

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, 11 December 2019 at 10.00 am.

Committee Members Present: **Councillors:** V Thomson (Chairman), D Bills, V Clifford-Jackson, J Easter, R Elliott, F Ellis, T Laidlaw, G Minshull (for items 1 – 3) and L Neal (for items 1 – 6)

Officers in Attendance: The Assistant Director Planning (H Mellors), the Development Management Team Leaders (T Lincoln and C Raine), the Senior Planning Officers (C Curtis and C Watts) and the Planning Officers (T Barker and P Kerrison)

30 members of the public were also in attendance

471. 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
2019/0667/F (Item 1)	PORINGLAND	All	Local Planning Code of Practice Lobbied by the Applicant
2019/1963/DC (Item 2)	EASTON	All	Local Planning Code of Practice Lobbied by the Applicant
2019/0635/F (Item 3)	BARFORD	R Elliott	Local Planning Code of Practice Lobbied by Objectors
2019/1720/F (Item 5)	KIRBY CANE	All V Clifford-Jackson T Laidlaw	Local Planning Code of Practice Lobbied by the Applicant Local Planning Code of Practice Lobbied by the Local Member

2019/1940/F (Item 6)	PORINGLAND	All	Local Planning Code of Practice Lobbied by Objectors
2019/2067/A (Item 7)	CRINGLEFORD	L Neal	Local Planning Code of Practice As a Cabinet Member, Cllr Neal left the room while this item was considered.

472. MINUTES

The minutes of the Development Management Committee meeting dated 13 November 2019 were confirmed as a correct record and signed by the Chairman.

473. PLANNING APPLICATIONS AND OTHER DEVELOPMENT CONTROL MATTERS

The Committee considered the report (circulated) of the Director of Place, 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
2019/0667/F (Item 1)	PORINGLAND	M Proctor – Objector R Blackham - Applicant
2019/1963/DC (Item 2)	EASTON	S Vincent – Parish Council P Milliken – Objector A Cornish – Applicant S Smart – Agent for the Applicant
2019/0635/F (Item 3)	BARFORD	G McBride – Objector D Futter - Applicant
2019/1720/F (Item 5)	KIRBY CANE	J Putman – Agent for the Applicant
2019/1940/F (Item 6)	PORINGLAND	F Le Bon – Parish Council S Litten –Applicant D Jewell – Agent for the Applicant J Overton – Local Member

The Committee made the decisions indicated in Appendix B of the 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 Place.

474. PLANNING APPEALS

The Committee noted the planning appeals.

(The meeting closed at 1.40pm)

Chairman

Updates for DEVELOPMENT MANAGEMENT COMMITTEE
– 11 December 2019

Item	Updates	Page No
Item 1 2019/0667	Lobbying letter from applicants circulated to members Additional letter from local resident supporting the proposal: • A retirement community is the best possible use for the site as it is already used as an aged care home • I believe the proposed communal facilities including cafe bar, restaurant, lounge, gym, salon and spa, bowls green, allotments and multi-functional open space would be of benefit to others in the village but not living in the community • This development is very much the norm in other countries and what is required by many older people here in Norfolk. It will provide the opportunity for a complex needs couple to be cared for in the same location. It is very much a fore-front development and could be used as an example of what can be done to make life easier for Seniors. • Poringland is an ideal situation for such a development and as well as being a convenient place to live and move through the phases of aging, it will provide additional employment in the village. Officer comment: The case officer would wish to make clear that based upon the view expressed in paragraph 5.4 of the committee report which confirms that the Council does not have a specific policy that directly covers this type of development, it is appropriate to engage the “tilted balance” of paragraph 11 of the NPPF. With this in mind, the harm to the open countryside and character and appearance of the area as highlighted in the assessment section of the report and reflected in the recommended reasons for refusal (2 and 3) are considered to significantly and demonstrably outweigh the benefits of the scheme as identified in paragraphs 5.8 and 5.14. Consequently, it is also necessary to provide an additional reason for refusal as follows: The proposed development does not represent sustainable development, having regard to the three tests set out in the National Planning Policy Framework, by virtue of the harmful impact to the character and visual appearance of the area and encroachment into the open countryside, which would significantly and demonstrably outweigh the benefits of the proposed development. Accordingly, the proposal fails to comply with policy DM1.1 of the South Norfolk Local Plan and Paragraph 11 d) of the National Planning Policy Framework.	11

