly urbanise open rural land, which creates the open countryside landscape and significantly contributes to the existing dispersed settlement pattern, that is a key characteristic to the area. Consequently, eroding the quality of place that this area has and where key open vantage points can be experienced.

5.5 In addition, the backland form of development proposed is out of character with the prevailing pattern of development in this location and would set a precedent for further unacceptable development in this area.

5.6 The proposal would be contrary to Local Plan Policies DM3.8 and DM4.5, Policy 2 of the JCS, Policies 6, 7 and 11 of the NPPF and supplementary planning documents South Norfolk Place Making Guide and Landscape Character Appraisal (2001).

Poor connectivity

5.7 The proposal is remote from local service centre provision conflicting with the aims of sustainable development, the need to minimise travel, and the ability to encourage walking, cycling, use of public transport and reduce the reliance on the private car as represented in national and local policy. All of which is contrary to the Policy 4 of the NPPF and Local Plan Policies DM3.10, DM3.11 and DM3.12.

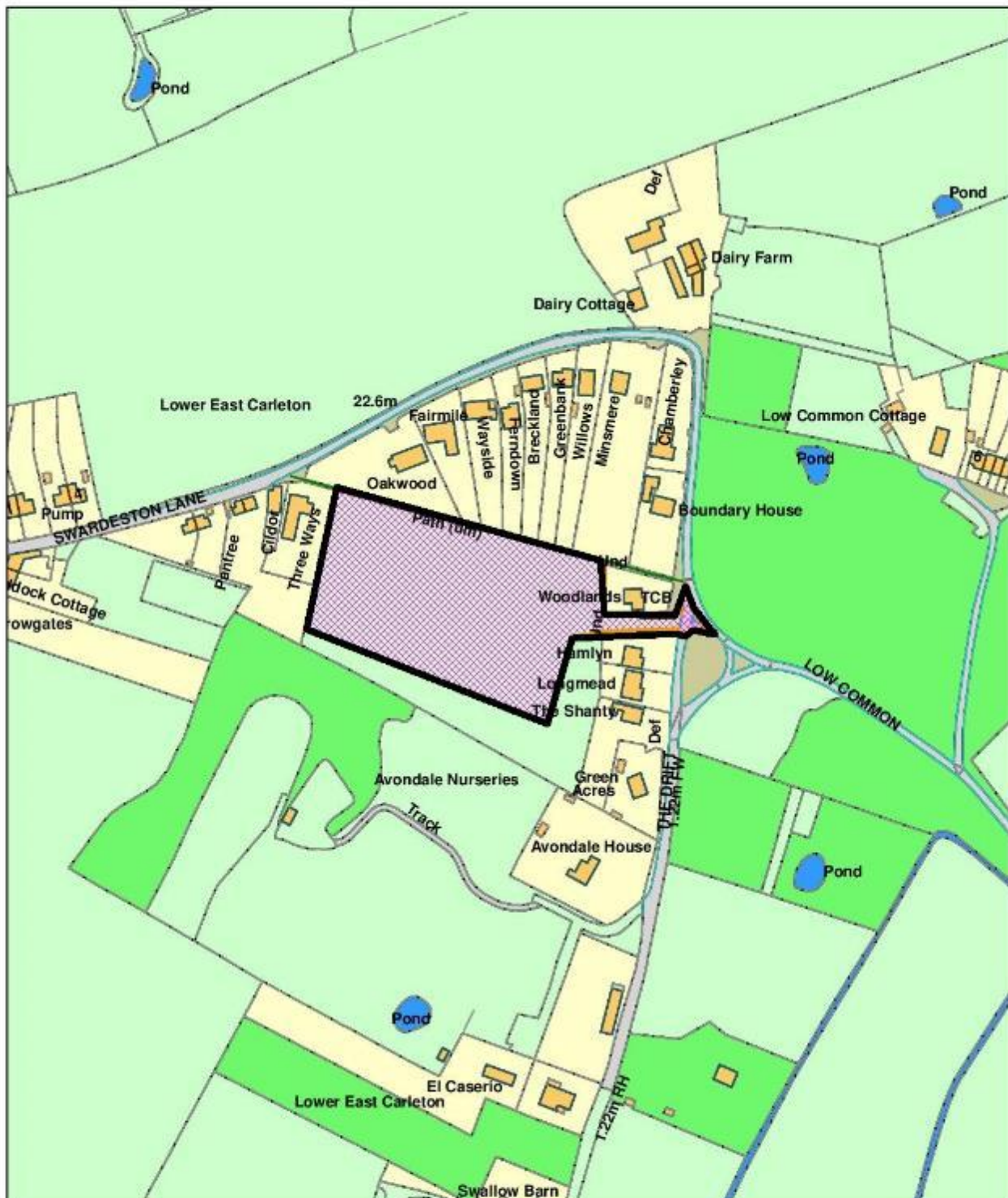
Unsustainable development

- 5.8 The proposed development does not represent a sustainable development, having regard to the three tests (social, economic and environmental) set out in the NPPF, by virtue of the significant and demonstrable negative social and environmental harm regarding impact on the rural landscape, a design which is out of character with the prevailing pattern of development in this location and the sites poor connectivity. Furthermore, the development will set a precedent for further unsustainable development in this area. These harms are not outweighed by the modest short-term economic benefit of three dwellings, especially with the diminished weight that can be applied to the five year supply in accordance with the evidence as set out in the SHMA. For this reason, the proposal is contrary to paragraph 14 of the NPPF, Policies 4, 6, 7 and 11 of the NPPF, Policy 2 of the JCS and Policies DM1.3, DM3.8, DM3.11, DM3.12 and DM4.5 of the Development Management Policies Document

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2017/2701

Appendix 1



Scale 1:2,500

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South Norfolk Council, Cygnet Court, Long Stratton, Norwich, NR15 2XE Tel (01508) 533633

Applicants Name	:	Mr Hundal
Site Address	:	Land North Of Twin Barn Farm Ketteringham Lane Hethersett NR9 3DF
Proposal	:	New dwelling to include self-contained residential annex and ancillary facilities
Recommendation	:	Approval with conditions
		1 Reduced time limit (5 yr land supply)
		2 In accord with submitted drawings
		3 External materials to be agreed
		4 Surface Water
		5 Foul drainage to sealed system
		6 Provision of parking, service
		7 Occupation of annexe
		8 No PD for Classes ABCDE & G
		9 No PD for fences, walls etc
		10 Boundary treatment to be agreed
		11 Landscaping scheme to be submitted
		12 New Water Efficiency
		13 Renewable Energy - Decentralised source
		14 Reporting of unexpected contamination

- 1.1 National Planning Policy Framework
 - NPPF 06 : Delivering a wide choice of high quality home
 - NPPF 07 : Requiring good design
 - NPPF 10 : Meeting the challenge of climate change, flooding and coastal change
 - NPPF 11 : Conserving and enhancing the natural environment
- 1.2 Joint Core Strategy
 - Policy 1 : Addressing climate change and protecting environmental assets
 - Policy 2 : Promoting good design
 - Policy 4 : Housing delivery
 - Policy 14 : Key Service Centres
- 1.3 South Norfolk Local Plan Development Management Policies
 - DM1.1 : Ensuring Development Management contributes to achieving sustainable development in South Norfolk
 - DM1.3 : The sustainable location of new development
 - DM1.4 : Environmental Quality and local distinctiveness
 - DM3.1 : Meeting Housing requirements and needs
 - DM3.10 : Promotion of sustainable transport
 - DM3.11 : Road safety and the free flow of traffic
 - DM3.12 : Provision of vehicle parking
 - DM3.13 : Amenity, noise, quality of life
 - DM4.2 : Sustainable drainage and water management
 - DM4.5 : Landscape Character Areas and River Valleys
 - DM4.8 : Protection of Trees and Hedgerows

2. Planning History

- | | | | |
|-----|-----------|---|----------|
| 2.1 | 2015/1306 | Discharge of conditions 3,4,5,6,7,8 & 9 of planning permission 2012/1061/F - External materials, floor levels, boundary treatment, ecology mitigation, landscaping, details of solar panels & Code 6 assessment | Approved |
| 2.2 | 2012/1061 | Proposed Carbon Neutral Dwelling | Approved |

3. Consultations

- | | | |
|-----|---|--|
| 3.1 | Parish Council | Recommend refusal. Outside development boundary and does not meet exemption criteria. |
| 3.2 | District Councillor | Determine as delegated decision |
| 3.3 | SNC Conservation and Design | Not assessed as paragraph 55 proposal. Contemporary design with simple form. Use of cedar shingles acceptable. |
| 3.4 | SNC Community Services - Environmental Quality Team | No comments received |
| 3.5 | SNC Water Management Officer | No objection - standard conditions for surface water and foul water drainage. |
| 3.6 | NCC Highways | No objection subject to provision of access and standard highways conditions |
| 3.7 | Other Representations | 1 response in support - design is more in keeping that previous, walking distance to amenities. |

4. Assessment

- 4.1 The application site is located on the west side of Ketteringham Lane, 250 metres south of its junction with the Norwich Road (B1172). It is outside of any development boundary and is within the Norwich Policy Area (NRA). The site is bounded by school playing fields to the north and by a pair of modern timber barns to the south, one of which has recently been converted to a dwelling under Class Q permitted development. There is an extant planning permission on the site for a new dwelling (ref: 2012/1061) which was approved under paragraph 55 of the NPPF as being a dwelling of exceptional quality and innovative nature of design.
- 4.2 This application, which has not been submitted under paragraph 55 of the NPPF, now seeks full planning permission for one dwelling and a detached garage/annex. The dwelling would be sited centrally within its curtilage, is of contemporary design and would be clad in cedar shingles. The proposed design includes a rear projecting section, of lower roof height, which would house a swimming pool. The existing access would be retained and upgraded. The detached garage/annex would be sited close to the southern elevation of the new dwelling, designed with a flat roof and rendered finish and would incorporate one bedroomed self-contained accommodation for extended family members.

- 4.3 The main issues in this case are the principle of the development, impact on landscape, design, highways, flood risk, residential amenity, sustainable development and other considerations.

Principle

- 4.4 This site is outside of the development boundary of Hethersett which is defined as a key service centre under policy 14 of the JCS and is within the Norwich Policy Area.
- 4.5 Members are advised that a key material consideration in regards housing land supply is the Central Norfolk Strategic Housing Market Assessment (SHMA), the most recent version of which was published in June 2017. This is significant new evidence. There is an 8.08 year housing land supply against the SHMA assessment of the Objectively Assessed Need (OAN) for housing in the Norwich Policy Area. The following paragraphs explain why this effectively diminishes the weight attached to the benefits of increased housing supply.
- 4.6 Planning law (section 38(6) of the Planning and Compulsory Purchase Act 2004) requires that applications be determined in accordance with the Development Plan, unless material considerations indicate otherwise. Material considerations include the National Planning Policy Framework (NPPF).
- 4.7 In accordance with both the Council's adopted development plan and the NPPF, in cases where there are no overriding material considerations to the contrary, development proposals for housing that accord with the development plan should be approved without delay.
- 4.7 In this regard, consideration should be given to Policy DM1.3 which makes provision for development to be granted outside of Development Boundaries, such as is the case here, where one of two criteria are met: either where specific development management policies allow; or, where there are overriding benefits in terms of economic, social and environmental dimensions of sustainable development, as set out in Policy DM1.1.
- 4.8 Where development proposals do not accord with the development plan consideration should be given to whether there are material considerations that otherwise indicate that development should be approved.
- 4.9 Of particular relevance to applications for housing development in this regard is paragraph 49 of the NPPF. This states that: 'housing applications should be considered in the context of the presumption in favour of sustainable development; and that, relevant (local plan) policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites'. Where policies in the Local Plan are not considered to be up-to-date, paragraph 14 of the NPPF requires decision-taking to approve applications for housing unless the adverse impacts of granting permission, 'would significantly and demonstrably outweigh the benefits', when assessed against the policies of the NPPF as a whole.
- 4.10 The 2017 Greater Norwich Area Housing Land Supply Assessment, published as Appendix A of the Joint Core Strategy Annual Monitoring Report, shows that against the JCS requirements there is 4.61 years supply in the combined Norwich Policy Area (NPA), a shortfall of 1,187 dwellings. Consequently relevant policies for the supply of housing in the NPA cannot be considered up-to-date and applications for housing should continue to be determined within the context of paragraph 14 of the NPPF, taking into consideration the narrow interpretation set out in the judgment Suffolk Coastal District Council (Appellant) v Hopkins Homes Ltd and another (Respondents) Richborough Estates Partnership LLP and another (Respondents) v Cheshire East Borough Council (Appellant).

4.11 The narrow interpretation states:

limited to policies dealing only with the numbers and distribution of new housing and excluding any other policies of the development plan dealing generally with the disposition or restriction of new development in the authority's area.

4.12 This means that all of the South Norfolk Local Plan Development Management Policies are not out of date.

4.13 The JCS housing requirement is, however, now several years old (the JCS was adopted in March 2011, with amendments in January 2014). The evidence on which the requirement is based has now been superseded. In June 2017 an updated Strategic Housing Market Assessment (SHMA) was published for Central Norfolk (the Greater Norwich authorities plus, North Norfolk and Breckland). The SHMA assesses the Objectively Assessed Need for housing between 2015 and 2036 using the most recent evidence available. Unlike the evidence underpinning the JCS, the SHMA also includes an assessment of the contribution made by student accommodation in line with the Planning Practice Guidance.

4.14 The SHMA is significant new evidence that is also a material consideration in the determination of planning applications. A housing land supply of 8.08 years can be demonstrated against the SHMA assessment of OAN, a surplus of 5,368 units. The abundant housing land supply that is apparent in relation to the most up-to-date evidence of housing needs should be given weight in the decision making process. This factor effectively diminishes the weight that would otherwise be attached to the benefits of increased housing delivery in the context of Policy DM1.1 and NPPF Paragraph 14.

4.15 On the basis of the above, the following assessment seeks to establish the benefits of the scheme and any harm that would be caused in the context of the relevant development plan policies and the NPPF, with reference to the three dimensions of sustainable development (economic role, social role and environmental role). These three headings form a convenient basis for structuring the assessment of the proposal against development plan policies.

Sustainable development

4.16 Sustainable development has three dimensions which are economic, social and environmental. These should not be considered in isolation as they are mutually dependent. The NPPF also sets out themes for delivering sustainable development but considers that its meaning of sustainable development be taken as the NPPF as a whole. the following is an assessment of whether the scheme can be regarded as sustainable.

Economic role

4.17 The NPPF highlights the economic role as "contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure."

4.18 The construction of one dwelling in this location would help to enhance economic viability through local spending by future occupants. The proposal would also provide some short term economic benefits during construction work. It is therefore considered that this proposal would bring forward a modest economic benefit.

Social role

4.19 The NPPF confirms the social role as "supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future

generations; and by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being."

- 4.20 The proposed scheme would provide housing in a location where the JCS identifies a shortfall in housing land supply against requirements which would represent a social benefit. However, the significance of this benefit is diminished by the most recent evidence of the updated SHMA which identifies a housing land supply in excess of 8 years and this is a material consideration in determining this application.
- 4.21 The application site is 250 metres south of Norwich Road which forms the urban edge of Hethersett although there are also a school and some residential properties on its southern side. Hethersett benefits from a full range of local services including public transport links to Norwich. Ketteringham Lane is narrow and rural in character with no footpath although the local services of Hethersett remain accessible due to the short distance to the main road. It is therefore considered that, on balance, this proposal would bring forward only a modest social benefit.

Environmental role

- 4.22 The NPPF confirms the environmental role as "contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy."

