

# Development Management Committee

## Members of the Development Management Committee:

### Conservatives      Liberal Democrats

Mr V Thomson      Dr M Gray  
(Chairman)  
Mrs L Neal  
(Vice-Chairman)  
Mr D Bills  
  
Mr B Duffin  
Mrs F Ellis  
Mr C Gould  
Dr C Kemp  
Mr G Minshull

### Pool of Substitutes

Mrs Y Bendle      Mr D Fulcher  
Mr C Foulger  
Mr J Hornby  
Mr J Mooney  
Dr N Legg  
Mrs A Thomas

### Pre-Committee Members' Question Time

9.00 am      Blomefield Room

## Agenda

### Date

Wednesday 27 February 2019

### 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 also note that if you intend to speak on an application, your name will be recorded in the minutes of the meeting and kept on public record indefinitely.

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 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. A further material planning consideration is the National Planning Policy Framework (NPPF) which was issued in 2018 and its accompanying Planning Practice guidance (NPPG).

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, Mulbarton Neighbourhood Development Plan made in 2016 and Easton Neighbourhood Plan made in 2017, and full weight can now be given to policies within these plans when determining planning applications in the respective parishes.

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, and**
- **Be consistent in the application of our policy**

**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 6)
  
4. **Minutes of the Meeting of the Development Management Committee held on 30 January 2019;**  
(attached – page 8)
  
5. **Planning Applications and Other Development Control Matters;**

(attached – page 15)

To consider the items as listed below:

Item No.	Planning Ref No.	Parish	Site Address	Page No.
1	2018/1658	WRENINGHAM	Land adjacent to Wreningham Village Hall, Mill Lane, Wreningham	15
2	2018/2611/H	FORNCETT	The Granary, Northfield Road, Forncett St Peter, NR16 1JY	40
3	2018/2612/LB	FORNCETT	The Granary, Northfield Road, Forncett St Peter, NR16 1JY	40

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 48)
  
8. **Date of next scheduled meeting – Wednesday, 27 March 2019**

## 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

<b>Fire alarm</b>	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
<b>Mobile phones</b>	Please switch off your mobile phone or put it into silent mode
<b>Toilets</b>	The toilets can be found on the right of the lobby as you enter the Council Chamber
<b>Break</b>	There will be a short comfort break after two hours if the meeting continues that long
<b>Drinking water</b>	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.

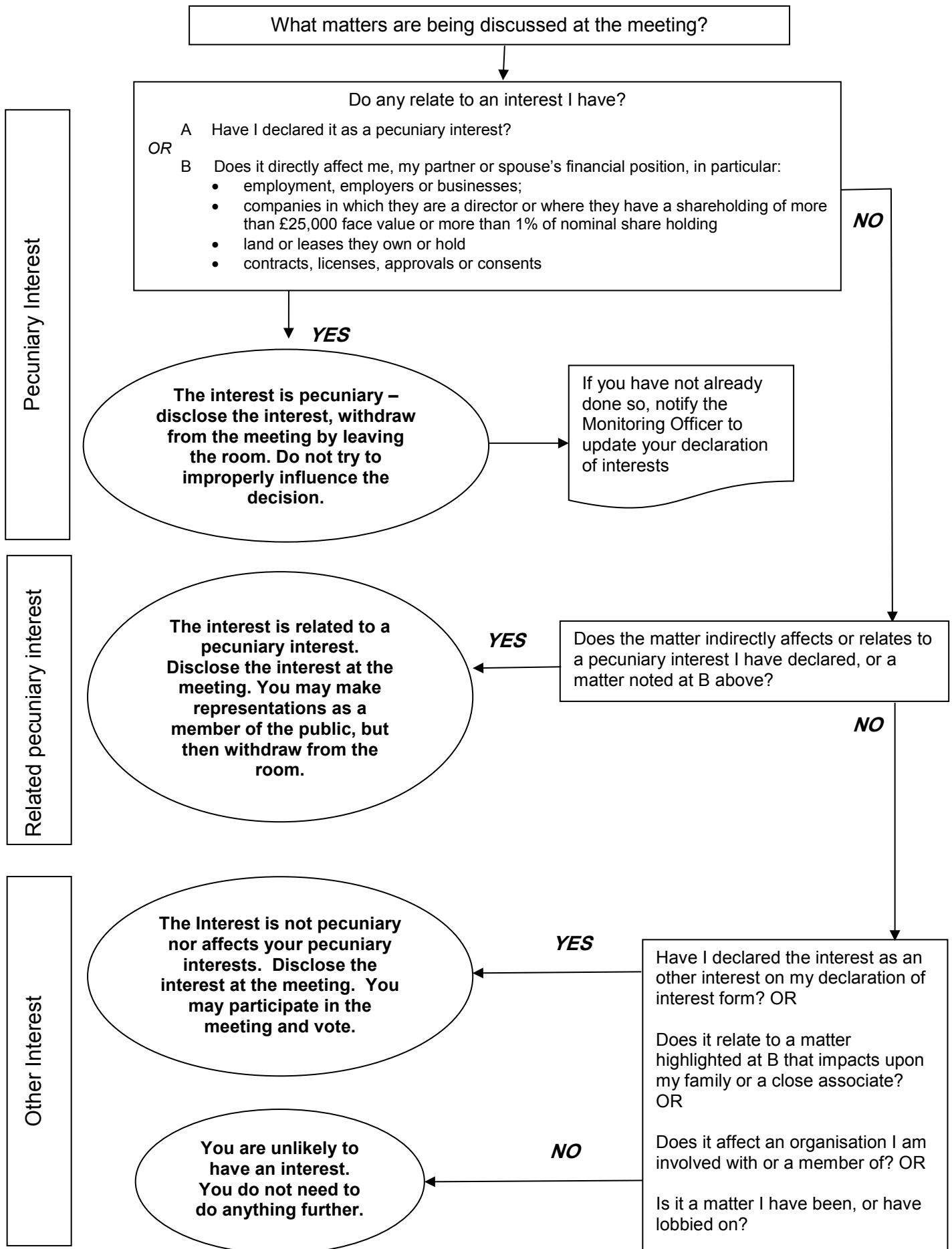
Is the interest not related to any of the above? If so, it is likely to be an other interest. You will need to declare the interest, but may participate in discussion and voting on the item.