Item 2 2019/1963	Verbal update at meeting: For clarity, the application is a subsequent application, as defined by the EIA regulations, whereby the host application (in this case the outline consent) was accompanied by an environmental statement (ES) i.e. EIA development. Officers have assessed the environmental information contained within the original ES and, given the matters already covered and the nature of the proposal that is seeking a high-level design code, consider that the original ES is adequate to assess the significant effects of the development on the environment, that no further environmental information was required to support the discharge of condition application and that the conclusions previously reached on the environment impacts of the development from the outline remain. Additional comments received from Easton Parish Council regarding the further amended Design Code (rev G), summarised as follows: • Pleased that a number of points raised by us have been addressed within the amended document. • Disappointed SNC not willing to re-consult on revision G of the design code. • Suggest if committee is minded to approve, the following conditions are made to reflect the areas where it falls short of delivery of 'good design', as detailed below but especially: a. Parking standards are aligned to and reference the requirements of the Easton Neighbourhood Plan (ENP). b. All road ways must be to NCC adoptable standard in compliance with policy 10 of the ENP Officer response: • The Council considers it has worked proactively with Easton Parish Council and the developer to ensure that the design code is fit for purpose, whilst meeting the aspirations of the Easton Neighbourhood Plan and approved outline consent. All versions of the design code have been shared and discussed with Easton Parish Council and the developers, included the latest versions of the code. • With regards to the imposition of conditions, Members should note that the design code relates to the approval of details to comply with condition 33 of the outline planning permission. As such it is not possible to add conditions to a discharge of condition, which is not a planning application. • It is noted that the design code is a technical document which sets out guiding principles and a range of design parameters, rather than fixing every detail. Detailed design matters will be subject to subsequent reserved matters applications Easton Parish Council key concerns, summarised:	31
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	• Details in Condition 22 relating to off-site highway improvements are not fully addressed through the Design Code. • Continue to have a number of concerns around the Parking Standards for Norfolk Guide (2007) against the parking standards set out in the ENP (2017). Consider that the county council parking standards are out of date, which sets a maximum number of spaces. • Disappointed with the use of 'lanes' and 'shared drives' as a design concept. These will lead to a feeling of 'tunnelling' and confinement, putting vehicles and pedestrians in direct conflict. The term 'Shared Private Drives' indicates that these will be private unadopted highways. These need to be design and constructed to adoptable standards. • More information should be provided about the use of Swales and drainage attenuation features. Officer response to key concerns: • Condition 22: this condition relates to the approved plans of the outline planning permission, indicating the off-site highway improvements which were agreed as part of the outline consent. Further detail is required as part of condition 22 prior to construction above slab level to ensure the highway improvements are designed to an appropriate standard. Further detail will be provided as part of the consideration of the above planning condition. • Parking standards: the design code has been updated and now refers to the Easton Neighbourhood Plan parking standards as well as the County Council's parking standards. Each reserved matters application will need to be in accordance with the relevant policies. Policy DM3.12 of the Local Plan is also relevant, which requires developers to provide enough parking using the County Council's parking standards adopted by the Council as a starting point. Regard will also be given to the circumstances of the site, relevant advice on the design and integration of parking provision into the development as part of each reserved matters. • Adoptable roads: all roads including the proposed 'shared driveways' and 'lanes' have the potential to be designed and constructed to adoptable standards. The detailed design will be considered at the reserved matters stage and will have regard to pedestrian safety and design matters. • Swales and infiltration basins: these features form part of the drainage strategy for the site and will have regard to a detailed drainage scheme at the reserved matters stage. The design of these features, including how they will be designed in terms of opportunities for habitat creation, potential to be used as part of open spaces and safety considerations, will form part of the reserved matters applications.	
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	Easton Parish Council comments relating to Landscape Framework Plan, summarised: • Landscape Framework Plan continues to illustrate a pedestrian access to the western end of Jubilee Play Area that is not deliverable. • Corner 25 /23 Woodview Road more tree planting needed. • Plan shows path crossing non-public entry buffer zone. • How will hedge shown which sits outside buffer zone be protected. • Southern edge Parkers Close, Buxton Close and Dereham Road / Parkers Close -more tree planting needed. • Green to east of St Peter's Church sits outside the planning red line. • Proposals should build in the new (Special Educational Needs) SEN school location to the Design Plan. • Opportunity exists to reroute Church Lane on to the new spine road and in turn making the area around the church safer and improving its setting. Officer response to comments relating to Landscape Framework Plan: • The