Impact on landscape character

- 4.23 This site is located within the Wymondham Settled Plateau Farmland (D1) as defined by the South Norfolk Local Landscape Designations Review 2012. Key characteristics include a settled landscape with towns, villages and dispersed buildings within large scale open farmland with long range views. It also includes important strategic breaks between settlements. The proposal is located on a lane leading into Hethersett which is very much rural and undeveloped in character and is a very rural approach to the Town. The road is narrow in width with no footpaths and is dominated by mature hedge boundary planting and there is limited built form to the southern side of the B1172 which contains the built form of Hethersett. There would be harm by the introduction of an additional dwelling in this location however the site is adjacent to an existing building and the impact would not be dissimilar to that of the extant consent on the site for a Para 55 dwelling (albeit the para 55 consent is given limited weight as is evident that the design approach required to comply with Para 55 is not deliverable). The form and external finish of the proposed dwelling reflects the agricultural character of nearby development and it would not compromise the aims of the strategic gap between settlements. Therefore, while this proposal represents an encroachment into the open countryside, and represents a level of harm to the distinctive landscape characteristics, it is not considered that the level of harm would be significant adverse and so meets the requirements of policy DM4.5 of the SNLP.

Design

- 4.24 The proposal has been assessed by the Council's Design & Conservation officer who considers that, while the design is very contemporary, it still references the simple form of barns and the use of cedar shingle cladding is acceptable in this instance. The proposed garage/annex is low in overall height and finished in contrasting materials and would appear subservient to the main dwelling. In this case, the detached annex would have a close spatial relationship to the main dwelling and would share facilities and amenity space. Occupation of the annex can be restricted by condition as recommended and so it is considered that this element of the proposal accords with policy DM3.7 of the SNLP.

Highways

- 4.25 This proposal would utilise an existing access off Ketteringham Lane and NCC Highways have no objections subject to the upgrading of this access and provision of on-site parking and turning areas and visibility splays. Therefore, this proposal accords with policies DM3.11 and DM3.12 of the SNLP.
- 4.26 Ketteringham Lane on which the site is located is rural in character, of limited width with no footways or footpaths from the site leading into Hethersett. However there is footpath provision on the B1172 north of the site which is approx. 220m away along Ketteringham Lane which provides a suitable access to the services and facilities of Hethersett. Whilst there is a level of harm by virtue of the lack of pedestrian connectivity from the site to the B1172, it is not considered that the site is significantly distanced from the services, facilities or public transport connections of Hethersett such that the predominant means of travel to access these local facilities would be by private car. The level of harm identified needs to be considered in the planning balance required by DM1.3 and DM1.1 and paragraph 14 of the NPPF.

Flood risk

- 4.27 The application site is within flood zone 1 and the Council's water management officer raises no objection subject to standard conditions for surface and foul water drainage provision.

4.28 Residential amenity

The proposed dwelling would be well separated from residential properties further north along Ketteringham Lane and would have no direct impact on the existing amenity of these occupiers. A timber barn close to the southern site boundary has recently been converted into a dwelling and is now occupied. Sufficient distance would remain between the proposed dwelling and the converted barn to ensure that this development would not adversely affect the residential amenity of existing or future occupiers. This proposal therefore accords with policy DM3.13 of the SNLP.

Summary of environmental role

- 4.29 As already outlined, the proposed dwelling would encroach into a previously undeveloped land. The extant permission is given very limited weight in this instance. For the reasons already outlined, it is considered that the proposed dwelling would not have a significant adverse impact on the character of the surrounding landscape. There would be a level of harm from pedestrian connectivity from the site to Hethersett. The applicant has indicated that the dwelling would be designed to incorporate renewable and low carbon energy features and this can be secured by condition. Therefore, it is considered that this proposal would result in a limited level of environmental harm.

Conclusion of sustainable development

- 4.30 Having due regard to the above assessment made in the context of not having a demonstrable 5 year land supply but taking account of the new evidence of the updated SHMA which is a material consideration, it is considered that the harm of encroachment into the countryside and connectivity to Hethersett does not outweigh the albeit modest economic and social benefits of providing additional housing in an accessible area, and therefore when considered as a whole, this scheme represents sustainable development.

Paragraph 14 of the NPPF

- 4.31 Having established that this proposal does represent sustainable development in the context of the NPPF, it is necessary to have regard to paragraph 14 in respect of the presumption in favour of sustainable development.
- 4.32 It is accepted that the Council's housing-related policies are out of date by virtue of not being able to demonstrate an adequate 5 year housing land supply in the Norwich Policy Area. Therefore the Council should only refuse planning permission if the adverse impacts of the development would significantly and demonstrably outweigh the benefits of the scheme when assessed against the policies of the NPPF when taken as a whole or specific policies of the NPPF indicate restricting development and considering all other material considerations.
- 4.33 In this instance it is considered that the limited harm to the existing landscape character of the area by building on previously undeveloped land and the limited harms in respect of connectivity would not represent harm that significantly and demonstrably outweighs the benefits of providing additional housing within a location where local services and public transport are available, notwithstanding the diminished weight afforded to the benefits of housing by virtue of the SHMA 5 years supply figures as a material consideration.

Self Build

- 4.34 Under paragraph 50 of the National Planning Policy Framework (2012) requires Councils to plan for people wishing to build their own homes. This can be a material planning consideration for this application as self-build has been identified as the method of delivering the site. Whilst an indication of self-build has been given by the applicant it should also be noted that at this stage it cannot be certain that the method of delivering this site will be self-build. In the instance of this application the other material planning considerations detailed above are of greater significance.
- 4.35 Under Section 143 of the Localism Act the council is required to consider the impact on local finances. This can be a material consideration but in the instance of this application the other material planning considerations detailed above are of greater significance.
- 4.36 This application is liable for Community Infrastructure Levy (CIL).

5 Conclusion

- 5.1 The proposal would satisfy the three roles of sustainability (economic, social and environmental). It is also evident that the proposal complies with the requirements of the relevant Development Management policies set out. It is not considered that there is a level of harm that significantly and demonstrably outweighs the benefits of housing delivery, notwithstanding that the benefits of housing are diminished as a result of the SHMA 5 year supply figures as a material consideration. Accordingly the application satisfies the requirements of Policy DM1.1 of the Development Management Policies and Paragraph 14 of the NPPF. The application is therefore recommended for approval.

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2017/2845

Appendix 1



Scale 1:2,500

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South Norfolk Council, Cygnet Court, Long Stratton, Norwich, NR15 2XE Tel (01508) 533633

9 Appl. No : 2018/0272/F
Parish : HETHERSETT

Applicants Name : Mr Ray Brown
 Site Address : Land To The Rear Of 3 Great Melton Road Hethersett Norfolk
 Proposal : Erection of new detached dwelling

Recommendation : Refusal
 1. Out of character with the established built form of the immediate area
 2. Poor quality amenity space for the future occupiers of the new dwelling.
 3. The physical bulk of the dwelling results in an overbearing impact on the neighbouring properties

1 Planning Policies

1.1 National Planning Policy Framework

NPPF 06 : Delivering a wide choice of high quality home

NPPF 07 : Requiring good design

NPPF 10 : Meeting the challenge of climate change, flooding and coastal change

1.2 Joint Core Strategy

Policy 1 : Addressing climate change and protecting environmental assets

Policy 2 : Promoting good design

Policy 3: Energy and water

Policy 4 : Housing delivery

Policy 14 : Key Service Centres

1.3 South Norfolk Local Plan Development Management Policies

DM1.1 : Ensuring Development Management contributes to achieving sustainable development in South Norfolk

DM1.3 : The sustainable location of new development

DM1.4 : Environmental Quality and local distinctiveness

DM3.5 : Replacement dwellings and additional dwellings on sub-divided plots within Development Boundaries

DM3.8 : Design Principles applying to all development

DM3.11 : Road safety and the free flow of traffic

DM3.12 : Provision of vehicle parking

DM3.13 : Amenity, noise, quality of life

DM4.2 : Sustainable drainage and water management

DM4.8 : Protection of Trees and Hedgerows

DM4.9 : Incorporating landscape into design

2. Planning History

2.1 No recent planning history

Appeal History

2.2 None

3 Consultations

3.1 Town / Parish No comments to make
 Council

3.2 District Councillor To be determined by committee

- | | | |
|-----|---|---|
| 3.3 | SNC Water Management Officer | Support subject to condition for the details for the disposal of surface water. |
| 3.4 | SNC Community Services - Environmental Quality Team | To be reported |
| 3.5 | NCC Highways | To be reported |
| 3.4 | Other Representations | None received at the time of the report |

4. Assessment

- 4.1 The proposal seeks permission for the construction of a detached three storey dwelling. The site is between 3 Great Melton Road, and two, two storey detached dwellings currently under construction. The site is served by a private unmade access road leading to No 7 to the south of the site.

Principle

- 4.2 The site is within the Development Limits for Hethersett, which is a sustainable location. Therefore, the principle of development accords with the requirements of policy DM1.3 and is considered acceptable.

Design

- 4.3 The proposal is for a three-storey dwelling located on a narrow plot between existing residential properties with frontage onto the private drive. The properties which face onto Great Melton Road (No 1 and 2 Great Melton Close) are set back from the road with an area of open space between the front elevation and the road. The properties in the immediate location are of cottage style most of which have dormer windows in the front elevation resulting in a strong established form of character for the area.
- 4.4 The proposed dwelling has attempted to match the height of the properties on either side of the plot, being of split level design. However, the front elevation includes a mix of roof forms with a mono pitch section at ground level, above which is a full-size window and the stepped approach is out of character with the very linear roof forms in this location, as well as resulting in a ridge height, higher than that of the neighbouring properties.
- 4.5 The eaves level is punctuated with a dormer style section to mimic the adjacent properties, with a roof light serving the second-floor bedroom. The lower section of the dwelling includes a garage door above which are double doors opening onto a Juliet balcony. The overall frontage results in a very 'busy feel' which detracts from the simple vertical rather than horizontal established form and character of the immediate surrounding properties.
- 4.6 The rear elevation has been designed with a 'gambrel' roof to reduce the bulk of the rear elevation, two roof lights are also included to provide natural light to the bedroom/en-suite. The lower section has a dormer window serving the bedroom.
- 4.7 To conclude, the overall scale and design of the proposed dwelling in this location results in an over development of the plot, and while the proposal has picked up elements of the surrounding properties, the total mix of roof and window forms is out of character with the form and character with the area, and is considered to conflict with the principles of policy DM3.8 of the SNLP 2015.

Residential amenity

- 4.8 The scale of the proposed dwellings will result in a cramped form of development leaving a poor level of amenity space for future occupiers for a property of this size. Consideration has been given to the impact the proposed dwelling will have on the amenities of the neighbouring properties.
- 4.9 The first-floor windows will overlook the rear of the No 5 Great Melton Road, however the garden is already overlooked by other properties which border the site. Given the position of the neighbouring properties any loss of privacy from the proposed dwelling will be minimal and in itself, would not be justification for refusal.
- 4.10 I have also assessed the potential shadow impact of the proposed dwelling, but given the orientation and the evidence submitted at the meeting with the applicant and agent, I am satisfied that overshadowing to the neighbouring properties would not be so significant to justify refusal.
- 4.11 The main issue is the perception of the bulk of the proposed dwelling and the overbearing impact this would have on the rear gardens of the neighbouring properties given the limited size of the proposed plot.
- 4.12 To conclude, I consider the lack of amenity space for future occupiers of a dwelling of this size to be poor. The overbearing impact of a dwelling of this scale would have an adverse impact on the amenities of the neighbouring properties bringing the scheme into conflict with policy DM3.13 of the SNLP 2015.

Highways, access and parking

- 4.13 The access to the site would be via the existing access that serves the B&B (No 3 Great Melton Road) and the existing dwellings south of the site. The proposed dwelling is a 4-bedroom property. Parking Standards for Norfolk (2007) require 3 spaces for a 4 or more-bedroom property. However, the plot is close to facilities and is considered to be in a sustainable location, although limited space is available no objection to the number of parking spaces have been received from the Highways Authority. The proposal therefore accords with Policies DM3.11 and DM3.12.

Other issues

- 4.14 The proposed dwelling would connect to the main sewer. No objections have been raised by the Councils' Water Management Officer, however, in the event planning permission is granted full details for the disposal of surface water must be agreed.
- 4.15 Under paragraph 50 of the National Planning Policy Framework (2012) requires Councils to plan for people wishing to build their own homes. This can be a material planning consideration for this application however, self-build has not been identified as the method of delivering the site.
- 4.16 Under Section 143 of the Localism Act the council is required to consider the impact on local finances. This can be a material consideration but in the instance of this application the other material planning considerations detailed above are of greater significance.
- 4.17 This application is liable for Community Infrastructure Levy (CIL).

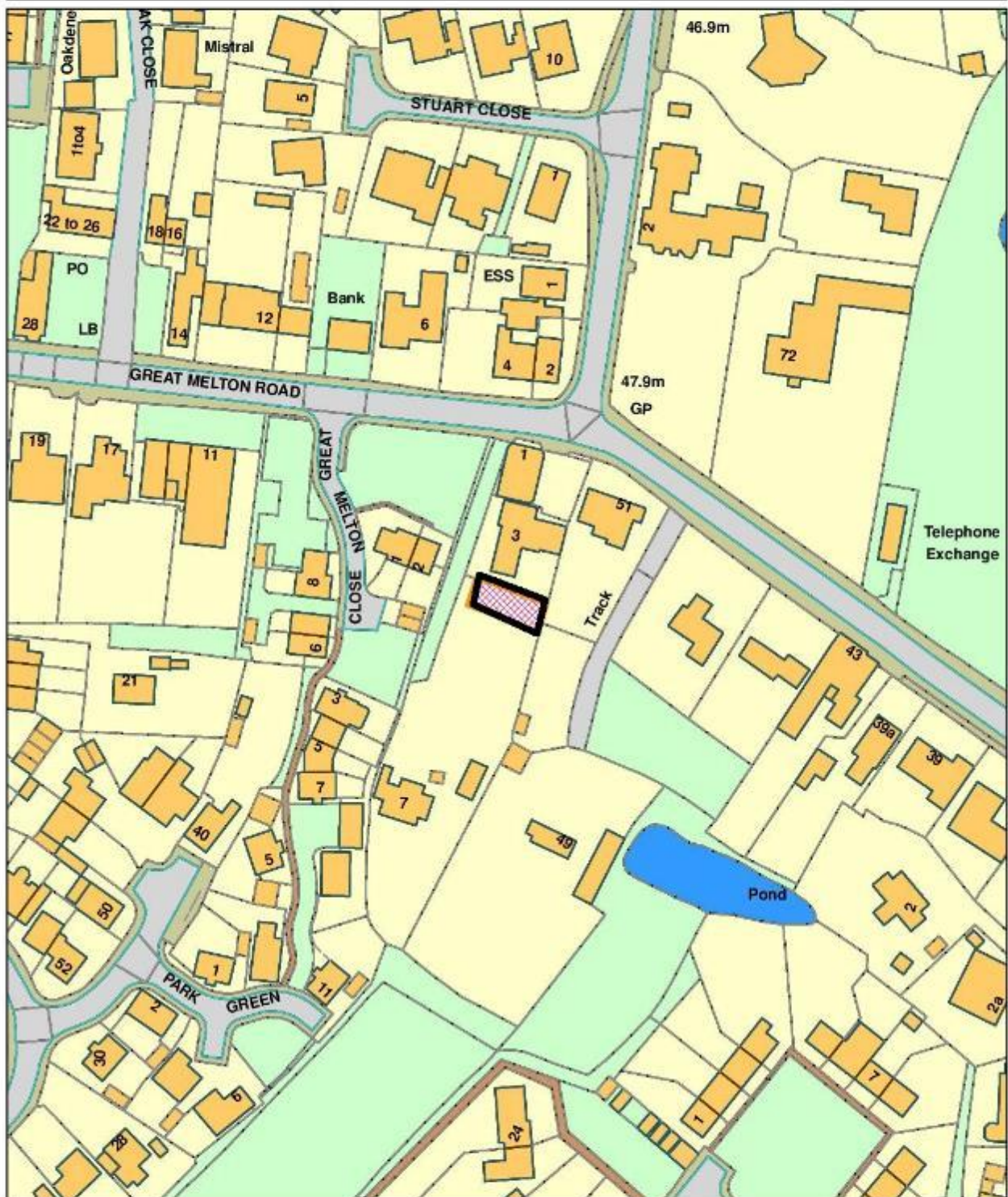
5 Reason for Refusal

- 5.1 This plot lies in-between existing properties facing onto an unmade track leading off Great Melton Road. No's 1 and 2 Great Melton Close are set back from Great Melton Road but are of the same cottage style design with dormer windows in the front elevation resulting in a strong established character. The proposed dwelling is a three storey design which fills the width of the plot. The design is of a complex front elevation which appears out of character with the established built form of the immediate area and the proposal contains multiple roof forms and a stepped ridge which is also out of character and is in conflict with policies 2 of the 7 of NPPF, JCS and DM3.8 of the SNLP 2015.
- 5.2 The sub-division of No 3 to provide the plot provides poor quality amenity space for the future occupiers of the new dwelling. In addition, the physical bulk of the dwelling results in an overbearing impact on the neighbouring properties which is in conflict with policy DM3.13 of the SNLP 2015.