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, 30 January 2019 at 10.00 am.

**Committee Members Present:** **Councillors:** V Thomson (Chairman), D Bills, B Duffin, F Ellis, C Gould, M Gray, C Kemp and G Minshull

**Apologies:** **Councillor:** L Neal

**Officers in Attendance:** The Development Manager (H Mellors), the Development Management Team Leader (T Lincoln), the Senior Planning Officers (G Beaumont and C Raine) and the Planning Officer (T Barker)

18 members of the public were also in attendance

### 427. 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
2018/2368/F (Item 1)	BAWBURGH	D Bills	Other Interest Was present at the parish council meeting where this was mentioned, but left the meeting prior to it being discussed
2017/2853/F (Item 2)	DISS	G Minshull	Other Interest As former Leader of the Town Council, Cllr Minshull stepped down from the Committee and took no part in the consideration of this item
2018/2577/F (Item 6)	STARSTON	All  C Kemp  B Duffin	Local Planning Code of Practice Lobbied by the Parish Council  Other Interest Applicant known to Cllr Kemp, who previously acted as an agent during an election in 2011  Other Interest Applicant known to Cllr Duffin



**428. MINUTES**

The minutes of the Development Management Committee meeting dated 8 January 2019 were confirmed as a correct record and signed by the Chairman.

**429. 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
<b>2018/2368/F (Item 1)</b>	<b>BAWBURGH</b>	D Goodman – Parish Council E Griffiths – Agent for Applicant Cllr G Wheatley – Local Member
<b>2017/2853/F (Item 2)</b>	<b>DISS</b>	E Taylor – Town Council M Robson – Agent for Applicant Cllr T Palmer – Local Member Cllr K Kiddie – Local Member
<b>2018/1622/RVC (Item 4)</b>	<b>WYMONDHAM</b>	J Alston - Applicant
<b>2018/2194/F (Item 5)</b>	<b>SWAINSTHORPE</b>	G Frost – Parish Council B Turner – Applicant J Garnham – Agent for Applicant
<b>2018/2577/F (Item 6)</b>	<b>STARSTON</b>	A Leitch – Parish Council S Carter - 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.

**430. QUARTERLY ENFORCEMENT REPORT**

Members noted the quarterly enforcement report.

#### **431. PLANNING APPEALS**

The Committee noted the planning appeals.

(The meeting closed at 12.55pm)

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Chairman

**Updates for DEVELOPMENT MANAGEMENT COMMITTEE**  
**– 30 January 2019**

<b>Item</b>	<b>Updates</b>	<b>Page No</b>
Item 1 2018/2368	No updates	<b>16</b>
Item 2 2017/2853	<p><b>Officer :</b></p> <p>The applicant ecologist has confirmed that the trees to be removed are immature ornamental trees, and do not contain any potential roost features for bats, therefore no further assessment is required. NCC Ecologist confirmed agreement with this assessment and wished to make no further comments.</p> <p>In light of the above, it is considered that reasoned justification has been provided to demonstrate why no survey's had been submitted and the insufficient Ecology information reason for refusal is removed from the officers recommendation.</p>	<b>38</b>
Item 3 2018/0872	<b>DEFERRED</b>	<b>63</b>
Item 4 2018/1622	<p>1 additional letter of objection:</p> <p>Does not consider that the increase to 6 affordable units overcomes their previous objections</p>	<b>92</b>
Item 5 2018/2194	<p><u>Officer's update at the meeting:</u> additional letter of objection received setting out concerns over impact of development on highway safety.</p> <p>For the purposes of clarity, Members are advised that the application site is outside of the development boundary that has been defined for Swainsthorpe and so is in a countryside location. Policy DM1.3(2(c)) of the local plan explains that permission for development in the countryside outside of defined development boundaries will only be granted "<i>where specific development management policies allow for development outside of development boundaries.</i>" For the replacement cottage element of the application, Policy DM3.6 of the local plan permits replacement dwellings in the countryside subject to compliance with certain criteria.</p> <p>In respect of the subdivision of the existing farmhouse into three dwellings, although there is not a specific policy within the development plan relating to the subdivision of existing dwellings in the countryside, paragraph 79 of the NPPF is a material consideration. This states that "<i>Planning policies and decisions should avoid the development of isolated homes in the countryside unless ... (d) the development would involve the subdivision of an existing residential dwelling.</i>" The subdivision of the farmhouse into three dwellings has been assessed with this in mind.</p>	<b>101</b>
Item 6 2018/2577	No updates	<b>109</b>

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.