Landscape Framework Plan is indicative and sits alongside the design code, which sets out the guiding landscape components of the development, rather than fixing every detail. Detailed plans relating to the landscape framework and points noted above will be subject to subsequent reserved matters applications and discussion. • With regards to opportunities to reroute Church Lane on to the new spine road to take account of future proposals for a new SEN school, these proposals do not form part of the masterplan or outline consent. As such the developers cannot be required to reroute Church Lane as part of their development. Specific comments on design code from Easton Parish Council, repeated from previous comments, and summarised as follows: • Green Pedalway extension is unclear in delivery and implementation. • Shared surface for pedestrians and vehicles is not supported. All roads should have tarmac surface and raised kerbing. • Shared Private Drives, should be just that. A driveway to a maximum of up to three homes feels acceptable. • All new roads are to be built to adoptable standard. • Suggest realignment of a small section of the Green Spine Road. • No street lighting is supported, although it is understood there may be a requirement by NCC for minimal highway lighting.	
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	• Grass verges and swales require measures to discourage indiscriminate parking, such as the knee rail detailed in Code 6.2. • Swales, as areas likely to contain standing water require fencing. • On street parking not supported. • Dwelling height should match height of existing homes. • Collection points for wheelie bins will have to be established. • Habitat assessment and identification of specific species, such as the threatened Barbastelle, should be undertaken and used to inform the Design Code. • Play area situated over burial pit for cattle affected by foot and mouth • A number of features and elements in establishing good play areas should be added. • Allotments should be made available to existing / new allotment holders one year prior to closure of existing allotments. • Need to identify management regime to run and manage the allotments. • Evidence is required to demonstrate the permeability of each area of the development and the effectiveness of the SuDS and swale system. • The design specification of a 'swale' should be included within the Design Code. • What is the purpose of the swales, to hold water or channel water or absorb water. • Noise pollution from events held at the Showground not addressed within the Design Code. • Would like to see additional boundary treatment, with bunding, hedging and trees to western boundary to help reduce noise. • Suggest re-orientate area '4' and the relocating of the Green Spine Road in areas '3' and '4' to create an enhanced design. • Pathways surfaces must be suitable for all to use. • Parking courts to rear not supported. • Block pave not supported. • Important to ensure application of design principles aligns to the policy requirements for the Settlement Interface. • Dog bins (1 bin per 70 new homes) should be provided and defibrillators (1 defibrillator per 200 new homes). Code needs to include the requirement for screening for wheeled bins. Officer response to specific comments on design code: • Following feedback and input from South Norfolk Council and Easton Parish Council during the application process, the design code has been updated to reflect the above comments and suggestions. Whilst there remain some points on detailed design matters, these will form part of	
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	discussions with Easton Parish Council at the reserved matters stage. As such, it is considered that the requirements of the condition have been met and that the design code provides an appropriate base to inform subsequent reserved matters.	
Item 3 2019/0635	No updates	44
Item 4 2019/1583	DEFERRED - It has been agreed that this application be deferred to allow officers to consider the contents of information only recently received.	50
Item 5 2019/1720	Comments from District Councillors • Cllr Bernard - Unable to attend the meeting, but agrees with the position of Mr John Putman as to why the application should be approved • Cllr Brown - Following a meeting with the Parish Council, I have been asked to write to say how important they think the campsite is to the local economy and the community. They were impressed with the way it is run and the overall ambience of the site. Great care has been taken to a calm and sustainable environment, which its guests obviously appreciate. It is of great benefit to the local community by bringing visitors who would not normally come to our little corner of South Norfolk • It seems clear that in order to maintain the calm and good order of the site it is vital that a manager should be there at all times, particularly during busy periods, to avoid any possibly disruptive situations developing and getting out of hand. This cannot be done remotely – a call to a manager living off site would be too late to avoid problems developing • Furthermore, the fact that the owners would be in residence to help the security of the surrounding site. Officer comment: The use of the site as a campsite is supported and consequently there is no objection to the extension of the campsite. It is also noted in the report that a site office could be supported to assist in the operation of the site, however for the reasons set out in the report it is not accepted that there is a functional need for someone to live on the site so as to justify a new dwelling in the countryside.	59
Item 6 2019/1940	1) Appendix A was not attached to the Committee Report but is now attached to this Update Sheet. 2) Lobbying letter sent from Poringland Parish Council to Members of Development Management Committee. This letter highlighted three main items: (i) the use of Overtons Way; (ii) danger to pedestrians and cyclists using Overtons Way and Devlin Drive; (iii) the use of the emerging Neighbourhood Plan policies. <u>The use of Overtons Way</u>	65