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2018/0272

Appendix 1



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South Norfolk Council, Cygnet Court, Long Stratton, Norwich, NR15 2XE Tel (01508) 533633

10 Appl. No : 2017/2743/F
Parish : Great Moulton

Applicants Name : Ms Joanne Grimmer
 Site Address : Land North Of Frosts Lane Great Moulton Norfolk
 Proposal : Erection of new self build dwelling and garage

Recommendation : Refusal
 1 Erosion of rural character
 2 Unsustainable development

1 Planning Policies

1.1 National Planning Policy Framework

NPPF 06 : Delivering a wide choice of high quality home
 NPPF 07 : Requiring good design
 NPPF 10 : Meeting the challenge of climate change, flooding and coastal change
 NPPF 11 : Conserving and enhancing the natural environment

1.2 Joint Core Strategy

Policy 1 : Addressing climate change and protecting environmental assets
 Policy 2 : Promoting good design
 Policy 4 : Housing delivery
 Policy 15 : Service Villages

1.3 South Norfolk Local Plan Development Management Policies

DM1.1: Ensuring development management contributes to achieving sustainable development in South Norfolk
 DM1.3 : The sustainable location of new development
 DM1.4 : Environmental Quality and local distinctiveness
 DM3.8 : Design Principles applying to all development
 DM3.11 : Road safety and the free flow of traffic
 DM3.12 : Provision of vehicle parking
 DM3.13 : Amenity, noise, quality of life
 DM4.5 : Landscape Character Areas and River Valleys

2. Planning History

2.1 No relevant history

3. Consultations

3.1 Parish Council	No comments received
3.2 District Councillor Cllr Wilby	To be determined by Committee to consider principle of development in this location.
3.3 Arboricultural Officer	No objection to submitted report and tree protection plan.
3.4 NCC Ecologist	Submitted report and proposed mitigation measures are acceptable.
3.5 SNC Water Management Officer	Flood zone 1. Conditions for surface and foul water drainage

- | | | |
|-----|---|--|
| 3.6 | SNC Community Services - Environmental Quality Team | No objection - standard contamination condition |
| 3.7 | NCC Highways | No objections in principle subject to standard highways conditions including adequate visibility splay in both directions. |
| 3.8 | Other Representations | <p>1 objection - unsuitable for development as outside designated development plan, loss of habitat, poor access</p> <p>1 response - no objection</p> <p>10 responses in support - housing for younger people, will benefit village, design in keeping with surroundings</p> |

4 Assessment

- 4.1 The application site comprises of undeveloped land on the northern edge of Great Moulton, outside of the development boundary and within the Rural Policy Area (RPA). It is separated from open farmland to the north by an established line of trees. A number of trees within the site and along the boundary with Frosts Lane have recently been removed. This application proposes one detached two storey dwelling which would be set back from the boundary with Frost Lane and located centrally within the site. A single vehicle access is proposed from Frosts Lane. The applicant has advised that this is a self-build proposal.
- 4.2 The main issues are the principle of the development including an assessment of sustainable development, design, impact on highway safety, landscape, ecology and residential amenity and also self build.
- Principle
- 4.3 Whilst Great Moulton is designated as a service village by policy 15 of the JCS, the site lies outside of the defined development boundary.
- 4.4 Members are advised that a key material consideration in regards housing land supply is the Central Norfolk Strategic Housing Market Assessment (SHMA), the most recent version of which was published in June 2017. This is significant new evidence. There is a 4.38 year housing land supply against the SHMA assessment of the Objectively Assessed Need (OAN) for housing. The following paragraphs explain why this effectively enhances the weight attached to the benefits of increased housing supply.
- 4.5 Planning law (section 38(6) of the Planning and Compulsory Purchase Act 2004) requires that applications be determined in accordance with the Development Plan, unless material considerations indicate otherwise. Material considerations include the National Planning Policy Framework (NPPF).
- 4.6 In accordance with both the Council's adopted development plan and the NPPF, in cases where there are no overriding material considerations to the contrary, development proposals for housing that accord with the development plan should be approved without delay.
- 4.7 In this regard, consideration should be given to Policy DM1.3 which makes provision for development to be granted outside of Development Boundaries, which is the case here, where one of two criteria are met: either where specific development management policies allow; or, where there are overriding benefits in terms of economic, social and environmental dimensions of sustainable development, as set out in Policy DM1.1.

- 4.8 Where development proposals do not accord with the development plan consideration should be given to whether there are material considerations that otherwise indicate that development should be approved.
- 4.9 Of particular relevance to applications for housing development in this reality that the JCS housing requirement for the South Norfolk Rural Policy Area is now several years old (the JCS was adopted in March 2011, with amendments in January 2014). Moreover the evidence on which the requirement is based has now been superseded.
- 4.10 In June 2017 an updated Strategic Housing Market Assessment (SHMA) was published for Central Norfolk (the Greater Norwich authorities plus, North Norfolk and Breckland). The SHMA assesses the Objectively Assessed Need for housing between 2015 and 2036 using the most recent evidence available. Unlike the evidence underpinning the JCS, the SHMA also includes an assessment of the contribution made by student accommodation in line with the Planning Practice Guidance.
- 4.11 The SHMA is significant new evidence that is also a material consideration in the determination of planning applications. The SHMA indicates that the Objectively Assessed Need (OAN) for housing in the South Norfolk RPA is significantly greater than the annual housing requirement under the adopted JCS: an annual requirement of 326 homes per annum in the SHMA compared to 132 homes per annum in the JCS. Moreover, when measured against the SHMA assessment of OAN the housing land supply in the South Norfolk RPA falls from 62.5 years supply under the JCS to 4.38 year housing land supply, a potential shortfall of 232 units, against the SHMA.
- 4.12 The increased OAN and housing land supply deficit in the South Norfolk RPA that is apparent in relation to the most up-to-date evidence of housing needs should be given weight in the decision making process. This factor weighs in favour of the approval of applications.
- 4.13 Taking account of the above, the following assessment seeks to establish the overriding benefits of the scheme and any harm that would be caused in the context of the relevant development plan policies and the NPPF, with reference to the three dimensions of sustainable development (economic role, social role and environmental role). These three headings form a convenient basis for structuring the assessment of the proposal against development plan policies.

Sustainable development

- 4.14 Sustainable development has three dimensions which are economic, social and environmental. These should not be considered in isolation as they are mutually dependent. The NPPF also sets out themes for delivering sustainable development but considers that its meaning of sustainable development be taken as the NPPF as a whole. the following is an assessment of whether the scheme can be regarded as sustainable.

Economic role

- 4.15 The NPPF highlights the economic role as "contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure."
- 4.16 The construction of one dwelling in this location would help to enhance economic viability through local spending by future occupants. The proposal would also provide some short term economic benefits during construction work. It is therefore considered that this proposal would bring forward a modest economic benefit.

Social role

- 4.17 The NPPF confirms the social role as "supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being."
- 4.18 The proposed scheme would provide housing in a location where the JCS identifies a housing land supply in excess of requirements. However, the most recent evidence of the updated SHMA increases the objectively assessed need for housing in the RPA which would reduce the housing land supply to 4.38 years. This new evidence is a material consideration in determining this application. Consequently greater weight is to be afforded to the benefits of housing delivery in the planning balance in respect of DM1.3.
- 4.19 The application site is outside of the development boundary. While this site is not considered to be in an isolated location, it is separated from Great Moulton with no footpath provision. The site is not remote from the nearest residential properties and public house but it is separated from the wider village and bus service. While this site is poorly connected to the nearest settlement, in light of the evidence of the updated SHMA which is a material consideration in determining this application, it is considered that this proposal would bring forward a modest social benefit on the basis of its contribution to the supply of homes.

Environmental role

- 4.20 The NPPF confirms the environmental role as "contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy."

Impact on landscape character

- 4.21 This site is located on the boundary between the Tas Tributary Farmland (B1) and Great Moulton Plateau Farmland (E2) as defined by the South Norfolk Local Landscape Designations Review 2012. Key characteristics include large open arable fields, small blocks of deciduous woodland and large villages. A core planning principle of the NPPF is to recognise the intrinsic character and beauty of the countryside, which is reflected in Policy DM1.3 of the Development Management Policies document. Planning Practice Guidance clarifies that conservation and enhancement of the landscape, not only designated landscapes, contributes to upholding this principle. This site does not abut the existing development boundary and is located on a heavily vegetated lane leading into village which is very much rural and undeveloped in character and is a very rural approach to the village. There would be harm by the introduction of an additional dwelling in this location, resulting in the need to remove the hedgerow frontage to achieve the visibility splay for the access and this would erode the rural character of the local area, adversely affecting its distinctive landscape characteristics. This proposal is therefore contrary to policy DM.5 of the SNLP and policy 2 of the JCS.

Design

- 4.22 The proposed dwelling is two storey in design with accommodation within the roof and with low eaves. It is of traditional design and would be finished in painted render with a red brick plinth and a clay pantiled roof. The scale, design and proposed materials reflect the character of nearby development in accordance with policy DM3.8 of the SNLP.

Highways

- 4.23 An existing access off Frosts Lane would be re-located to the eastern end of the front boundary. The applicants have submitted a plan to demonstrate that the required visibility splays can be achieved and, on this basis, NCC Highways have no objections subject to standard conditions regarding on-site parking and turning areas and the proposal accords with policies DM3.11 and DM3.12 of the SNLP.
- 4.24 In respect of Policy DM3.10, this requires all development to support sustainable transport and development objectives, utilise all opportunities to integrate with local sustainable transport networks, be designed to reduce the need to travel and to maximise the use of sustainable forms of transport appropriate to the location. The sites location is such that it is physically detached from the village of Great Moulton/Aslacton (which is a shared service village) which has limited services with no footpaths and a significant distance from the primary school at Aslacton such that the predominant means of travel to access local facilities would be by private car. Accordingly the proposal would fail to comply with Policy DM3.10 and is a level of harm that needs to be considered in the planning balance.

Flood Risk

- 4.25 The application site is within flood zone 1 and a condition requiring approval of surface water drainage details is recommended. Foul water would be dealt with by a package treatment plant and this could be required by condition.

Ecology and landscaping

- 4.26 An ecology report to assess the likely presence of protected species has been submitted which also included mitigation measures. NCC Ecology are satisfied with this report and the measures proposed.
- 4.27 A submitted tree report and tree protection plan has been accepted by the Council's arboriculturalist and further landscaping within the development would be secured through condition.

Residential amenity

- 4.28 The proposed dwelling would be well separated from the nearest residential neighbours and so would have no direct impact on their existing amenity.
- 4.29 Having considered the above, it is considered that this proposal would not satisfy the environmental role.

Conclusion of sustainable development

- 4.30 Having due regard to the above assessment made in the context of having a 5 year land supply but taking account of the new evidence of the updated SHMA which is a material consideration, it is considered that there are adverse impacts on the rural character of the surrounding area and poor connectivity to facilities and services and only modest economic and social benefits of providing additional housing, even when giving additional weight to the benefits of housing delivery as a result of the SHMA as a material consideration. Accordingly it is not considered that the scheme represents sustainable development
- 4.31 Under paragraph 50 of the National Planning Policy Framework (2012) requires Councils to plan for people wishing to build their own homes. This can be a material planning consideration for this application as self-build has been identified as the method of delivering the site. Whilst an indication of self-build has been given by the applicant it should also be noted that at this stage it cannot be certain that the method

of delivering this site will be self-build. In the instance of this application the other material planning considerations detailed above are of greater significance.

4.32 Under Section 143 of the Localism Act the council is required to consider the impact on local finances. This can be a material consideration but in the instance of this application the other material planning considerations detailed above are of greater significance.

4.33 This application is liable for Community Infrastructure Levy (CIL).

5 Conclusion

5.1 It is not considered that the enhanced benefit afforded to housing delivery in this instance, having regard to the SHMA as significant new evidence as a material consideration, or any other benefit identified represents an overriding benefit in terms of economic, social and environmental dimensions to outweigh the identified harms of landscape impact, loss of hedgerow and poor connectivity to facilities and services to justify an exception to policy DM1.3 of the SNLP. As a result, it is considered that this proposal does not represent sustainable development as defined by the NPPF and fails to accord with Policy DM1.3 and this application is, therefore, recommended for refusal.

Reasons for Refusal

5.2 The proposal would result in the erosion of the rural undeveloped character of the area and lead to an encroachment into the open countryside contrary to policy DM4.5 and DM4.8 of the South Norfolk Local Plan 2015 and policy 2 of the Joint Core Strategy for Broadland, Norwich and South Norfolk.

5.3 The proposed development does not represent a sustainable development, having regard to the three tests set out in the NPPF, by virtue of the environmental harm to the open character of the rural landscape and loss of hedgerow and the social harm through poor connectivity to local services which would be contrary to policy and outweigh the modest social benefit and short-term economic benefit the proposal may bring as part of any construction work, longer term spending by the future occupants and the provision of one dwelling within a location where a 5-year housing land supply cannot be demonstrated, having due regard to attributing additional weight to the benefits of housing delivery in the context of the SHMA as a material consideration. Accordingly the benefits of the scheme are not considered to be overriding to justify an approval under DM1.3. For this reason, the scheme is contrary to Policy DM1.3, DM3.10, DM4.5 and DM4.8 of the South Norfolk Local Plan 2015.