**Other Applications**

1. **Appl. No** : **2018/2368/F**  
**Parish** : **BAWBURGH**
- Applicants Name : Mr D Greengrass  
 Site Address : Land Adj To Park View New Road Bawburgh Norfolk  
 Proposal : Erection of 1 No. self build dwelling with associated parking
- Decision : Members voted unanimously for **Refusal**
- Refused
- 1 Not sustainable development (NPPF)  
 2 No overriding benefit (DM1.3)  
 3 Reliance on the private car in conflict with policy (DM3.10)

**Major Applications**

2. **Appl. No** : **2017/2853/F**  
**Parish** : **DISS**
- Applicants Name : Marston's Estates Ltd  
 Site Address : Land To The Rear Of Thatchers Needle Park Road Diss Norfolk  
 Proposal : Proposed retail and hotel development.
- Decision : Members voted 7-0 for **Refusal**
- Refused
- 1 Harm the character of the area and the setting of the Conservation Area Design  
 2 Harm vitality of the Town of Diss

**3. Appl. No : 2018/0872/O**  
**Parish : MULBARTON**

Applicants Name : Glavenhill Strategic Land (Number 3) Limited  
 Site Address : Land East Of Norwich Road Mulbarton Norfolk  
 Proposal : Outline Planning Application for up to 135 dwellings, public open space and associated drainage and highways infrastructure

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

**4. Appl. No : 2018/1622/RVC**  
**Parish : WYMONDHAM**

Applicants Name : Mr James Alston  
 Site Address : Land at Chapel Road and Bunwell Road Spooner Row Norfolk  
 Proposal : Variation of condition 2 from planning consent 2016/2424 - To vary the approved plans for the Chapel Road site only, reducing the number of affordable homes from 13 to 6, with associated minor revisions to the layout and design.

Decision : Members voted 7-1 for **Approval**

Approved with conditions

- 1 In accordance with amended plans
- 2 Materials as agreed
- 3 Boundary treatments
- 4 Boundary treatment to the southern boundary on Bunwell Road
- 5 Landscaping management and maintenance arrangements
- 6 Details of roads and footways
- 7 Roads, footways etc to be implemented as agreed
- 8 Roads and footways to be constructed to binder course before occupation
- 9 Visibility splays to be provided
- 10 Off site highway works
- 11 Off-site highway works to be provided
- 12 Footpath improvements Bunwell Road
- 13 Noise and dust management scheme
- 14 Unexpected contamination
- 15 Surface water drainage
- 16 Foul Water drainage
- 17 Ecology mitigation
- 18 10% renewable
- 19 Water efficiency
- 20 Fire hydrant to be provided
- 21 External lighting details to be provided
- 22 Landscaping to accord with agreed

Subject to the expiry of publicity and completion of a Deed of Variation to the original 106 Agreement (in respect only of the affordable housing provision).

**Other Applications**

**5. Appl. No : 2018/2194/F**  
**Parish : SWAINSTHORPE**

Applicants Name : Mr Ben Turner  
 Site Address : Malthouse Farm, Norwich Road, Swainsthorpe, NR14 8PU  
 Proposal : Conversion of existing farmhouse into 3 No. dwellings, demolition of adjoining cottage to rear and construction of replacement cottage and improved access onto A140.

Decision : Members voted 7-1 for **Approval**

Approved with conditions

- 1 Full planning permission time limit
- 2 In accordance with submitted drawings
- 3 Slab level
- 4 External materials
- 5 Submission of hard and soft landscaping scheme
- 6 Management of communal areas
- 7 Ecological mitigation
- 8 Ecological enhancement
- 9 Remove permitted development rights for Classes A, B and E
- 10 Provision of parking and turning areas
- 11 Water efficiency

**6. Appl. No : 2018/2577/F**  
**Parish : STARSTON**

Applicants Name : Mr Samuel Carter  
 Site Address : Land Adj To Brick Kiln Farm Cross Road Starston Norfolk  
 Proposal : Erection of two-storey dwelling

Decision : Members voted 5-4 for **Refusal** (the Chairman used his casting vote)

Refused

- 1 No justification under DM1.3
- 2 Poor connectivity DM3.10

PLANNING APPLICATIONS AND OTHER DEVELOPMENT CONTROL MATTERS**Report of Director of Growth and Business Development****Other Applications**