The Parish Council wishes an accurate study of vehicular movements along Overtons Way to be carried to ensure that it is not considered a residential road.

Officer comment:

It is clear on the ground that Overtons Way serves a mixture of residential, commercial and community facilities and the Highway's Officer is also aware of this (see section 5.18 of the Committee report). However, he did not consider that the amount of traffic likely to be generated would be of such a level to warrant refusal of the application.

Danger to pedestrians and cyclists using Overtons Way and Devlin Drive

The Parish Council has referred to Highway Officer's preference for Plots 2 and 3 to be swapped so that a parking space could be removed from Overtons Way and these vehicular accesses are in locations where children cross Overtons Way on the way to school or nursery.

Officer comment:

The relevant email from the Highway Officer is available to view on the Council's website and it was not the intention of the case officer to shield this from public view. It was however a very regrettable filing error. Swapping Plots 2 and 3 was discussed with the Highway Officer and he confirmed that he does not object to the application in the form that is being considered by Members. Visibility for prospective occupiers of Plots 1 and 2 and users of the highway have been deemed to be acceptable.

Emerging Neighbourhood Plan

Sections 3.4 and 5.4 of the Committee report make it clear that the Neighbourhood Plan is an emerging document that does not form part of the development plan and so carries limited weight at this time.

Officer comment:

The intention of referring to specific policies was to give an indication of those emerging policies that were relevant. To be clear, the application should not be approved or refused based on emerging Neighbourhood Plan policies.

- 3) Further comments received from Company Director of O'Flynn's/Budgens:

If the application is approved, we will need to implement a system to stop all unauthorised car parking, which is a major concern to our business. The road services 10 residential

	properties, a number of commercial units, police station, library and thriving community centre. All of these premises use my car park as well as parents dropping their children off at the nearby school. If the development is approved, this problem will be compounded. Officer comment: Sufficient parking is shown as being provided for each dwelling and it will be up to the developer to manage the construction of the site as appropriate. Should O'Flynn/Budgens wish to implement a system to stop unauthorised car parking, that is a measure that is open to it to take.	
Item 7 2019/2067	Parish Council comments – no objections	73



Appeal Decision

Site visit made on 2 April 2019

by **Graham Wyatt BA (Hons) MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 3rd May 2019

Appeal Ref: APP/L2630/W/18/3214039

**Land adjacent to Overtons Way/Devlin Drive, Poringland, Norfolk
NR14 7WA**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Stephen Litten (The Amari Group) against the decision of South Norfolk District Council.
 - The application Ref 2018/0048, dated 13 December 2017, was refused by notice dated 15 June 2018.
 - The development proposed is described as the "construction of 8 no. new 3 storey, 3 bedroom townhouses with private gardens and parking allocation".
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the development on the character and appearance of the area.