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2017/2743

Appendix 1



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South Norfolk Council, Cygnet Court, Long Stratton, Norwich, NR15 2XE Tel (01508) 533633

11 Appl. No : 2017/2920/F
Parish : WRAMPLINGHAM

Applicants Name : Mr Roger Norton
 Site Address : Land West of The Street Wramplingham Norfolk
 Proposal : Proposed new dwelling

Recommendation : Refusal
 1 Harm to landscape character
 2 Unsustainable development

1 Planning Policies

- 1.1 National Planning Policy Framework**
 NPPF 06 : Delivering a wide choice of high quality home
 NPPF 07 : Requiring good design
 NPPF 10 : Meeting the challenge of climate change, flooding and coastal change
 NPPF 11 : Conserving and enhancing the natural environment
- 1.2 Joint Core Strategy**
 Policy 1 : Addressing climate change and protecting environmental assets
 Policy 2 : Promoting good design
 Policy 4 : Housing delivery
 Policy 17 : Small rural communities and the countryside
- 1.3 South Norfolk Local Plan Development Management Policies**
 DM1.1: Ensuring development management contributes to achieving sustainable development in South Norfolk
 DM1.3 : The sustainable location of new development
 DM1.4 : Environmental Quality and local distinctiveness
 DM2.11 : Agricultural and other occupational dwellings in the Countryside
 DM3.8 : Design Principles applying to all development
 DM3.11 : Road safety and the free flow of traffic
 DM3.12 : Provision of vehicle parking
 DM3.13 : Amenity, noise, quality of life
 DM4.5 : Landscape Character Areas and River Valleys

2. Planning History

2.1 None relevant

3. Consultations

- 3.1 Parish Council Recommend approval despite being outside development boundary. Consider lower profile building or less visible part of site**
- 3.2 District Councillor To be determined by Committee to consider sustainability in relation to small business.**
 Cllr Dewsbury
- 3.3 SNC Water Proposed dwelling in flood zone 1. FRA will be required if any part of site is within flood zone 3.**
 Management Officer
- 3.4 SNC Community No objection - standard contamination condition.**
 Services -
 Environmental
 Quality Team

- | | | |
|-----|-----------------------|---|
| 3.5 | NCC Highways | No objection subject to upgrading of access and standard condition for provision of parking |
| 3.6 | NCC Ecologist | No comments received |
| 3.7 | Other Representations | <p>13 responses in support -</p> <ul style="list-style-type: none"> • Design in keeping with locality • Economic benefit in rural area • Social benefits as will allow applicant to live and work within own community • No affordable housing in village • No adverse impact to local highway • No adverse impact to neighbours • Was once a cricket ground <p>3 objections-</p> <ul style="list-style-type: none"> • Valley flood plain is important for landscape, green infrastructure connectivity and biodiversity • Encroachment into countryside • Poor precedent for further development • Existing storage use unauthorised • No change since previous refusal in 1992 so still unacceptable. • No functional need demonstrated • Contrary to current planning policies |

4 Assessment

- 4.1 The application site is located on the western side of The Street, south of its junction with Watton Road. The site is bounded to the west by the River Tiffey. There is an existing access onto The Street and the remainder of the eastern boundary is enclosed by an established hedge. This site is north of the village of Wramplingham, is outside of any development boundary and is within the Rural Policy Area.
- 4.2 This application proposes the construction of a two storey dwelling on the eastern side of the site which would utilise the existing access. The applicant has advised that this is a self-build proposal and has submitted a statement outlining their family connection to the area and their existing business as a tree surgeon and forestry contractor. The site has previously been used for the storage of tools associated with the applicant's business.
- 4.3 The main issues are the principle of the development including assessment of sustainable development, impact on highway safety, landscape and residential amenity and also the issue of self build.
- Principle
- 4.4 Members are advised that a key material consideration in regards housing land supply is the Central Norfolk Strategic Housing Market Assessment (SHMA), the most recent version of which was published in June 2017. This is significant new evidence. There is a 4.38 year housing land supply against the SHMA assessment of the Objectively Assessed Need (OAN) for housing. The following paragraphs explain why this effectively enhances the weight attached to the benefits of increased housing supply.
- 4.5 Planning law (section 38(6) of the Planning and Compulsory Purchase Act 2004) requires that applications be determined in accordance with the Development Plan, unless material considerations indicate otherwise. Material considerations include the National Planning Policy Framework (NPPF).

- 4.6 In accordance with both the Council's adopted development plan and the NPPF, in cases where there are no overriding material considerations to the contrary, development proposals for housing that accord with the development plan should be approved without delay.
- 4.7 In this regard, consideration should be given to Policy DM1.3 which makes provision for development to be granted outside of Development Boundaries, which is the case for this proposal, where one of two criteria are met: either where specific development management policies allow; or, where there are overriding benefits in terms of economic, social and environmental dimensions of sustainable development, as set out in Policy DM1.1.
- 4.8 Where development proposals do not accord with the development plan consideration should be given to whether there are material considerations that otherwise indicate that development should be approved.
- 4.9 Of particular relevance to applications for housing development the JCS housing requirement for the South Norfolk Rural Policy Area is now several years old (the JCS was adopted in March 2011, with amendments in January 2014). Moreover the evidence on which the requirement is based has now been superseded.
- 4.10 In June 2017 an updated Strategic Housing Market Assessment (SHMA) was published for Central Norfolk (the Greater Norwich authorities plus, North Norfolk and Breckland). The SHMA assesses the Objectively Assessed Need for housing between 2015 and 2036 using the most recent evidence available. Unlike the evidence underpinning the JCS, the SHMA also includes an assessment of the contribution made by student accommodation in line with the Planning Practice Guidance.
- 4.11 The SHMA is significant new evidence that is also a material consideration in the determination of planning applications. The SHMA indicates that the Objectively Assessed Need (OAN) for housing in the South Norfolk RPA is significantly greater than the annual housing requirement under the adopted JCS: an annual requirement of 326 homes per annum in the SHMA compared to 132 homes per annum in the JCS. Moreover, when measured against the SHMA assessment of OAN the housing land supply in the South Norfolk RPA falls from 62.5 years supply under the JCS to 4.38 year housing land supply, a potential shortfall of 232 units, against the SHMA.
- 4.12 The increased OAN and housing land supply deficit in the South Norfolk RPA that is apparent in relation to the most up-to-date evidence of housing needs should be given weight in the decision making process. This factor weighs in favour of the approval of applications.
- 4.13 Taking account of the above, the following assessment seeks to establish the overriding benefits of the scheme and any harm that would be caused in the context of the relevant development plan policies and the NPPF, with reference to the three dimensions of sustainable development (economic role, social role and environmental role). These three headings form a convenient basis for structuring the assessment of the proposal against development plan policies.

Sustainable development

- 4.14 Sustainable development has three dimensions which are economic, social and environmental. These should not be considered in isolation as they are mutually dependent. The NPPF also sets out themes for delivering sustainable development but considers that its meaning of sustainable development be taken as the NPPF as a whole. the following is an assessment of whether the scheme can be regarded as sustainable.

Economic role

- 4.15 The NPPF highlights the economic role as "contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure."
- 4.16 The construction of one dwelling in this location would help to enhance economic viability through local spending by future occupants. The proposal would also provide some short term economic benefits during construction work. It is therefore considered that this proposal would bring forward a modest economic benefit.

Social role

- 4.17 The NPPF confirms the social role as "supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being."
- 4.18 The proposed scheme would provide housing in a location where the JCS identifies a housing land supply in excess of requirements. However, the most recent evidence of the updated SHMA increases the objectively assessed need for housing in the RPA which would reduce the housing land supply to 4.38 years. This new evidence is a material consideration in determining this application and provides for more weight to be attributed to the benefits of housing in the social dimension of sustainable development.
- 4.19 The application site is to the south east of the service village of Barford which has a good level of facilities and services and is north of the much smaller settlement of Wramplingham with very limited facilities. While this site is not considered to be in an isolated location, it is not physically part of either settlement and is poorly connected with no footpath link to the Watton Road to the north. The Street connects the application site to Watton Road (B1108) where there is a bus service to Norwich. It is considered that residents are likely to make any journeys by private car making the site unsustainable in terms of location. It is also considered that the addition of one dwelling in this location would make a very limited contribution to the maintenance of services in a larger settlement. In light of the evidence of the updated SHMA which is a material consideration in determining this application, it is considered that this proposal would bring forward a modest social benefit on the basis of its contribution to the supply of homes.

Environmental role

- 4.20 The NPPF confirms the environmental role as "contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy."

Impact on landscape character

- 4.21 This site is located within the Tiffey Rural River Valley (A2) as defined by the South Norfolk Local Landscape Designations Review 2012. Key characteristics include a broad shallow valley creating sense of defined openness with small villages and scattered farmsteads on the valley sides. In this area, any development should maintain the openness of the river valley, the rural vernacular quality of existing settlements and the small scale of existing developments. The proposed dwelling would have a traditional design and external finish which would reflect the character of nearby development. However, while the proposed dwelling would be sited close to the road on the eastern

side of the site and away from the watercourse, this site is within an open river valley landscape which separates the village of Barford from smaller and more dispersed settlement to the south. The existing open and undeveloped character of the application site contributes to the rural character of its surroundings. It is considered that the proposed dwelling and associated residential curtilage would result in a level of visual intrusion which would harm the open character of the valley floor and fails to protect the distinctive characteristics, special qualities and geographical extent of the River Valley contrary to policy DM4.5 of the SNLP.

Highways

- 4.22 This proposal would utilise an existing access off The Street and NCC Highways have no objections subject to the upgrading of this access provision of on-site parking and turning areas. Therefore, this proposal accords with policies DM3.11 and DM3.12 of the SNLP.
- 4.23 In respect of Policy DM3.10, this requires all development to support sustainable transport and development objectives, utilise all opportunities to integrate with local sustainable transport networks, be designed to reduce the need to travel and to maximise the use of sustainable forms of transport appropriate to the location. The sites location is such that it is physically detached from the village of Wramplingham and Barford and their facilities with no footpath from the site to those services such that the predominant means of travel to access local facilities would be by private car. Accordingly the proposal would fail to comply with Policy DM3.10 and is a level of harm that needs to be considered in the planning balance.

Flood Risk

- 4.24 The land to the west of the application site, which is also in the ownership of the applicant, is within flood zones 2 and 3. However, the proposed dwelling and curtilage are within flood zone 1 and so a flood risk assessment is not required.

Residential amenity

- 4.25 The proposed dwelling would be well separated from neighbouring occupiers to the south and east and would have no direct impact on existing residential amenity.

Conclusion of environmental role

- 4.26 As already outlined, the proposed dwelling would encroach into a previously undeveloped part of the river valley, adversely impacting upon its distinctive open landscape character contrary to policy DM4.5 of the SNLP. It is acknowledged that the dwelling could be designed to incorporate renewable and low carbon energy. Harm would result from the lack of connectivity from the site to services and facilities of the local community. It is therefore considered that the environmental role has not been satisfied.

Conclusion of sustainable development

- 4.27 Having due regard to the above assessment made in the context of having a 5 year land supply but taking account of the new evidence of the updated SHMA as a material consideration, it is considered that the modest economic and social benefits of providing additional housing would not outweigh the significant and demonstrable harm that would result to the distinctive character of the open river valley and encroachment into the countryside and poor connectivity to services, when considered as a whole, this scheme does not represent sustainable development.

Other matters

Functional need

- 4.28 The applicant has provided information regarding their work as a tree surgeon and forestry contractor in the area. However, it has not been demonstrated that there would be any functional need for a new dwelling to support their existing business and so this proposal would not meet the requirements of policy DM2.11 of the SNLP or Para 55 of the NPPF.

Self Build

- 4.29 Under paragraph 50 of the National Planning Policy Framework (2012) requires Councils to plan for people wishing to build their own homes. This can be a material planning consideration for this application as self-build has been identified as the method of delivering the site. Whilst an indication of self-build has been given by the applicant it should also be noted that at this stage it cannot be certain that the method of delivering this site will be self-build. In the instance of this application the other material planning considerations detailed above are of greater significance.
- 4.30 Under Section 143 of the Localism Act the council is required to consider the impact on local finances. This can be a material consideration but in the instance of this application the other material planning considerations detailed above are of greater significance.
- 4.31 This application is liable for Community Infrastructure Levy (CIL)

5 Conclusion

- 5.1 Notwithstanding the new evidence of the updated SHMA, which is a material planning consideration and provides for greater weight to be attributed to the benefits of housing delivery in the Rural Policy Area, it is not considered that this material consideration or any other benefit represents an overriding benefit in terms of economic, social and environmental dimensions to outweigh the identified harms of landscape impact and poor connectivity to facilities and services to justify an exception to policy DM1.3 of the SNLP. As a result, it is considered that this proposal does not represent sustainable development as defined by the NPPF and this application is, therefore, recommended for refusal.

Reasons for Refusal

- 5.2 The proposed dwelling would result in erosion of the undeveloped character of the river valley and lead to encroachment on the rural area which separates settlements harming the special rural characteristics of this area as defined by the South Norfolk Landscape Assessment 2001. Therefore, the proposal would be contrary to policy DM4.5 of the South Norfolk Local Plan 2015, Section 11 of the NPPF and the South Norfolk Place Making Guide (2012).
- 5.3 The proposed development does not represent a sustainable development, having regard to the three tests set out in the NPPF, by virtue of the environmental harm to the open character of the river valley and wider rural landscape and the social harm through poor connectivity to local services which outweigh the modest short-term economic benefit the proposal may bring as part of any construction work, longer term spending by the future occupants and the provision of one dwelling within a location where a 5-year housing land supply cannot be demonstrated, having due regard to attributing additional weight to the benefits of housing delivery in the context of the SHMA as a material consideration. Accordingly the benefits of the scheme are not considered to be overriding to justify an approval under DM1.3. For this

reason, the scheme is contrary to Policy DM1.3, DM4.5 and DM3.10 of the South Norfolk Local Plan 2015.

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2017/2920

Appendix 1



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South Norfolk Council, Cygnet Court, Long Stratton, Norwich, NR15 2XE Tel (01508) 533633

12 Appl. No : 2017/2795/F
Parish : NEWTON FLOTMAN

Applicants Name : Mr Richard Kenyon
 Site Address : Relish Restaurant And Bar Old Street Newton Flotman NR15 1PD
 Proposal : Change of use from existing restaurant with 3 bedroom first floor living area to 4 bedroom residential property and new 3 bedroom dwelling within current car parking area.

Recommendation : Approval with Conditions
 1 Full Planning permission time limit
 2 In accord with submitted drawings
 3 External materials to be agreed
 4 Window details to be agreed
 5 New Water Efficiency
 6 Protection of existing hedgerow
 7 Use of existing building
 8 Surface water
 9 Car parking/turning
 10. Surface water
 11 Contaminated land
 12 Boundary treatment

13 Appl. No : 2017/2796/LB
Parish : NEWTON FLOTMAN

Applicants Name : Mr Richard Kenyon
 Site Address : Relish Restaurant And Bar Old Street Newton Flotman NR15 1PD
 Proposal : Change of from existing restaurant with 3 bedroom first floor living area to 4 bedroom residential property.

Recommendation : Approval with Conditions
 1 Listed Building Time Limit
 2 In accord with submitted drawings

1 Planning Policies

1.1 National Planning Policy Framework

NPPF 03 : Supporting a prosperous rural economy
 NPPF 06 : Delivering a wide choice of high quality home
 NPPF 07 : Requiring good design
 NPPF 10 : Meeting the challenge of climate change, flooding and coastal change
 NPPF 11 : Conserving and enhancing the natural environment
 NPPF 12 : Conserving and enhancing the historic environment

1.2 Joint Core Strategy

Policy 1 : Addressing climate change and protecting environmental assets
 Policy 2 : Promoting good design
 Policy 4 : Housing delivery
 Policy 5 : The Economy
 Policy 15 : Service Villages

- 1.3 South Norfolk Local Plan Development Management Policies
 DM1.1 : Ensuring Development Management contributes to achieving sustainable development in South Norfolk
 DM1.3 : The sustainable location of new development
 DM2.2 : Protection of employment sites
 DM3.5 : Replacement dwellings and additional dwellings on sub-divided plots within Development Boundaries
 DM3.8 : Design Principles applying to all development
 DM3.11 : Road safety and the free flow of traffic
 DM3.12 : Provision of vehicle parking
 DM3.13 : Amenity, noise, quality of life
 DM3.14 : Pollution, health and safety
 DM4.2 : Sustainable drainage and water management
 DM4.10 : Heritage Assets

Statutory duties relating to Listed Buildings and their setting:

S66(1) Listed Buildings Act 1990 provides: "In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority, or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses."