1. **Appl. No** : **2018/1658**  
**Parish** : **WRENINGHAM**
- Applicants Name : Miss N Todd  
 Site Address : Land adjacent to Wreningham Village Hall, Mill Lane, Wreningham  
 Proposal : The change of use of land to a residential traveller site for one family, involving the retention of one stable building for use as a dayroom, the standing of 2 touring caravans on 2 concrete pads, the installation of 2 outdoor security lights, a sewage treatment plant, a children's play house and post and rail fencing.
- Recommendation : Approval with conditions  
 1 In accordance with submitted drawings  
 2 Gypsy and traveller accommodation  
 3 No more than one pitch and two touring caravans  
 4 No commercial activities, including storage of materials  
 5 Ecological mitigation  
 6 Ecological enhancement  
 7 Lighting plan  
 8 Trees and hedges to be retained  
 9 Foul water disposal to package treatment plant

Reason for reporting to committee

The application is referred to Development Management Committee at the request of Cllr Hardy for the reasons set out in section 3 below.

- 1 Planning Policies
- 1.1 National Planning Policy Framework (NPPF) 2018  
 NPPF 02 : Achieving sustainable development  
 NPPF 04 : Decision-making  
 NPPF 05 : Delivering a sufficient supply of homes  
 NPPF 09: Promoting sustainable transport  
 NPPF 12 : Achieving well-designed places  
 NPPF 14 : Meeting the challenge of climate change, flooding and coastal change  
 NPPF 15 : Conserving and enhancing the natural environment
- 1.2 Planning Policy for Traveller Sites (PPTS) 2015
- 1.3 Chief Planner's Letter 31 August 2015: Green Belt Protection and Intentional Unauthorised Development
- 1.4 Joint Core Strategy (JCS) for Broadland, Norwich and South Norfolk 2011/2014  
 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

- 1.5 South Norfolk Local Plan (SNLP) Development Management Policies Document 2015  
 DM1.1 : Ensuring Development Management contributes to achieving sustainable development in South Norfolk  
 DM1.3 : The sustainable location of new development  
 DM3.3 : Gypsy and Traveller sites  
 DM3.8 : Design Principles applying to all development  
 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  
 DM4.4 : Natural environmental assets – designated and locally important open spaces  
 DM4.5 : Landscape Character Areas and River Valleys  
 DM4.8 : Protection of Trees and Hedgerows

2. Relevant Planning History

- |     |           |   |          |
|-----|-----------|---|----------|
| 2.1 | 2017/1979 | Change of use to paddock and erection of stable           | Approved |
| 2.2 | 2017/2831 | Change of use to paddock and erection of stable (revised) | Approved |

3. Consultations (responses in summarised form)

- 3.1 Parish Council

**Comments on plans submitted on 23 July 2018:**

Objects.

Information is missing from the application and there are also many errors and factual mis-statements within the application form.

The Parish Council cannot understand why SNC feels able to assess the application when it contains so many incorrect statements and has little supporting documentation.

The Parish Council objects to the application on the grounds of highway safety. Mill Lane is a narrow, rural lane, with no designated passing places. Access is certainly not adequate for the touring caravans. Particularly at school dropping off and picking up times, the traffic congestion is already a concern, meaning that the school asks parents to adopt an informal one way system when collecting or dropping off children. Given the lack of passing places on Mill Lane, any encounter with a touring caravan will cause issues. The Parish Council notices that there is already damage to the verge opposite the site, caused by vehicles leaving the site, as there is clearly inadequate space for vehicles of this size. The site does not provide adequate access to services. There is no doctor's surgery or dentist in the village and no shop. The lack of access to services is contrary to the recommendations in the South Norfolk Gypsy, Traveller and Travelling Showpeople Accommodation Assessment undertaken in June 2014.

The site is not sustainable. There are no cycle paths in the area, no pavement and very little access to public transport. The site is clearly contrary to policies requiring development to be in sustainable locations. Given the lack of public transport in the area, the applicants will be using motor vehicles for their movements.



The Parish Council is concerned that no information is available on how the applicant will manage foul and surface water. A nearby watercourse is a tributary to the River Tas and flows beside two County Wildlife Sites and through marshland and meadows downstream. Part of the site is within Flood Zone 3 and part in Flood Zone 2.

The site is outside of the development boundary. It is a green field site, not a brown field site. It is near and adjacent to two County

Wildlife Sites which, in policy terms, are designated sites near which development is not approved.

The Parish Council believes the site will have an adverse impact on visual amenities. The site already has large gates and fences which isolate the site from the immediate area. The proposed development is out of character with the surrounding area.

The Parish Council believes a full ecological assessment of the site is vital before the application can be properly considered. There has been no assessment of whether any protected species are in the area. Residents have already reported that little owls, previously regularly seen at the site, seem to have disappeared. There seems to be external lighting on at all times during the night at the site, which is a form of light pollution

It should be noted that at no stage has the application site been specifically designated as a travellers' site within the development plan. It is unclear whether or not the applicant is claiming traveller status. The Parish Council understands that the applicant lived within the settled community at Little Melton. It should also be noted that the South Norfolk Plan Development Management Policies Document confirms *"There is a preference for development to be located within sustainable settlements and on previously developed land ..... for example a potential source of sites could be redundant agricultural yards ..... although such a redundant yard would fall outside of the definition of previously developed land it may be suitable and preferable to the development of a new greenfield site"*. The site in question does not fall into any of these categories having previously been meadowland. Its suitability is therefore outside of your own recommendations.