Reasons

3. The appeal site forms a parcel of land that sits between The Street to the east, Overtons Way to the west and Devlin Drive to the south. To the north of the site is a food store and estate agents with associated car parking. The area is generally residential in character and contains a variety of size and type of dwelling. However, in the immediate vicinity are predominantly two storey buildings, some of which have dormers in the roof plane. The appeal site is mainly an unmanaged grass area bound by hedging and trees.
4. The proposal seeks to erect eight dwellings on the site to be arranged as a pair of semi-detached dwellings adjacent to Overtons Way, a terrace of three dwellings in the centre of the site and a further terrace of three dwellings adjacent to The Street. The layout of the development would follow the curve of the site with the principal elevations of plots 1 – 5 facing onto Devlin Drive while the principal elevations for plots 6 – 8 would face onto the roundabout that serves The Street/Devlin Drive/Springfields. The dwellings would be constructed over two storeys with dormer windows in the front roof plane and roof lights in the rear. Garden areas would be provided adjacent to the parking areas which would adjoin the access road to the commercial area to the rear of the site.
5. The appeal site occupies a prominent position on the corner of The Street and Devlin Drive. The design of the dwellings seeks to replicate those properties to be found opposite the site, with flat roof dormers and complementary materials. Although the roofs would contain a half hip design, the appearance of the dwellings

- would be largely in keeping with the general character of the area and I find this particular element acceptable.
6. However, existing properties along Devlin Drive and the surrounding streets have been arranged to ensure that there is a mixture of housing types and styles so that larger buildings, such as those opposite the site, are flanked by smaller buildings to add visual interest and to allow the overall appearance of the dwellings to assimilate into the street scene. The scale of the development and the introduction of a large expanse of blank gable ends which would be visible from Overtons Way and The Street, would result in a discordant and oppressive development that would dominate this part of Devlin Drive and would fail to provide variety and interest to the street scene or make a positive contribution to the overall appearance of the area.
 7. Moreover, a large amount of the rear of the site would be given over to parking areas, some of which would be between the side elevations of plots 2 and 3, resulting in a stark and uncompromising development that would appear constrained, especially when viewed from the car park to the north of the site. The very small garden area for plot 7 adds to my concern.
 8. For these reasons, I therefore conclude that the development would result in material harm to the character and appearance of the area. It would be in conflict with Policy 2 of the Joint Core Strategy for Broadland, Norwich and South Norfolk 2011 and Policies DM 1.4 and DM 3.8 of the South Norfolk District Council Local Plan DMPD 2015 which seek, amongst other things, that development proposals make a positive contribution to local character and distinctiveness and successfully integrates with its surroundings.

Other Matters

9. The Council state that there would be limited ability to manoeuvre in and out of a number of parking spaces. However, it is not identified by the Council which spaces are of concern. While I note that spaces 4 – 7 would be tandem and the inherent inconvenience of such spaces, it is usual that these would be allocated to the same occupier to ensure that vehicles can be moved when needed. Moreover, I note that Norfolk County Council did not object to the development on such grounds, and from my own assessment, I see no reason to disagree.
10. I note that representations which raised additional concerns were made by a local resident and the Parish Council. However, given my findings on the main issues, it is not necessary to consider these matters in detail.
11. The appellant makes reference to the lack of support from the Council during the determination of the application. However, that is not a matter for my consideration as other mechanisms exist to resolve such issues. I also accept that the principle of residential development at the site is acceptable and that it lies close to shops, services and transport links. However, neither this nor any other material consideration that has been advanced outweighs the harm that I have identified.

Conclusion

12. For the reasons given above and having regard to the development plan when read as a whole, the appeal is dismissed.

Graham Wyatt

INSPECTOR

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 Place's final determination.