2. Planning History

2.1	2011/1841	Internal alterations at ground floor level to remove existing fireplaces and opening up of chimney to form link for rooms. Installation of new hearth and multi-fuel burner with connection to existing chimney stack.	Approved
2.2	2005/2369	Demolition of Timber/Iron Shed	Approved
2.3	1997/0714	Replace window in flat roof extension & replace with double glazed doors & side lights	Approved
2.4	1997/0713	Remove window in flat roof extension & replace with double glazed doors & side lights	Approved
2.5	1995/0583	Enclose and extend existing rear porch	Approved
2.6	1995/0389	Enclose and extend existing porch and divide cellar area	Approved
2.7	1993/0562	Internal alterations and insertion of dormer window	Withdrawn
2.8	1993/0561	Alterations and insertion of dormer	Withdrawn

Appeal History

- 2.9 None relevant

3. Consultations

First Consultation

- | | | |
|-----|---|---|
| 3.1 | Town / Parish Council | Approve |
| 3.2 | District Councillor | No comments received |
| 3.3 | SNC Water Management Officer | Objects to proposed method of surface water drainage for new dwelling into foul sewer. Following the submission of amended scheme for more sustainable drainage confirmed no objection subject to condition regarding full details. |
| 3.4 | SNC Community Services - Environmental Quality Team | No comments received |
| 3.5 | Historic Environment Service | Did not wish to make any recommendations |
| 3.6 | NCC Highways | No objection but requested condition regarding laying out of parking turning areas. |
| 3.7 | Other Representations | <p>3 separate representations received a summary of which is below.</p> <ul style="list-style-type: none"> • Concern that if the new house is built and the existing property continues to be used as a pub then there will not be sufficient parking spaces available. • Japanese Knotweed on the site. • Concern regarding damage to hedgerow during works and about maintenance of hedgerow. • Concern about works restricting access to Waterside Gardens and along Old Street. |

4 Assessment

- 4.1 These applications seek listed building consent and planning permission for change of use of an existing restaurant/bar, known as 'The Relish', to a dwelling and for a new separate dwelling on the existing car parking area. The building ceased use as a restaurant in 2016 and has been vacant since.
- 4.2 Following the submission of revised details and an amended proposal, a further consultation has been carried out and ends on 30 March. Any additional comments received will be reported to the Members either on the update or at the Committee.
- 4.3 The site is situated in the Norwich Policy Area, along the A140 within the development boundary of Newton Flotman. The site is located at the end of Old Street and is visible from the main road on entering the village looking across the river to the south side. The building is a grade II listed timber frame building with clay pantile roof and originally dates from the 15th century. Externally the building has a 20th century applied timber frame finish. To the rear is a garden and large separate car parking area. Inside the building the restaurant and bar are at the ground floor with residential accommodation above. Adjacent to the north side and at a lower ridge height are 3 small attached 1.5 storey cottages that

look to date from the early 19th century. The Relish together with these cottages contribute to Old Street's strong historic character. Beyond these buildings to the north, south and west sides there is modern residential development.

- 4.4 In 2016 The Relish was nominated as an Asset of Community Value but was not listed. This was due to insufficient evidence to demonstrate that it was run and used as a community venue contributing to the social wellbeing of the community, in the same way as a traditional public house.
- 4.5 As the property is listed, a small part of the site is also identified as being of archaeological interest, therefore the proposal is assessed against policy DM4.10 of the South Norfolk Local Plan Development Management Policies 2015 which requires that all development proposals have regard to the historic environment taking into account the significance of any heritage assets. Policies DM1.1, DM1.3, DM2.2, DM3.5, DM3.8, DM3.12, DM3.13, DM3.16 and DM4.2 of the same Local Plan also apply here. The policies in the Joint Core Strategy, Local Plan and the requirements of the National Planning Policy Framework seek to ensure that the proposal is of a good design and does not adversely affect the residential amenity of the neighbouring properties. The impact on the listed building and its setting has been carefully considered under the requirements of Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

The principle of proposal

- 4.6 The site is situated inside the development boundary and therefore the principle of building a new dwelling is acceptable under policy DM3.5 of the Local Plan 2105, subject to satisfying the requirements of other policies listed above, specifically those relating to design, heritage assets, neighbouring amenity and highways/parking.
- 4.7 The Relish restaurant/bar provides a community facility and employment. Employment sites are protected under policy DM2.2 with need to demonstrate that the existing use is no longer viable or that there is an overriding benefit from the change of use. The proposal for change of use is also assessed against policy DM3.16, which also refers to the need to demonstrate that the employment use is no longer viable or that there are existing adequate other facilities within a reasonable distance to meet local needs.
- 4.8 Supporting information has been submitted regarding previous marketing of the property as a restaurant/bar and this does demonstrate some difficulty in continuing with the existing use. During the later years of trading the business had largely survived on a take away pizza business that had been run from structures built in the rear gardens. These structures did not have planning permission and are to be removed as part of this application. The property has been marketed through several sources including specialist restaurant and hotelier magazines with only two offers being received.
- 4.9 There is an existing restaurant facility on the opposite side of the road on the southern edge of the village along the A140. Taking into account also the lack of specific community activity with regard to The Relish (as identified on its nomination as a Community Asset) and also the supporting information provided with the application that demonstrates some difficulty in trying to continue with the existing use, it is considered that the proposed change of use is justified.

Design/Heritage Assets

- 4.10 The proposed change of use of The Relish involves some minor changes to the layout by removing some existing walls that do not form part of the important historic fabric of the building and therefore in terms of heritage/design issues the proposed change of use does not raise any issues under heritage and design policies.

- 4.11 With regard to the new dwelling proposed on the existing car parking area, on the original submission this was an outline proposal for a two-storey dwelling. It was, however, considered that in view of the need to properly assess the potential impact on the setting of the listed building, the new build dwelling could not be considered as an outline proposal. Following further discussions on the scale, location and design of the new dwelling, more detailed information was then submitted and a second formal consultation carried out. The revised details show a single storey dwelling which will have similar appearance to a converted traditional outbuilding, this is considered more sympathetic to the setting of the listed building. With materials and other external details to be agreed, it is considered that this will sit comfortably on the site appearing as a secondary/ancillary structure to the listed building, adding further interest to the site. The single storey building will also ensure that the prominence of the listed building is retained in key views both from Old Street and the A140.
- 4.12 The Historic Environment Service have been formally consulted on the application and did not wish to make any recommendations. There are no archaeological issues arising from the amended scheme.
- 4.13 In light of the requirements of Section 66 of the Act, with conditions, it is considered that the proposal will not harm the special interest of the listed building and its setting. It accords with the requirements of Sections 7 and 12 of the NPPF regarding heritage assets and also policies DM3.8 and DM4.10 of the Local Plan 2015.

Highways

- 4.14 The Highways Officer was formally consulted on the original scheme and did not raise any objection requesting a condition regarding the laying out of the new car parking areas. With regard to the revised scheme, the Highways Officer again has no objection with the same condition imposed.

Water Management

- 4.15 The Water Management Officer has objected to surface water drainage for the new build dwelling discharging into the main sewer. Further details have been submitted showing more sustainable drainage via a new soakaway so that surface water will not enter the main sewer. The Water Management Officer has no objection to this but has requested a condition for surface water drainage for percolation tests and incorporation of water efficiency/water saving devices. With this condition it is considered that the proposal accords with policy DM4.2 of the Local Plan 2015.

Environmental Protection

- 4.16 The Environmental Quality Officer has been formally consulted on the application and has no objection subject to condition with regard to the discovery of any contaminated land. With this condition the proposal accords with policy DM3.14 of the Local Plan 2015.

Neighbour Amenity

- 4.17 One immediate neighbour and one neighbour on the opposite side of the road have both raised concern regarding car parking should The Relish continue to be used as a restaurant once the additional dwelling has been built. A condition has been included in the decision notice stating that the current use will cease once construction of the additional dwelling commences so that anyone wishing to re-establish the current use would then require a formal application for planning permission, which is not likely to be granted if it is considered that there is not sufficient parking.

- 4.18 Another immediate neighbour has requested that the traditional outbuilding at the northern boundary of the existing rear garden of the site is not demolished. The demolition of this building is not proposed as part of this application. They have also raised the issue of Japanese Knotweed being present on the site. After further discussion with the agent about this he has submitted a letter from a vegetation specialist who has confirmed that Japanese Knotweed is not present on the site. The neighbour has seen the letter and whilst they have provided further comments stating that the plant is present on the site, this is not a material consideration which would result in the refusal of this application.
- 4.19 Immediately south of the site is a private drive serving a small late 20th century development at Waterside Gardens. The mature hedgerow that runs along the southern boundary of The Relish site is on land that forms part of this residential development and is maintained by Waterside Gardens (Newton Flotman Ltd). Waterside Gardens Ltd remains neutral in terms of the proposal but has raised concern regarding maintenance of the hedgerow and access being maintained along Old Street and to Waterside Gardens during the works. As the application will result in no change to the existing arrangement of the southern boundary in terms of separate ownership it is not necessary to impose a condition with regard to maintenance of the hedge. With regard to its protection during works, this can be dealt with by condition.
- 4.20 In terms of maintaining vehicle access for nearby residents, in view of the amount of parking space available along Old Street, which should not affect vehicle access, it is not considered necessary to impose conditions for parking. Parking of delivery vehicles on the highway cannot be controlled under planning conditions.
- 4.21 There have been no objections to the application and in view of the scale and nature of the proposed development within an existing residential area in the village, it is considered that the proposal will not result in an unacceptable level of harm to any neighbouring amenity and therefore it accords with policy DM3.10 of the Local Plan 2015.
- 4.22 Under Section 143 of the Localism Act the council is required to consider the impact on local finances. This can be a material consideration but in the instance of this application the other material planning considerations detailed above are of greater significance.
- 4.23 This application is liable for CIL under the regulations.

5 Conclusion for 2017/2795/F

- 5.1 The principle of change of use and an additional new-build dwelling are considered acceptable under the requirements of policies DM2.2, DM3.5 and DM3.16 as is explained above. The design and location of the new dwelling are sympathetic to the character and appearance of the existing setting of the listed building and the proposal will not result in any harm to the special interest of the listed building. No objections to the application have been received and there will be no unacceptable level of harm to any neighbouring amenity. As all other matters are considered acceptable and subject to the imposition of conditions it is considered that the application accords with all of the above policies and is recommended for approval.

5.2 Conclusion for 2017/2796/LB

The proposed works would not impact the special interest of the Listed Building or its setting in accordance with S66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 or policies 12 of the NPPF and 4.10 of the South Norfolk Local Plan and the Listed Building consent is therefore recommended for approval.

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14 Appl. No : 2018/0004/F
Parish : ALDEBY

Applicants Name : Mr Jon-Henri Sherwood
 Site Address : Church Farm Waterheath Road Aldeby Norfolk NR34 0DQ
 Proposal : Proposed conversion and extension to garage to form granny annexe

Recommendation : Refusal
 1 Contrary to SNLP policy 3.7 relating to residential annexes, tantamount to new dwelling in unsustainable location

1 Planning Policies

1.1 National Planning Policy Framework
 NPPF 06 : Delivering a wide choice of high quality homes
 NPPF 07 : Requiring good design

1.2 Joint Core Strategy
 Policy 2 : Promoting good design
 Policy 4 : Housing delivery
 Policy 17 : Small rural communities and the countryside

1.3 South Norfolk Local Plan Development Management Policies
 DM 2.8 : Equestrian and other changes of use of agricultural land
 DM 3.5 : Replacement dwellings and additional dwellings
 DM 3.6 : House extensions and replacement dwellings in the countryside
 DM 3.7 : Residential annexes

2. Planning History

2.1 2003/0757 Proposed erection of a temporary agricultural workers dwelling Refused

2.2 2001/0965 Retention of temporary mobile home Approved

Appeal History

2.3 None

3. Consultations

3.1 Town / Parish Council No objections provided the use is according to the application and sufficient foul drainage.

3.2 District Councillor Concerned that the annex policy is open to interpretation in respect of the definition of a “close spatial relationship”. This is a situation where the Council would support a conversion of the building to a holiday use which would be let separately, but not an annex which ultimately might be in the same category.

3.3 NCC Highways No objections, provided the accommodation remains ancillary to the main dwelling which should involve only a marginal increase in traffic levels. Recommends a condition be added accordingly.

- 3.4 SNC Community Services - Environmental Quality Team No comments received
- 3.5 SNC Water Management Officer No objections subject to a condition requiring foul drainage to a sealed system or private treatment plant only.
- 3.6 Other Representations None received.

4 Assessment

- 4.1 The site is within the Rural Policy Area. It comprises a group of farm buildings including a farmhouse set back from the road, with a variety of farm buildings behind it to the north. To the west and east of these buildings are open fields.
- 4.2 Attached at the south west corner of the house is a two-storey range in brick and pantile which extends south to the edge of the road. About two thirds of this building at the south end has been converted to holiday accommodation with a walled garden on its east side not owned by the applicants.
- 4.3 The access to the farmhouse runs alongside this garden to serve a parking and turning area. A two bay, single storey former garage building has been built on the opposite side to the access drive some 30 metres from the front of the house. The proposal is to convert and extend this building to provide an annexe.
- 4.4 The primary policy for this proposal is DM3.7. This states :

*"Proposals for residential annexe accommodation will be considered favourably provided that it is designed so that it can continue to be used as part of the main dwelling, without creating an independent dwelling unit in the future.
 Planning conditions will be imposed to restrict occupation of the annexe to persons related or similarly linked to the occupants of the main dwelling."*
- 4.5 In the text supporting this policy, in paragraph 3.47, it advises that annexes should be designed so that the dwelling as a whole provides flexible accommodation that should include absorbing the annexe back into the main dwelling if necessary in the future. Paragraph 3.48 states that *"it is essential that the main and annexe accommodation are directly connected by an external link or otherwise have a close spatial relationship with shared facilities and space."*
- 4.6 The proposal converts the building, about 45 sq. metres, to a two- bedroom annexe, with a wet room, kitchen/ dining area and an extension of 14 sq. metres to provide a sitting/garden room. The existing openings are not utilised but the elevations are modified with various windows and doors to suit the accommodation. A small copse to the east is included with the annexe together with part of the land to the north to accommodate the drainage services, but no boundaries are proposed. The access and parking arrangements are unaltered.
- 4.7 The main concern is the distance from the main dwelling, which at almost 30 metres. This is unlikely to create a "close spatial relationship" as required. The location of the annexe is also a concern. Given it has its own parking and garden space, it is considered that the proposal is contrary to the policy and it would be difficult for the Council to resist a proposal to change this to a separate dwelling in the future. This would be contrary to Policy DM1.3 of the South Norfolk Local Plan, which only allows new development where a policy in the local plan permits or it can be demonstrated that there are overriding benefits in terms of economic, social and environmental. It is considered, this is an unsustainable location and

therefore new development would not meet the tests of economic, social and environmental. The development is therefore considered contrary to paragraphs 17 and 49 of the National Planning Policy Framework, (NPPF) and DM Policy 1.3.

- 4.8 This is considered the case despite the recent diminished weight which can be given to the five year supply, based on the SHMA evidence base in comparison to the supply which is outlined in the Joint Core Strategy.
- 4.9 The case officer has suggested to the applicant that the existing section of the two-storey range that adjoins the house could be converted to an annexe and is likely to comply with policy DM3.7. Plans had been drawn initially to convert this to an annex but this building was not deemed to be sustainable by the applicant by virtue of the change in levels and the lack of suitable space on the ground floor. The officer has advised that the extension of this building would be possible, which would seem to address the latter issue.
- 4.10 The local member has called the application to be considered by the Committee for the reasons noted above. There were no adverse comments from the consultees that could not be addressed by suitably worded conditions to be applied to any subsequent approval.
- 4.11 This application is not liable for Community Infrastructure Levy (CIL)

5 Conclusion

- 5.1 The Council are generally receptive to the provision of annexes and appreciate that they need to be designed to cater for the particular issues facing elderly people. However, the policy states that a new annexe should “continue to be used as part of the main dwelling, without creating an independent dwelling, in future”. It is considered that with the detached location proposed and the independent facilities proposed including a garden and car parking would increase the prospect of ultimately creating an independent dwelling contrary to DM Policies 1.3 and 3.7.