Approving this change of use would set a dangerous precedent for others who may wish to also build a residential dwelling by bypassing the normal planning regulations.

This meeting was attended by 116 residents who were unanimous in their objection to the application. Whilst understanding that it does not form a material objection, the Parish Council must report that the feeling amongst residents was that they have been let down by the District Council, who have not taken any enforcement action at the site when the existing buildings do not adhere to the plans as per the initial planning application. The Parish Council understands that a Temporary Stop Notice can be issued by a local council if there has been a breach of planning control and it is expedient that the activity should be stopped immediately. The Parish Council believes that a stop notice should have been issued as soon as it became apparent that activities on site breached the

existing planning permission. The Parish Council has an ongoing concern that further ecological and environmental damage may be caused whilst the application is being considered, which cannot ever be put right, should the application be refused.

**Comments on supporting information and plans submitted on 30 October 2018:**

The posting of the Supporting Statement (30 October 2018) includes the claim that the applicant is a traveller and the application should be dealt with under appropriate rules relating to this. This claim is refuted by the parishioners who have evidence that the applicant does not meet Traveller criteria. However, as at 1 November, SNC had not received, nor validated any evidence about this status. Notwithstanding a successful acknowledgement of the claimed status, this site remains outside SNC's DM3.3 requirements. It is:-

- not on previously developed land, old hardstandings or agricultural yards;
- not on a main traveller route;
- not within the Local Plan for residential use;
- has poor access along Mill Lane;
- not the only site available for travellers;
- established as an isolated plot from the community.

The application is a significant departure from the previously approved stable and paddock. It is for a travellers' site and encompasses several concrete pads, several caravans, mobile homes, hard standing, sewage treatment plant, day room, children's play room, security lighting and fencing.

The applicant has pressed on with developing the site without planning permission for:-

- residential occupation – two caravans have been on site for many months; occupied by the applicant, her family and others;
- use of a “day room” - the stable, which was never lawfully brought into use, is now in use with the caravans as part of residential activities;
- sewage treatment plant – installed and in use.

Comments on Supporting Statement including Design and Access Statement:

- It is undefined in this document what one traveller family is or indeed how extensive;
- The site is not just outside the village development boundary; it is wholly outside;
- The stable has never been used for its lawful purpose;
- The turning area approved as part of the previous application became a third of the field and well beyond the turning circle envisaged;
- The play house is undefined as to material of construction, design, height, fitments, plumbing, electricity, etc. This is a large construction;
- The security light is on most of the time. Even if allowed, the light pollution from the two security lights needs to be strictly limited as this is in a wildlife area;

- The stream on the eastern side of the site is a ditch. Has the landowner of the adjacent land been advised? What permissions are in place to permit such discharge?
- The site is very poor quality land and is unfit for grazing for two reasons: (1) there is not enough there for one pony to be fed; (2) the land is water meadow and is often waterlogged especially in the section designated by this application as grazing. The area of land designated for “grazing” is close to a flood zone 2 / 3 listing in the Environment Agency flood map;
- The applicant cannot become homeless when this application fails, because the applicant and her family were homed elsewhere prior to her father purchasing this land;
- There are plots available at the official sites;
- The application site is not the last and only available option to the applicant. There are spaces in other official sites as well as on her family’s own sites;
- The applicant herself has prime responsibility for the welfare and safety of her children. Why move them when they are, by her account, settled where they are?
- Intentional unauthorised development is a material planning consideration – see recent ministerial written answer in the House and recorded in Hansard (19th October 2018) to this effect.

**Comments on Ecology Report, amended site plan and additional information submitted on 7 December 2018:**

Object.

Despite all the variations submitted by the applicants, our objection remains simply stated:

- this application is an attempt to regularise unauthorised development on site
- the land concerned is not residential
- the land concerned is outside the development boundary for this village
- the ethnicity argument is not proven nor relevant and can be discounted.

This Council requires SNC Planning Committee to reject this application and requires the applicant to return the land to the state approved. This position is supported by a substantial number of residents who have maintained their objections at each twist and turn of this ever changing application.

- Information submitted does not provide evidence, only an assurance or assertion
- Visiting to stay with a family friend is not evidence of being a traveller
- The work travelling described could be that of another occupation
- There are pitches available on public sites
- The Ecology Report has only focused on the hardcore part of the site. It is not a comprehensive review of potentially affected important sites

- The play house has not been fully described
- The application site is jointly owned by the applicant and her father.

3.2 District Councillor  
Cllr P Hardy

**Comments on plans submitted on 23 July 2018:**

I am concerned about the above planning application for the following reasons:

I do not believe this site, which consists of meadow, is suitable for any kind of residential development.

My objections are primarily regarding the suitability of the site. It is on meadow land - ecologically rich and not previously developed – adjacent to a county wildlife site therefore I shall be very interested in hearing our ecology officer's response. Access to services that cater for day to day needs is not ideal because there is no doctors surgery, shop for day to day needs or a full set of schools in close proximity to the site. They are certainly not walkable. Reliance on the car would be needed and I wonder if there is a better more conveniently located site that could better meet the applicant and her family's needs.