Major Applications

- 1. Appl. No : 2019/0667/F**
Parish : PORINGLAND

Applicants Name : Mr R Blackham
 Site Address : Land south west of Bungay Road Poringland Norfolk
 Proposal : Demolition of existing buildings and construction of 60 bed care home, 56 extra care apartments and 31 extra care bungalows together with vehicular access, landscaping and communal facilities including cafe bar, restaurant, lounge, gym, salon and spa, bowls green, allotments and multi-functional open space

Decision : Members voted unanimously for **Refusal**

Refused

1 No overriding benefit contrary to DM1.3
 2 Detrimental to character and visual appearance of the area
 3 Harm to rural character of landscape
 4 Does not represent sustainable development, contrary to DM1.1 and NPPF.
- 2. Appl. No : 2019/1963/DC**
Parish : EASTON

Applicants Name : Ms Alison Cornish
 Site Address : Land North and South of Dereham Road, Easton
 Proposal : Discharge of Condition 33 (Design Code) of outline planning permission 2014/2611

Decision : Members voted 8-0 (with one abstention) to **Approval**.

Details Approved – see appendix 1.

Other Applications

3. **Appl. No** : **2019/0635/F**
 Parish : **BARFORD**

Applicants Name : Longwater Properties Ltd
Site Address : Unit 1 Industrial Estate Watton Road Barford Norfolk
Proposal : Application for new hours of operation at Unit 1 - to use machinery during set hours and noise levels during set hours

Decision : Members voted 5-4 for **Deferral**

Deferred.

Reasons for Deferral

To allow for further information on the connectivity of unit 1 to unit 3 and how the business operates between the two units

4. **Appl. No** : **2019/1583/F**
 Parish : **WRENINGHAM**

Applicants Name : Miss Naomi Todd
Site Address : Land adjacent to Wreningham Village Hall, Mill Lane, Wreningham
Proposal : Extension to day room to form study and sitting room. Addition of concrete pad

Decision : This item was **deferred** to a future meeting of the Development Management Committee prior to the meeting.

5. **Appl. No** : **2019/1720/F**
 Parish : **KIRBY CANE**

Applicants Name : Joe, Holly & Ralph Putman
Site Address : Wardley Hill Campsite Wardley Hill Road Kirby Cane NR35 2PQ
Proposal : Erection of single storey manager's dwelling incorporating campsite office with associated car parking. Extension of campsite area

Decision : Members voted 4-3 (with one abstention) for **Refusal**

Refused

- 1 No functional need
- 2 Visual Impact

6. Appl. No : 2019/1940/F
Parish : PORINGLAND

Applicants Name : Mr Stephen Litten
Site Address : Land to the east of Overtons Way, Poringland, Norfolk
Proposal : Construction of 8 No: 5 No. 2-bed apartments (with shared amenity and allocated parking), 2 No. 3-bed detached, 2 storey dwellings and 1 No. 4-bed detached, 2 storey dwelling (with private parking and garden amenity) (resubmission of planning consent 2018/0048)

Decision : Members voted 8-0 for **Refusal** (contrary to officer recommendation, which was lost 2-4 with two abstentions)

Refused

Reasons for overturning officer recommendation

Scale, layout and design of development would result in a dominant form of development that would not integrate successfully with its surroundings, nor make a positive contribution to the appearance of the area.

7. Appl. No : 2019/2067/A
Parish : CRINGLEFORD

Applicants Name : Big Sky Developments Ltd
Site Address : South of Newmarket Road Cringleford Norfolk
Proposal : Proposed signage advertising the adjacent housing development (St Giles Park)

Decision : Members voted 7-0 for **Approval** and to authorise the Director of Place to approve minor revisions to the advertisement content (lettering and design approach) to the Big Sky face of the advertisement, which are expected shortly, subject to no objection from the Highway Authority or Senior Conservation and Design Officer.

Approved with conditions

- 1-5 – Standard Advertisement Conditions
- 6 - In accordance with submitted drawings
- 7 - Temporary Permission