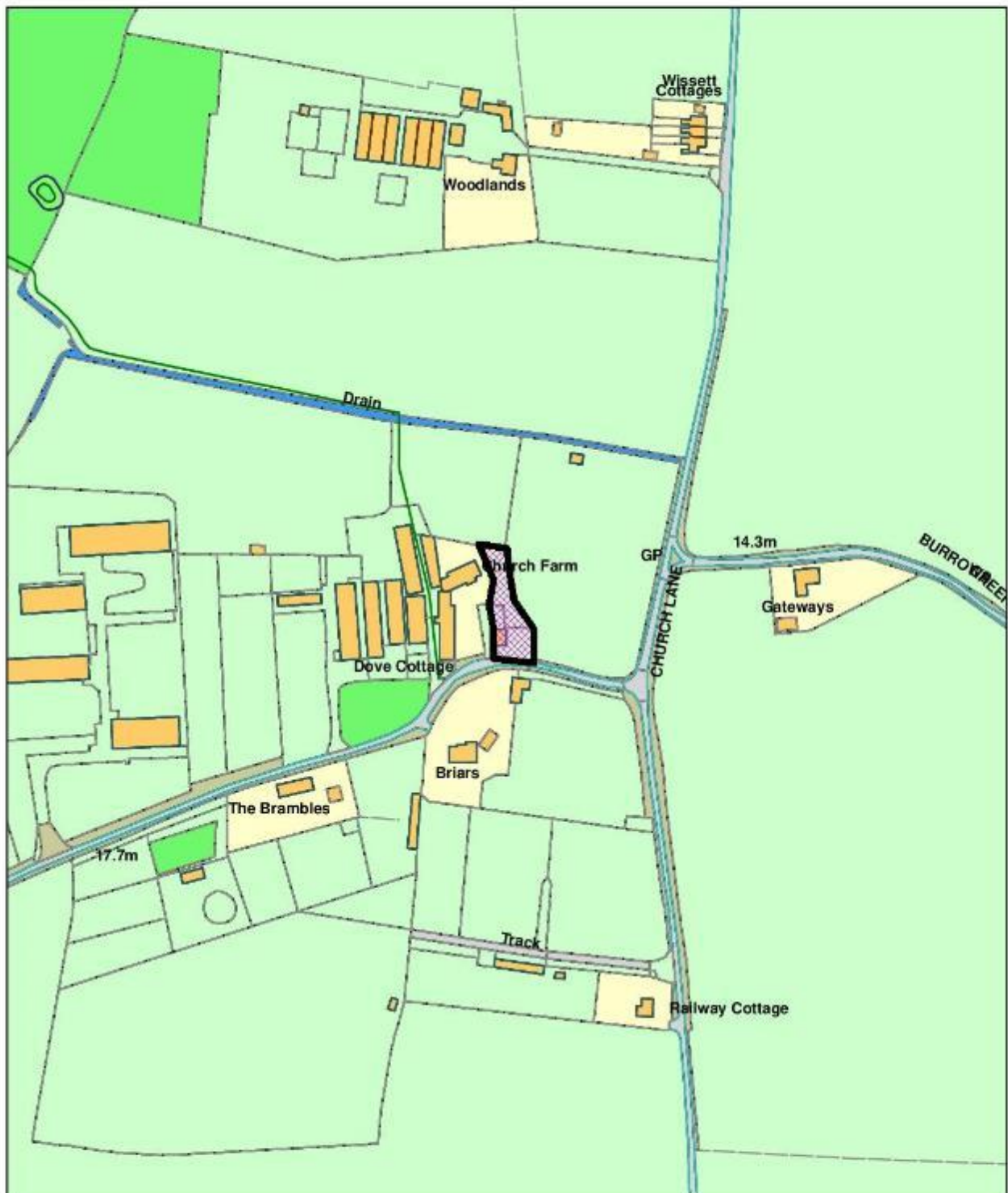
Reason for Refusal

- 5.2 The proposal is contrary to the provisions of the South Norfolk Local Plan Development Management Policies Document 2015 Policy DM3.7 by virtue of its detached location from the main dwelling. This would likely lead to the creation of a new dwelling in an unsustainable location, contrary to paragraphs 17 and 49 of the NPPF and Policy DM 1.3.

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2018/0004

Appendix 1



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South Norfolk Council, Cygnet Court, Long Stratton, Norwich, NR15 2XE Tel (01508) 533633

- ## 1 Planning Policies

- Statutory duties relating to Listed Buildings, setting of Listed Buildings and Conservation Areas:**

S66(1) Listed Buildings Act 1990 provides: “In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority, or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.”

S72 Listed Buildings Act 1990 provides: “In the exercise, with respect to any buildings or other land in a conservation area, of any functions under or by virtue of [the Planning Acts], special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.”

- ## 2. Planning History

- | | | | |
|-----|-----------|---|----------|
| 2.1 | 2012/0379 | Retrospective application for retention of market store trading within the grounds of the Swan Hotel car park | Approved |
|-----|-----------|---|----------|

2.2	2008/1151	Retention of smoking shelter	Refused
2.3	2008/1150	Retention of smoking shelter	Refused
2.4	2006/1441	Fixing of four multi purpose brackets	Approved
2.5	1998/1654	Extension to existing toilet block and resiting of escape stairs	Approved
2.6	1998/1653	Extension to existing toilet block and resiting of escape stairs	Approved
2.7	1998/1317	Formation of new cellar access	Approved
2.8	1998/1316	Formation of new cellar access	Approved
2.9	1998/0675	Formation of new external cellar access	Withdrawn
2.10	1998/0316	Division of bedroom to form a) additional bedrooms and b) two en-suites: Alterations to barn area to form managers accommodation	Approved
2.11	1998/0315	Change of use from bar to managers accommodation and internal alterations	Approved
2.12	1995/1530	Replacement of damaged bricks, repointing, joinery repairs and redecoration	Approved
2.13	1994/1176	Alterations to conservatory to provide new entrance	Approved
2.14	1992/0488	Extension to garages/stores, erection of boundary wall, erection of covered way to restaurant, and internal alterations.	Approved
2.15	1992/0487	Extension to garages/stores, erection of boundary wall, erection of covered way to restaurant, and internal alterations.	Approved
3.	<u>Consultations</u>		
3.1	Town / Parish Council	Refuse The Parish Council would welcome a car wash in the town but not in this location due to the concerns raised by neighbouring residents.	
3.2	District Councillor	No comments received	
3.3	Historic England	Refuse This application proposes the development of a hand car was facility in the yard to the rear of the grade II* listed Swan Hotel, part of the Harleston conservation area. We consider this would result in harm to the historic significance of the listed building and designated area in terms of the National Planning Policy Framework. The Council should consider any public benefit that might result from the proposals but as the application stands we	

would not support the granting of consent and recommend the application is refused.

We consider that the application does not meet the requirements of the NPPF, in particular paragraph numbers 6, 7, 14, 17, 132 and 134. Furthermore the application fails to satisfy the requirements of paragraph 128. In determining this application you should bear in mind the statutory duty of section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess and section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas.

- | | | |
|-----|---|--|
| 3.4 | Historic Environment Service | No objection |
| 3.5 | NCC Highways | No objection |
| 3.6 | SNC Community Services - Environmental Quality Team | <p>Object</p> <p>The applicant has submitted limited noise data for the selected vacuum cleaner and no noise data for the remaining equipment</p> <p>We consider there is currently insufficient information for us to be able to assess the noise impact from the proposal adequately, however we feel that it is unlikely that we would be able to support this proposal even with an adequate noise assessment. With mitigation, noise from the operation may not constitute a statutory nuisance however it is very likely to have a significant impact on the residential amenity of immediate neighbours even if managed well.</p> |
| 3.7 | SNC Water Management Officer | <p>Further information required:</p> <p>The application form advises that the only equipment to be used will be two jet washes and two vacuum cleaners and a compressor which will have a solid wooden wall behind them to minimise the noise level. We will have either a sink pit dug into the ground of 10,000 cubic litres to collect the waste or a container of the same size above the ground to collect the waste, which will be collected every two to three weeks pending how busy it is.</p> <p>The Morclean Quote No Q31230 and the Site Plan advise of an above ground 10,000 cubic litre waste water tank. The site plan shows a concrete wash pad. It is not clear how wash down water will be collected and transferred to the waste water tank. We would request further information that demonstrates that wash down water can be contained and discharged to the waste water tank to ensure that there is no run-off from the concrete pad.</p> |
| 3.8 | Other Representations | <p>6 objections have been received, raising the following concerns:</p> <ul style="list-style-type: none"> - Additional traffic will cause traffic congestion - Additional traffic will cause noise and disturbance and pollution from car engines - Concerns over capacity or car parking for existing business - The proposal would cause harm to the listed building, including its setting |

- Any Waste water run off could cause damage to neighbouring properties and premises
- Excessive noise, health hazards to neighbouring properties including their private gardens
- Devaluation of neighbouring properties
- Dangerous to pedestrians

4 Assessment

Site description and proposal

- 4.1 The application seeks planning permission for the change of use of part of the car park of the Swan Hotel into a hand car wash and valeting facility (sui generis use). The scheme would necessitate the installation of a waste water tank and a covered marquee structure and the use of 2 pressure washers, two vacuum cleaners and a compressor.
- 4.2 The site lies within Harleston town centre and which forms part of the Conservation Area and the public house is also Grade II* Listed. The site is accessed via Swan Lane which lies to the south of the site and there are neighbouring residential dwellings immediately to the west and south.

Principle

- 4.3 As the application proposes the creation of a new commercial enterprise policy DM2.1 of the South Norfolk Local Plan is directly applicable, and in particular, parts 1 and 5 which confirm general support for a commercial enterprise provided that it meets the requirements of all other relevant policies of the Local Plan. The following is an assessment against the relevant policies:

Heritage impacts

- 4.4 The site is inside the Conservation Area and the premises are grade II* listed and as such it is necessary to have regard for the requirements of DM4.10 and also those of S66(1) and S72 of the Listed Buildings Act 1990. These require that a proposal should seek to enhance, or preserve a heritage asset, including its setting.
- 4.5 Historic England (HE) has observed that the proposed car wash and valeting facility would introduce an area of parking across the width of the yard as well as an awning to cover cars. There is also the potential for a large water tank to be erected, but the application does not actually state if this is necessary or a large pit would be dug to house it. Either impact would be a matter of concern and we consider the use as a whole would have a negative impact on the setting of the Swan Hotel by introducing a commercial operation that would occupy part of what was historically an open space used by the hotel and its outbuildings. HE are concerned that the proposed development would result in harm to significance of the listed Swann Hotel in terms of the NPPF, paragraph 132. Paragraph 134 requires the Council to consider any public benefit which might be delivered by the proposals, including securing the optimum viable use for the listed building and weigh this against the harmful impact. However, as the application stands we would object to the granting of consent.

The Council's Senior Conservation and Design Officer concurs with their observations.

- 4.6 On this basis it is considered that the scheme fails to meet the requirements of Policy DM4.10 of the Local Plan and also those of S66 and S72 of the Listed Buildings Act 1990.

Neighbour amenity

- 4.7 Concerns have been expressed by local residents on the potential negative impact the scheme would have on residential amenity, Policy DM3.13 of the Local Plan seeks to ensure that a proposal does not cause unacceptable impacts upon neighbouring properties in terms of light, outlook, privacy, noise, dust or any other form of pollution. It is evident that the operations would be undertaken immediately adjacent to a residential property, no. 2 Swan Lane, including their private rear garden.
- 4.8 The Council's Environmental Quality Team have assessed the scheme and given the limited amount of information provided in terms of noise it is difficult to exactly determine the impact, however, it is unlikely that they would be able to support this proposal. They have indicated that even with some form of mitigation, a significant impact on the residential amenity of immediate neighbours would occur.
- 4.9 Given these concerns, acknowledging the close proximity of the neighbouring property no. 2 Swan Lane, it is considered that existing levels of neighbour amenity would be significantly adversely effected and therefore the scheme is contrary to Policy DM3.13.

Highway Safety

- 4.10 A number of traffic related concerns have been raised. The proposal has been assessed by the Highway Authority and they have confirmed that they have no objections. For this reason the scheme is considered to comply with the requirements of Policies DM 3.11 and DM3.12 of the Local Plan.

Drainage/water

- 4.11 The Council's Water Management officer has requested clarification on how any wash down water can be contained and discharged to the waste water tank to ensure that there is no run-off from the concrete pad. This could be the subject of a suitably worded condition if the application was approved.

Other issues

- 4.12 Under Section 143 of the Localism Act the council is required to consider the impact on local finances. This can be a material consideration but in the instance of this application the other material planning considerations detailed above are of greater significance.
- 4.13 This application is not liable for Community Infrastructure Levy (CIL)

5. Conclusion

- 5.1 The scheme would result in harm to a heritage asset and the Conservation Area and would be detrimental to neighbour amenity and is therefore recommended for refusal.

Reasons for refusal:

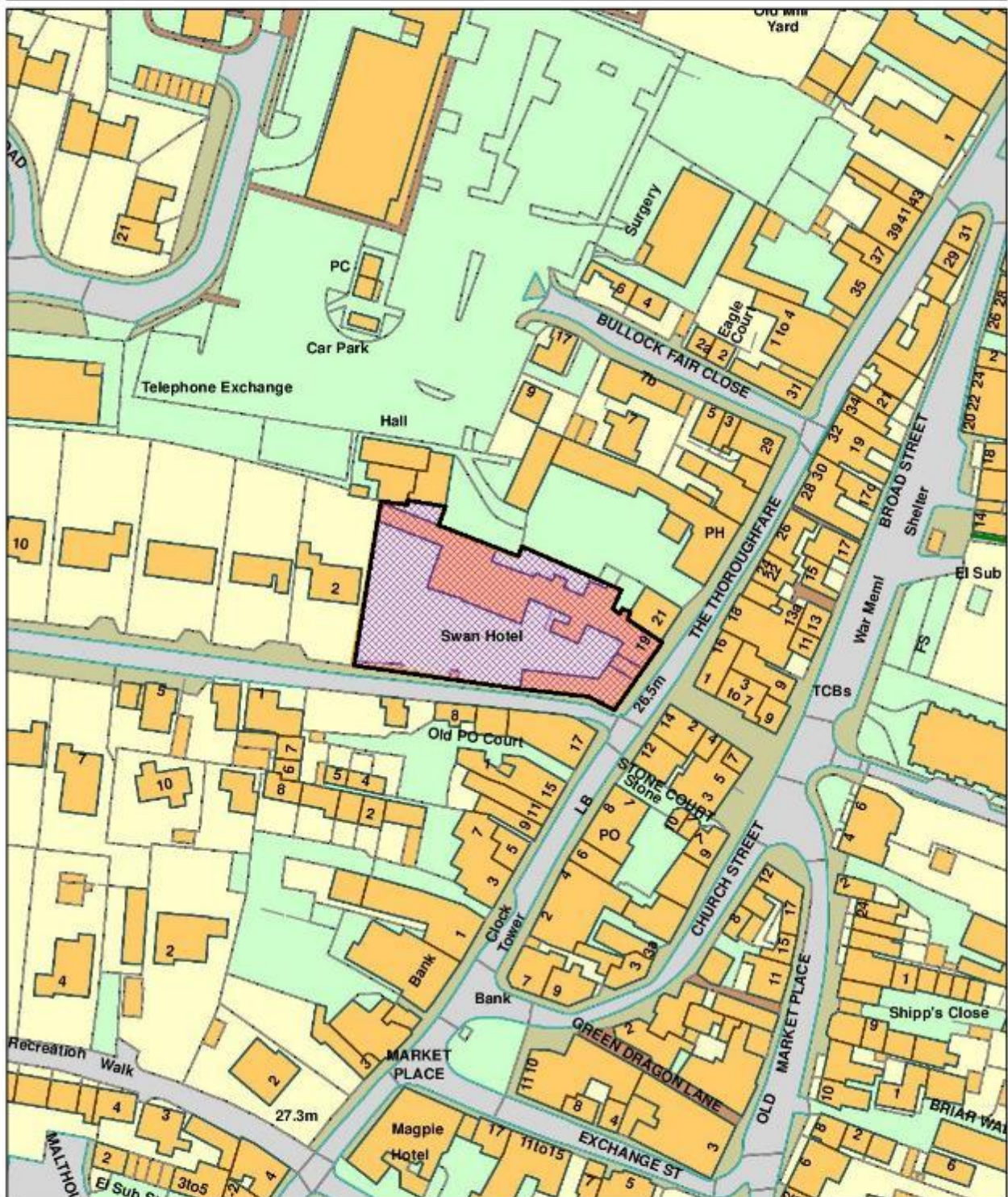
- 5.2 The scheme would introduce a new use with parking, a new awning and water tank within the curtilage detrimental to the setting of the Grade II* listed Swan Hotel and the character and appearance of the Conservation Area contrary to the provisions of S66(1) and S72 of the Listed Buildings Act 1990 and Policy DM4.10 of the South Norfolk Local Plan 2015.