I would also ask Committee to consider highways issues as Mill Lane is narrow and has restrictions in place already for large vehicles.

I wholeheartedly believe all responsible local authorities need to provide travellers sites to meet demand in their areas but I have serious reservations regarding the suitability of this site by today's stringent sustainability standards for the reasons I raise.

Remember: the harm of the scheme must outweigh the benefits if you are to refuse it and I would appreciate you as a Committee robustly exploring all the areas of concern raised by the local community during this process.

I urge Committee members to consider these areas of concern together with the other objections posted to the website from local people who have focused on the material planning considerations relating to this proposal. They are all valid concerns and Committee must consider these in light of the statutory consultee responses that come in relating to these areas.

**Comments on supporting information and plans submitted on 30 October 2018 and Ecology Report, amended site plan and additional information submitted on 7 December 2018:**

I have looked at the revised plans and I still object to the application for the following reasons:

- this application is an attempt to regularise unauthorised development on site. There was never an intention for the site to be used as a stable and the planning system was manipulated so the approved stable could develop into a traveller site.

- The land concerned is outside the development boundary for Wreningham and the village itself is too remote from services and facilities for day to day needs. Whilst there is a school, other schools much further away would be required in future.
- As such, there would be an over-reliance on the private car to access services such as schools, doctors, dentist, supermarket etc.

I would be interested in hearing from Norfolk County Council to hear their opinion regarding the ecology report received.

The applicant is entitled to have her application assessed in line with national and local planning policies. The local community has always stuck to material planning considerations and this application must be determined by the Planning Committee weighing up the harm and refusing it if the harm outweighs the benefits. I believe the harm outweighs the benefits for the reasons stated.

3.3 NCC Highway  
Authority

**Comments on plans submitted on 23 July 2018:**

No highway objections are raised to the retention of the building for use as a day room and a single mobile home. However, there is concern for the stationing of two touring caravans at the site. Whilst it is accepted that a resident of a dwelling or mobile home would have the right to park a touring caravan within their grounds, there would be no right to live in that caravan apart from under permitted development rights. Granting formal consent for touring caravan(s) could result in the touring caravan(s) being permanently parked on the site and may result in additional families staying at the site on an extended basis thus generating additional traffic. If consent is granted for a touring caravan, then that should be specifically for the touring use of the occupier of the mobile home.

Current regulations permit caravans of up to 2.55m wide to be trailed by any car and therefore to allow two such combinations to pass, a carriageway width of around 5.5m would typically be required to achieve safe passage of two caravans to pass each other. Carriageway widths should be appropriate for the particular context and use of the road. Mill Lane in many places falls considerably short of the above recommended road width.

When two towing vehicles meet on this restricted network of roads, vehicles approaching from opposite directions would generally have to slow down and probably stop. One of the two approaching vehicles may need to reverse in order to manoeuvre and pass. Whilst this is not so difficult in a light vehicle, this is more difficult when towing and more of a safety hazard to other road users.

Object to the provision of two touring caravans being stationed at the site as doing so would increase the propensity for touring caravans to meet each other along the route at places with limited passing provision.

**Comments on supporting information and plans submitted on 30 October 2018 and amended site plan and additional information submitted on 7 December 2018:**

The proposal has been reduced from 3 potential residential units to 2. You will note from my comments of 5 September 2018 that whilst the use of the site with a mobile home did not concern us too much, there is concern with regards to the use of Mill Lane by touring caravans. We do not consider that Mill Lane is suitable for the constant comings and goings of touring caravans.

In the event that a consent is granted for this site based on the current proposal, it is therefore our considered opinion that one of the caravans should be a fixed unit with the other being specifically for the purpose of travelling by the occupying family. No additional touring caravans to be based on the site.

3.4 NCC Ecologist

**Comments on plans submitted on 23 July 2018:**

There is currently no supporting information on ecology, i.e. existing habitats or protected species surveys for us to offer any advice on the planning application.

The site adjoins a watercourse along the south west boundary and there are also hedgerows / mature trees and rough grass on the site which will need assessment for potential protected species issues, therefore an ecological assessment will be required to accompany the planning application.

The site is also approximately 25 metres from a County Wildlife Site (CWS.66 Wreningham Hall Meadow), which further increases the need for issues regarding ecology to be assessed.

As such, I recommend that the applicant is asked to provide further information on the current features and potential /or not for protected species to be present. This may lead to a requirement for further specific surveys to take place at an optimal time of year.

**Comments on Ecology Report submitted on 7 December 2018:**

CNC Building Control has signed off the proposed sewage treatment plant (WPL Diamond Package Treatment Plant) and therefore the sewage plant must be considered fit for purpose. This is not our area of expertise. As such, if you are minded to approve this application, we recommend that you condition that the development must proceed in line with the mitigation and enhancement measures outlined in sections 7 and 8 of the Ecology Assessment (Wild Frontier Ecology; November 2018).