- 5.3 The proposal would result in noise and disturbance to the residents of no.2 Swan Lane contrary to the requirements of Policy DM3.13 of South Norfolk Local Plan 2015.

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2018/0017

Appendix 1



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South Norfolk Council, Cygnet Court, Long Stratton, Norwich, NR15 2XE Tel (01508) 533633

- 16 Appl. No : 2018/0082/RVC**
Parish : WHEATACRE
- Applicants Name : Mr Roger Beaumont
 Site Address : Old Mill House Beccles Road Wheatacre Norfolk NR34 0BS
 Proposal : Variation of condition 2 of permission 2014/1221 (Variation of Conditions 2 and 3 of planning permission 2013/1602/RVC - permitted hours increased to 6.00am to 23.59pm Monday to Saturday inclusive and increase setting capacity of 2 buses from 33 to 41 seats.) - To allow for increased hours of operation on Friday and Saturday's from 23:59 to 00:59 for three vehicles only.
- Recommendation : Refusal
 1 Detrimental to residential amenity, contrary to Policy DM3.13 of the SNLP and paragraph 123 of the NPPF

1 Planning Policies

- 1.1 National Planning Policy Framework
 NPPF 01 : Building a strong competitive economy
 NPPF 03 : Supporting a prosperous rural economy
 NPPF 11 : Conserving and enhancing the natural environment
- 1.2 South Norfolk Local Plan
 Development Management Policies
 DM2.1 : Employment and business development
 DM3.11 : Road safety and the free flow of traffic
 DM3.13 : Amenity, noise, quality of life

2. Planning History

- | | | | |
|-----|-----------|---|-----------|
| 2.1 | 2013/1602 | Variation of Condition 4 & 8 of planning permission 1995/0967/H - to increase permitted hours of use to 7.00am to 7.00pm Monday to Friday. Saturday hours to remain 7.30am to 5.00pm and increase number of minibuses from 3 to 15. | Approved |
| 2.2 | 2013/1570 | Variation of condition 4 & 8 of planning permission 1995/0967/H - Increase of mini-buses from 3 to 15 and increase of permitted hours, 7.00am - 7.00pm Monday to Friday, Saturdays to remain 7.30am to 5.00pm. | Withdrawn |
| 2.3 | 2014/1221 | Variation of Conditions 2 and 3 of planning permission 2013/1602/RVC - permitted hours increased to 6.00am to 23.59pm Monday to Saturday inclusive and increase setting capacity of 2 buses from 33 to 41 seats. | Approved |
| 2.4 | 2015/2413 | Retrospective application for removal of 15ft high conifer hedge and erection of 8ft high timber fence with concrete posts to screen yard from adjacent dwellings. | Approved |

2.5	2017/1116	Variation of Condition 2 of planning permission 2014/1221/RVC - permitted hours of use to allow 8 minibuses to operate 7 days and 24 hours	Refused
2.6	1996/1117	Variation of condition to allow use of four minibuses	Refused
2.7	1995/0967	Change of use to operating centre for 3 mini-buses and Erection of building for storage and maintenance of mini-buses	Approved

Appeal History

2.8 None

3. Consultations

- | | | |
|-----|---|---|
| 3.1 | Town / Parish Council | Support the application as the applicant is an important local employer and the Parish Council supports and encourages business within the site. |
| 3.2 | District Councillor | To be reported if appropriate. |
| 3.3 | SNC Community Services - Environmental Quality Team | <p>I write on behalf of Environmental Services in reply to your consultation regarding the above planning application. Having reviewed the application documentation, etc, we note that:</p> <ul style="list-style-type: none"> • Planning permission 2014/1221 permitted Grebe Coaches to substantially increase their hours of operation along with increasing the seating capacity of two of the buses operating from the site. This was a variation of Planning Permission 2013/1602 which had already permitted Grebe Coaches to increase their hours of operation along with permitting an increase in the number of minibuses operating from the site from 3 to 15. • Condition 2 of permission 2014/1221 reads as follows :
There shall be no movement of buses to and from site or repair or maintenance of vehicles other than between the hours of 06:00 and 23.59 Monday to Saturday. The use hereby permitted shall not take place on Sundays or public holidays. • This proposal would result in a further increase in the hours of operation of Grebe Coaches allowing the movement of buses to and from site between 23:59 hours and 00:59 hours Friday and Saturday nights. • The access track to the site passes close by two dwellings, which are under separate ownership. This proposal would allow buses to drive along this track and past these dwellings at times when the residents would expect to be able to sleep in their own home. • Wheatacre is a relatively quiet area where there will not be raised levels of background noise that would help mask the noise of the additional vehicle movements this proposal would permit. <p>Having regard to the above, this proposal is a cause for concern as it is considered that this proposal will have an unacceptable impact on the residents of the area which cannot be adequately addressed by means of conditions. We are therefore unable to support this application.</p> |
| 3.4 | NCC Highways | No objection. |

- 3.5 Other Representations
- 1 – Neighbour Response strongly objecting to the proposal on the grounds of highway safety and residential amenity. A further response was received from the neighbour highlighting the driving standards of the drivers and the noise and disturbance this causes.
- 4 letters of support have been received, their comments are summarised as follows:
- I am sure the applicants would use all means at their disposal to cause as little disturbance as possible to local people, you only have to look at the signage around the site reminding all visitors to be considerate to neighbours and to drive slowly to the speed limits they have set voluntarily to see they are doing all they can to minimize the impact of the operations.
 - As a local small business which by its success has created employment within the local area they should be granted this alteration of working hours in order for them to continue to be a successful and viable business within this local area.
 - The goodwill the applicants have in the village, and all the good that they do, new equipment in the play area, etc, also providing jobs and employing local as well, I see no objections in them being granted an extension to cover the late hours of Friday and Saturday nights.
 - Having once lived next to them as neighbours for a number of years, I had no problems with noise from the coaches, so would gladly back them in having the extension.
 - The increase in operational hours does not pose any difficulties or inconvenience to my family or home.
 - I understand their need to increase their operational hours for business purposes but also to ensure their property (buses/coaches) are safe in a locked compound as opposed to in laybys, pub car parks etc.
 - Extending the return time by 1 hour on a Friday and Saturday is understandable and gives more security for the coaches as otherwise they are left on a layby overnight which nowadays is not safe.

4 Assessment

- 4.1 The application relates to Glebe Coaches which is an existing coach depot in Wheatacre. It is located off Mill Lane which is a private road off Beccles Road. There are two properties located along Mill Lane. There are also two properties adjacent to the site which are in the same ownership as the business. Aldeby Business Park is located to the south. The site is outside any development limit defined by the Site Specific Allocations.
- 4.2 The application is to vary Condition 2 of planning permission 2014/1221/RVC to allow 3 mini buses to operate from the site for an additional hour on Friday and Saturday nights from the hours of 12:00pm to 1:00 am in order to facilitate the safe return of the coaches to the yard.
- 4.3 Permission was initially granted in 1995 application number 1995/0967 to operate and maintain 3 mini-buses from the site between 7:30am and 5pm Monday to Saturday. Permission to increase the number of mini-buses to 4 in 1996 (application number 1996/1117) was refused.
- 4.4 A retrospective application was made in 2013/1602 to increase the permitted hours of use to 07:00am to 19:00 Monday to Friday and 07:30-17:00 on a Saturday. The number of buses operating from the site was increased to 15 with only 6 of these having a capacity of

23 passengers with a maximum of 33 seats on any coach.

- 4.5 A further retrospective application was made in 2014 (application number 2014/1221) which varied the conditions to further relax the restrictions. The main current restrictions are as follows:
- No movement or maintenance of vehicles between 06:00 and 23:59 hours Monday to Saturday and not at all on a Sunday or public holiday.
 - Bus movements between 06:00 and 07:00 Monday to Saturday limited to 4 movements.
 - Bus movements between 19:00 and 23.59 Monday to Saturday limited to 16 movements.
 - There shall be a maximum of 15 buses operating from the site at any one time, with no more than 6 buses exceeding 23 seats and a maximum of capacity of any coach being 41 seats.
- 4.6 An application to vary of Condition 2 of planning permission 2014/1221/RVC - permitted hours of use to allow 8 minibuses to operate 7 days and 24 hours was made under 2017/1116 This was refused on residential amenity grounds.
- 4.7 Policy DM2.1 of the Development Management Policies which relates to the expansion of businesses requires any development to protect the amenities of neighbouring occupiers and policy DM3.13 of the Development Management policies seeks to protect residential amenity and part 2 of the policy specifically states “applications which may result in any increased in noise exposure account will be taken on the operational needs of the proposed and neighbouring businesses , the character and function of the area including back ground noise levels at different times of the day and night”. This supported in paragraph 123 of the NPPF.
- 4.8 As can be seen from the planning history there has been an expansion of the business in recent years which we have tried to accommodate using various conditions. You will note the objections from the neighbouring property. Given the close proximity of the access track to the residential properties, the additional movement of vehicles at night and on holidays in an area where the background noise is very low particularly at night, would result in any unacceptable level of disturbance (as stated by the Council’s own Environmental Quality Advisor) when people are trying to sleep. It is noted that the applicant states that the movements in these hours are limited, but we have no substantial counter argument to the response from the Environmental Quality Team that the scheme would have an unacceptable impact upon residential amenity.
- 4.9 Concern has been raised about the speed of the coaches and safety exiting the neighbour’s property onto Mill Lane. It is difficult to control these matters on a private road, but extending the hours is unlikely to make that situation any worse. The proposal would not result in any significant issues to the public highway and the Highway Officer raises no objection to the application. As a result it is considered that the proposal complies with policy DM3.11 of the Development Management Policies.
- 4.10 Under Section 143 of the Localism Act the council is required to consider the impact on local finances. This can be a material consideration but in the instance of this application the other material planning considerations detailed above are of greater significance.
- 4.11 This application is not liable for Community Infrastructure Levy (CIL) as no new floor space is being created.
5. Conclusion
- 5.1 Although we try and support businesses wherever possible the proposed increase in operational hours would result in an unacceptable level of disturbance to adjacent residential properties contrary to paragraph 123 in the NPPF and policy DM3.13 of the Development Management Policies.

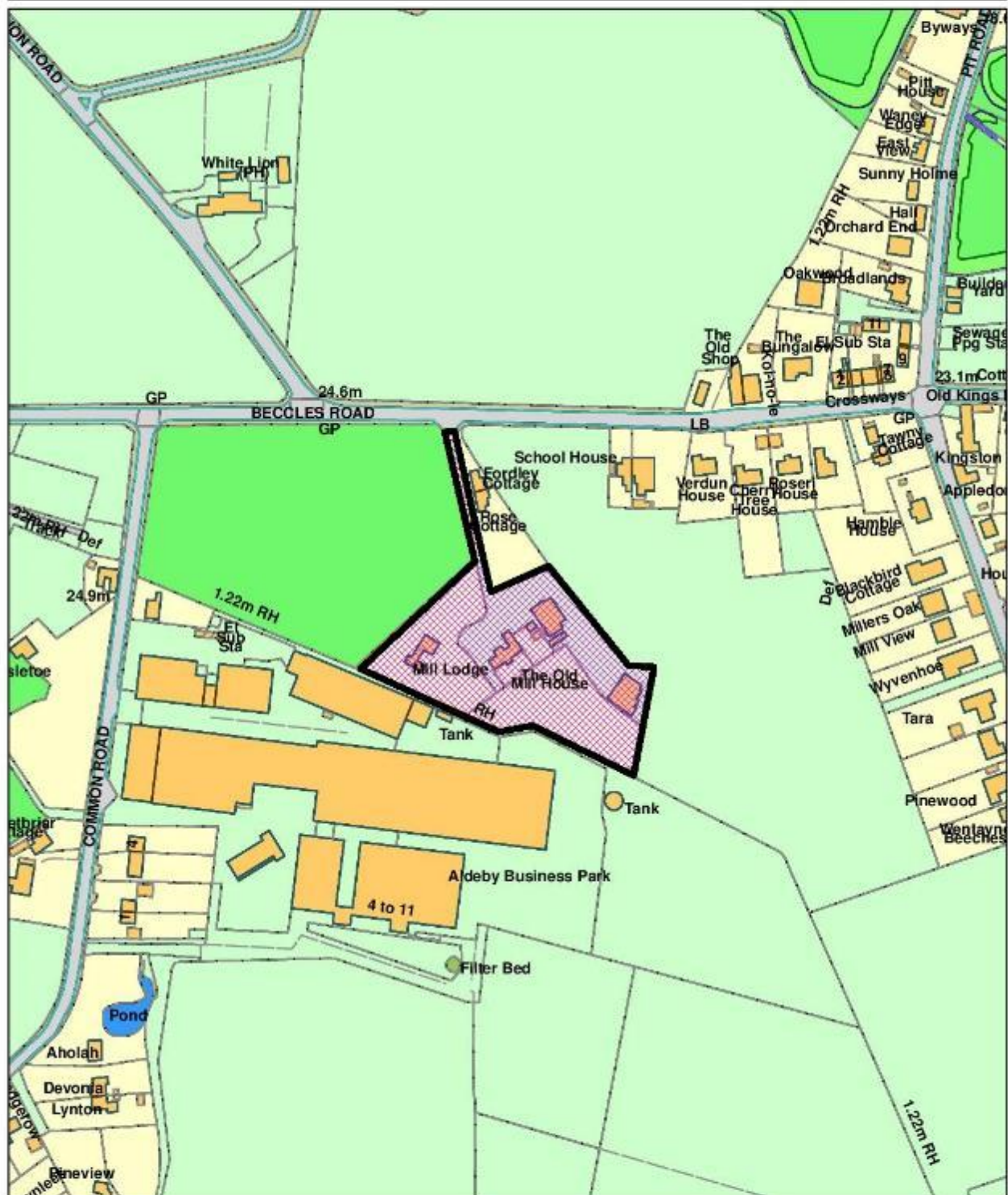
Reasons for Refusal

- 5.2 The increased hours of operation for the site would result in an unacceptable level of disturbance to the properties located along the access track which would be detrimental to their residential amenity contrary to paragraph 123 in the National Planning Policy Framework and policy DM3.13 in the South Norfolk Local Plan Development Management Policies Document 2015.