3.5 Norfolk Wildlife Trust

**Comments on plans submitted on 23 July 2018:**

No planning decision should be made until a decision has been made as to whether an ecological assessment should be carried out to include impacts on the application site itself and on the adjacent County Wildlife Site.

**Comments on Ecology Report submitted on 7 December 2018:**

We support the comments made by the NCC ecology team on 14 January, which recommend the mitigation measures set out in the ecology assessment submitted with the application.

3.6 Natural England No comments received.

3.7 SNC Water Management Officer **Comments on plans submitted on 23 July 2018:**

The site is identified as being at risk of flooding from a surface water flood flow path for the high, medium and low risk events. Depths are shown as being below 300mm for all events. The surface water flood risk extends across the whole of the site and includes the access and egress and highway. The proposed development adjacent to the western boundary is in an area of high risk (up to the 1 in 30 year event). It is not clear from the site plan whether this is the location of the day room or hardstanding. We would request that a basic flood risk assessment is undertaken to demonstrate how surface water flood risk will be managed.

In relation to foul water disposal, recommend the imposition of a planning condition requiring foul drainage to be to a sealed system or private treatment plant only.

**Comments on supporting information and plans submitted on 30 October 2018 and amended site plan and additional information submitted on 7 December 2018 and 31 January 2019:**

I can confirm that the information submitted answers the queries previously raised.

3.8 UK Power Networks No comments received

3.9 NCC Gypsy Liaison Officer Comments submitted via agent:

I have been asked to send this email on behalf of Naomi Todd who has a planning application for a piece of land at Wreningham lodged with yourselves.

In my capacity of Gypsy Roma Traveller Adviser for Norfolk County Council I have known Naomi and her extended family for at least ten years. I have worked with Naomi and her partner Christy Sweeney in school when they were children in primary and secondary education.

As a Service we do not work with any children or families that are not from the Gypsy Traveller communities.

3.10 The Gypsy Council No comments received

3.11 National Travellers Action Group No comments received

3.12 Other  
Representations

**Comments on plans submitted on 23 July 2018:**

102 comments received objecting to the application on the following grounds:-

- Outside development boundary.
- The scale of the site is too dominant for the location.
- The scale of development will have an overbearing and oppressive impact on the surrounding area.
- The land is not designated as residential.
- Approving this development will set a precedent.
- The site is in the greenbelt.
- There has been no intention to integrate into the landscape or community.
- Out of keeping with neighbouring properties.
- Not sufficiently far enough away from local residences.
- Original plans a means of avoiding due process.
- No respect for planning system.
- Total disregard for planning law.
- The stable is at variance with the approved plan.
- Stable and paddock not legally established.
- The stable constitutes a residential property.
- Site should be restored to stable and grazing.
- No design and access statement submitted.
- Application form misrepresents facts.
- Should ensure applicants are bona fide travellers.
- The conditions imposed by the previous planning permissions have not been met.
- Two concrete pads for tourers could accommodate mobile homes.
- Development is for multi-occupancy residential use.
- There will be 1 or 2 vehicles per family.
- Should be considered major development due to numbers proposed.
- Local school is full.
- There are no shops and doctors within the village. They are located some distance from the site.
- Elderly peoples home nearby.
- There is a limited bus service serving the village.
- Impact on playing field access.
- Unattractive residence.
- Site is at the heart of the village and is not in keeping with it.
- Does not enhance surroundings.
- No respect for environment.
- Blot on the landscape.
- Harmful impact on important wildlife corridor.
- The meadows adjacent to the site should be valued and preserved.
- The site is wet grazing meadow.
- Field is one of the last local areas of natural environmental beauty.
- Natural habitat for wildlife.
- Site is on regular walking routes.
- Impact on designated County Wildlife site.
- Native hedge destroyed.
- Inappropriate Laurel hedge planted.
- Protected bird (turtle dove) heard on the site before works carried out.
- Noise and light disturb wildlife.



- Destruction of flora and fauna irreparable.
- Potential to pollute stream.
- Concerns with regard to disposal of sewage.
- Wreningham has existing drainage issues.
- Increase flood risk elsewhere.
- Site sits on a flood plain.
- The field is subject to flooding.
- Site entrance is in a dangerous position.
- Number of new houses in Wreningham is restricted due to the highway network not being suitable.
- Road unable to cope with volume of traffic using it.
- Narrow lane with no designated passing places.
- Road not suitable for passing of caravans or towing vehicles.
- Unsafe for walkers, cyclists and other road users if touring caravans. attempt to drive down lane and negotiate dangerous junction with the B1113.
- Junction with B1113 is a recognised accident black spot.
- Road unsuitable for heavy vehicles.
- Increase in traffic on all roads.
- Significant damage to grassy verge already outside site.
- Concerns regarding pupils and parents travelling to the school.
- Infrastructure does not support development.
- The gates that have been erected are out of keeping with area and give the impression of secrecy.
- Gates block view into site and give an isolating appearance.
- Light pollution.
- Devalue property prices.
- The site is close to the village hall and could lead to further complaints and noise restrictions for users of the hall.
- The presence of overhead electricity lines makes the field wholly unsuitable for anything other than stable with horses.
- The hardstanding is inert waste which is often contaminated and should comply with quality protocol.
- Villagers' health and wellbeing already affected.
- A five year supply for traveller sites exists with space on several sites.
- If the application is approved, it is reasonably foreseeable that further development on site will follow.
- If allowed, what is to stop rest of Mill Lane and wider village being covered with hardcore and concrete totally destroying the pleasure of the village.
- How can the applicant's future intentions be trusted following their breach of existing planning application.
- To support the application condones wrongful behaviour.