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2018/0082

Appendix 1



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South Norfolk Council, Cygnet Court, Long Stratton, Norwich, NR15 2XE Tel (01508) 533633

17 Appl. No : 2018/0199/F
Parish : COSTESSEY

Applicants Name : Mr Damian Le-may
 Site Address : Land To The Rear Of 45-49 Stafford Avenue Costessey Norfolk
 NR5 0QF
 Proposal : Erection of single storey dwelling

 Recommendation : Refusal
 1 Detrimental to form and character

1 Planning Policies

1.1 National Planning Policy Framework

NPPF 06 : Delivering a wide choice of high quality home

NPPF 07 : Requiring good design

NPPF 10 : Meeting the challenge of climate change, flooding and coastal change

1.2 Joint Core Strategy

Policy 1 : Addressing climate change and protecting environmental assets

Policy 2 : Promoting good design

Policy 3: Energy and water

Policy 4 : Housing delivery

Policy 12 : The remainder of the Norwich Urban area, including the fringe parishes

1.3 South Norfolk Local Plan

South Norfolk Local Plan Development Management Policies

DM1.3 : The sustainable location of new development

DM3.1 : Meeting Housing requirements and needs

DM3.5 : Replacement dwellings and additional dwellings on sub-divided plots within Development Boundaries

DM3.8 : Design Principles applying to all development

DM3.11 : Road safety and the free flow of traffic

DM3.12 : Provision of vehicle parking

DM3.13 : Amenity, noise, quality of life

DM4.2 : Sustainable drainage and water management

1.4 Supplementary Planning Documents

South Norfolk Place Making Guide 2012

2. Planning History

2.1	2016/1657	Use of site as contractors yard for storage of materials, plant & vehicles and office accommodation in relation to construction business (since 2004).	Approved
2.2	2002/0838	Erection of 2no dwellings with garages	Refused and dismissed at appeal

3. Consultations

3.1	Town Council	Approve - Certificate of lawfulness was noted - This would tidy up a previously neglected area
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|-----|---|--|
| 3.2 | District Councillor | To be reported if appropriate |
| 3.3 | SNC Water Management Officer | No objections subject to appropriate percolation test results and design standards |
| 3.4 | SNC Community Services - Environmental Quality Team | No comments received |
| 3.5 | NCC Highways | Conditional support |
| 3.6 | Other Representations | <p>1 letter of support</p> <ul style="list-style-type: none"> • have known the applicant as a neighbour for several years and have never experience any issues
<ul style="list-style-type: none"> • allowing him to build a property on the land would help with the security and also the yard would be kept tidier
<p>1 letter of objection</p> <ul style="list-style-type: none"> • concern that existing disturbance from machinery will increase • concern that existing leylandii trees will be grown higher which will block natural light into our back garden and house • concern about external lighting at night • concern about access to proposed property for emergency vehicles |

4 Assessment

Site and Proposal

- 4.1 The site is within the development boundary of Costessey. It currently consists of a contractors yard for the storage of materials, plant & vehicles to the rear of existing dwellings fronting Stafford Avenue. The contractors yard is under separate ownership from the dwellings and was established as a lawful use under Certificate of Lawful Use 2016/1657. Access to the site is from Stafford Avenue in between the existing dwellings.
- 4.2 It is proposed to create a single storey dwelling within the yard, along with a large associated garage block. The dwelling would be occupied by the operator of the contractors yard, which would continue to operate from the site.

Principle of Development

- 4.3 The site is within the development boundary for Costessey and therefore the principle of development is acceptable under Policy DM1.3. Policy DM3.5 allows for infill development such as this where the development incorporates a good quality design which maintains or enhances the character and appearance of existing buildings, street scene and surroundings, does not have an unacceptable impact on the amenities of neighbouring occupiers, and the development provides adequate private amenity and utility space and adequate access and parking.

Form and Character

- 4.4 Stafford Avenue is a traditional suburban street with a line of a mix of dwellings fronting the street with relatively large rear gardens. On the western side of Stafford Avenue there is one dwelling to the rear of existing dwellings which dates back from many years ago. Otherwise, other than the contractors yard that is the subject of this application, there is no development to the rear of properties along this side of the street.
- 4.5 As such the creation of a new residential dwelling in this location would be contrary to the form and character of the pattern of development along Stafford Avenue. Whereas the rear gardens of Stafford Avenue currently consist only of ancillary structures to the main dwellings and relatively small structures associated with the contractors yard, the proposed dwelling is a substantial building with a large associated garage block. This would appear incongruous in the existing pattern of development. As such it would not maintain or enhance the surroundings contrary to the requirements of Policy DM3.5 of the Local Plan, as well as Policy 2 of the Joint Core Strategy and Policy DM3.8 of the Local Plan.

Access

- 4.6 Access to the dwelling would be through the existing access to the contractors yard in between Nos 45 and 47 Stafford Avenue. This is not an ideal arrangement as it passes close to the existing dwellings. However, it is an existing access and therefore the principle of vehicular movements accessing the site is established. Given the dwelling is designed to be linked to operation of the contractors yard it is unlikely that there would be a significant increase in vehicular movements and therefore refusal of the application on the grounds of inadequate access would be difficult to substantiate. The Highway Authority raise no objection to the proposed development.

Residential amenity

- 4.7 The proposed dwelling is single storey. There are therefore no first floor windows which would give rise to overlooking of adjoining properties. The site benefits from established boundary treatment with neighbouring properties which will further minimise the impact on existing dwellings. It is not considered that given its scale and distance from other properties that it will result in overdominance or loss of light to any of the adjoining properties. It is not therefore considered that the development will have an adverse impact on the amenities of existing properties. Whilst the comment by the neighbour regarding leylandii trees on the boundary is noted, it is not considered they are necessary to ensure the development is acceptable in terms of residential amenity.
- 4.8 Given the above mentioned boundary treatment and distance to other boundaries it is also considered that the amenities of any future occupants of the proposed dwelling would not be compromised by neighbouring dwellings. However the existing use of the remainder of the site as contractors yard would not be compatible with a dwelling on the site should the occupants of the dwelling cease to be connected to the operator of the contractors yard. However, this could be prevented through a condition linking occupancy of the dwelling with the operation of the contractors yard.

Other Issues

- 4.9 The application can be considered to be previously developed land (brownfield land). In line with the NPPF, I have considered the benefits of the efficient use of land, but consider that in this case, this does not outweigh the other material considerations.
- 4.10 Surface water arising from the proposed development is proposed to discharge to soakaways. The Council's Water Management Officer has no objection to this subject to appropriate percolation test results and design standards. Foul water drainage will be to mains sewer.

4.11 Under Section 143 of the Localism Act the council is required to consider the impact on local finances. This can be a material consideration but in the instance of this application the other material planning considerations detailed above are of greater significance.

4.12 This application would be liable for Community Infrastructure Levy (CIL).

5 Conclusion and Reasons for Refusal

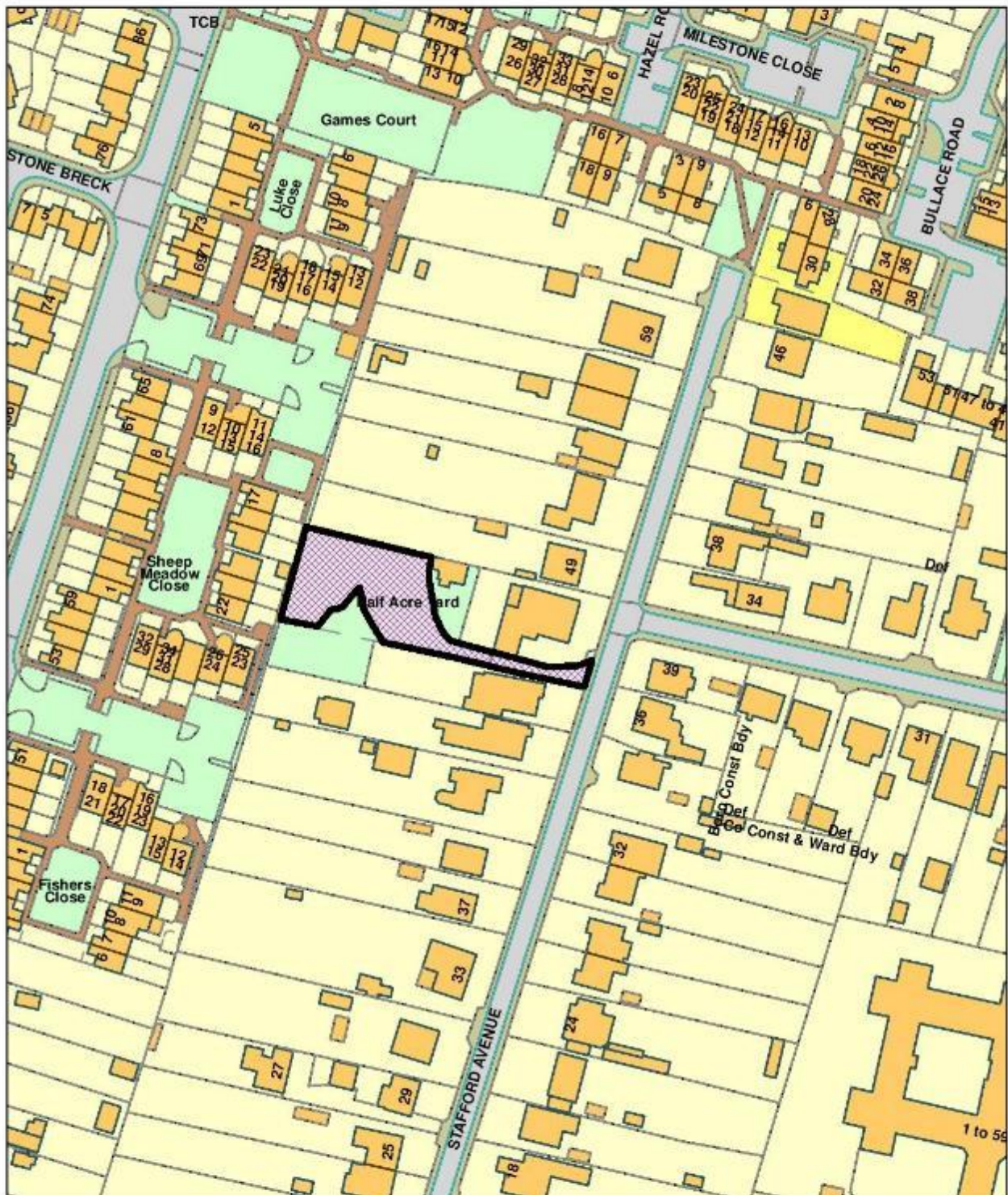
5.1 The erection of a residential dwelling along with a large associated garage block to the rear of the existing pattern of development along Stafford Avenue would appear incongruous and detract from the established form and character of development in the locality. The proposal would therefore not maintain or enhance the character and appearance of the surroundings contrary to Policy 2 of the Joint Core Strategy and Policies DM3.5 and DM3.8 of the Local Plan.

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2018/0199

Appendix 1



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South Norfolk Council, Cygnet Court, Long Stratton, Norwich, NR15 2XE Tel (01508) 533633

Planning Appeals**Appeals received from 20 January 2018 to 16 March 2018**

Ref	Parish / Site	Appellant	Proposal	Decision Maker	Final Decision
2017/1686	East Carleton Former Nursery Site To The West Of Low Common Swardeston Norfolk	Mr Alan Jones	Outline permission for eight dwellings	Delegated	Refusal
2016/2635	Tacolneston Land West Of Norwich Road Tacolneston Norfolk	Mr J Coston	Outline application for 3 self build plots with details of upgraded access, all other matters reserved.	Development Management Committee	Refusal
2017/1818	Broome Land North West Of Yarmouth Road Broome Norfolk	Mrs Paula Linehan	Proposed three bedroom bungalow	Delegated	Refusal
2017/2386	Cringleford 19 Patteson Close Cringleford NR4 6XX	Mr James Sadler	Removal of Condition 3 of planning permission 2000/0909 to allow permitted development (classes A, B, C, D, E and H)	Delegated	Approval with Conditions

Planning Appeals

Appeals received from 20 January 2018 to 16 March 2018

Ref	Parish / Site	Appellant	Proposal	Decision Maker	Final Decision
2017/2767	Easton Plot 1 1 Oakwood Close Easton NR9 5EH	Mr J Gunton	Oak Tree - fell and replant with one Prunus Spire	Delegated	Refusal
2017/1650	Dickleburgh And Rushall Orchard Farm Norwich Road Dickleburgh Norfolk	Mr & Mrs N Atkins	Erection of two new build dwellings to replace dwellings given the consent by application ref: 2016/1440 (Change of use of redundant agricultural buildings to form a pair of semi detached dwelling houses with associated alterations)	Development Management Committee	Refusal
2017/2080	Wortwell Land Opposite Tyrells Barn Low Road Wortwell Norfolk	Mr & Mrs J. Riches	Outline for erection of 1No two storey dwelling and garage, including access, landscaping and layout with some matters reserved.	Delegated	Refusal

Planning Appeals

Appeals received from 20 January 2018 to 16 March 2018

Ref	Parish / Site	Appellant	Proposal	Decision Maker	Final Decision
2017/0967	Hempnall Land South Of Mill Road Hempnall Norfolk	Mr Kilbourn	Erection of one 3 bedroom dwelling including new vehicular access and integral garage. Removal of two trees.	Delegated	Refusal
2017/0956	Hellington Land Adj To South Acres Low Common Hellington Norfolk	Mr Keith Rickman	Outline planning permission (with all matters reserved) for a proposed self build dwelling.	Delegated	Refusal
2017/1655	Ashby St Mary Hill Top Barn Mill Common Ashby St Mary Norfolk NR14 7BW	Mr James Johnston	Conversion of existing studio building to independent dwelling	Delegated	Refusal
2017/2177	Costessey Land North Of Renwar House Taverham Lane Costessey Norfolk	Mr Anthony Warren	Proposed new dwelling with access only	Delegated	Refusal

Planning Appeals

Appeals decisions from 20 January 2018 to 16 March 2018

Ref	Parish / Site	Appellant	Proposal	Decision Maker	Final Decision	Appeal Decision
2016/8183	Denton Rainbows End Norwich Road Denton Norfolk IP20 0AN	Mr Adrian Greenmore	Change of use from residential, agricultural land to keeping and breeding of dogs			
2017/1653	Newton Flotman 3 St Marys Walk Newton Flotman Norfolk NR15 1PH	Mr And Mrs Ian Shurmer	Proposed rear two storey extension	Delegated	Refusal	Appeal dismissed
2017/0707	Hingham The Barn White Lodge Farm Hardingham Road Hingham Norfolk NR9 4LY	Mr Joe Berry - Glynn	Proposed alterations and extension with new garage/car port	Delegated	Refusal	Appeal Allowed
2017/1466	Newton Flotman 10 Dell Close Newton Flotman Norfolk NR15 1RG	Mr & Mrs Andrew Smith	extension and associated alterations, erection of detached garage.	Delegated	Refusal	Appeal Allowed
2017/0413	Ketteringham Land To The East Of 5 High Street Ketteringham Norfolk	Mr Michael Austin	Development of three self-build bungalows (phased development)	Development Management Committee	Refusal	Appeal dismissed

Planning Appeals**Appeals decisions from 20 January 2018 to 16 March 2018**

Ref	Parish / Site	Appellant	Proposal	Decision Maker	Final Decision	Appeal Decision
2016/3013	Wymondham Land To The East Of Mill House London Road Sutton Norfolk	Mr Mark Howes	Construction of four houses on land with mixed use	Delegated	Refusal	Appeal dismissed
2017/1686	East Carleton Former Nursery Site To The West Of Low Common Swardeston Norfolk	Mr Alan Jones	Outline permission for eight dwellings	Delegated	Refusal	Withdrawn