**Comments on supporting information and plans submitted on 30 October 2018:**

54 comments received objecting to the application on the following grounds:-

- Previous concerns reiterated.
- Allegations of bullying and victimisation are rejected.
- Wreningham Primary School, in addition to its outstanding performance credentials has an active policy of equality, inclusion and anti-bullying.

- The applicant has still not proved her traveller status but if it is proven policy highlights priorities that this site fails to meet:
  - It is not on previously developed land, old hard standings or agricultural yards.
  - It is not on a main traveller route.
  - It is not within the Local Plan for residential use.
  - It has poor access – as highlighted by the Highways report, which concludes its suitable for only 1 caravan.
  - This is not the only site available or suitable. Other sites are available within the Local Plan which the applicant could purchase and make a planning application.
- Application appraisal must ensure fair and equal treatment for all. That is to say Wreningham residents as well as the applicant.
- Government guidance clearly states traveller status, in itself, is not enough to override development plan policies.
- The applicant's personal circumstances, evidenced status and the interests of her children should rightly factor and have some weight in the decision making process. That said, the more emotive arguments should not override the due process.
- The collective weight of intentional unauthorised development, negative DM3.3 and ecological considerations suggests this application gets rejected.
- If it were the Planning Committee's judgement to approve the application, in some form, I would encourage it to place clear and enforceable conditions on that approval to stop further intentional unauthorised development.
- The imposition of planning conditions might balance the applicant's real nuclear family needs, the local community's concerns, rights and sense of fair play and planning guidance and policy.
- Concerned plans will bypass due process and that SNC Planning Department and the village will be left with a fait accompli.
- Democratic planning process has been ignored.
- In matters of planning as with other regulations there should be equality for all members of society with no favours or exceptions.
- South Norfolk Council has failed in its duties and also let down the rate payers of Wreningham.
- View of meadow land would be irretrievably damaged.
- Would like assurances that the package treatment plant will be serviced according to the manufacturers recommendations and that the log book is available to be viewed by officials.
- Stable has multiple rooms, how can it be defined as a day room?
- Contents of application are irrelevant as planning permission has never been approved for current use of site.
- A pony has never been kept on site.
- The applicant's family own sites locally so the applicant will not be homeless if the application fails.
- No objection to the race of applicant and family.
- Planning Committee should make a site visit to make a fully considered decision.
- The application should be treated in the same as any other development for residential development. The village neither needs nor can cope with it.
- Children's playhouse – would a constraint be placed on it to prevent further change of use to another stable/day room.
- A Stop notice should have been implemented.
- Light pollution is unnecessary.

- Intentional unauthorised development is a material consideration.
- The application has not been dealt with in a timely manner.

**Comments on Ecology Report, amended site plan and additional information submitted on 7 December 2018:**

20 comments received objecting to the application on the following grounds:-

- Comments referred to above were largely reiterated but in addition:
- Cannot understand why it has taken such a long time to determine this application.
- Plans are inaccurate and questions remain unanswered.
- There is no evidence that the applicant and her partner are travellers.
- There has been ongoing creeping development.
- Tarmac chippings may be toxic.
- The ground levels of the site were not raised to address flood risk as part of the previous planning permissions.

#### 4 Assessment

##### *Background*

- 4.1 In general planning terms, the JCS puts forward a settlement hierarchy which identifies main towns, key service centres, service villages, other villages, smaller rural communities and the countryside. The JCS and SNLP put forward policies which apply to the various settlements, depending on their scale and the facilities and services that exist, to contribute to the sustainable development of the plan area. Within this framework, Policy DM1.3 of the SNLP stresses that development in the countryside outside of defined settlement boundaries will only be accepted if it accords with other policies (criterion (c)) or demonstrates other benefits in terms of social, economic or environmental dimensions (criterion ((d))).
- 4.2 The application site is located to the southeast of Wreningham Village Hall on the southwestern side of Mill Lane outside of the development boundary that has been defined for the village (which is classed as a service village by Policy 15 of the JCS). It is accessed via 1.8m high wooden gates at the northern end of the front/northeast boundary and comprises tarmac chippings, two touring caravans, a day room and a package treatment plant. The meadow to the south is outside of the application site but is owned by the applicant.
- 4.3 Boundary treatments comprise trees and a mature hedge along the front/northeast and side/east boundaries. The northwest boundary with the village hall has been planted with laurel and although of varying density and continuing to mature, the hedge is generally 2m high. Ditches run along part of the side boundaries of site and continue to run alongside the applicant's meadow to the south. Ground levels slope very slightly across the site and levels are below those of the village hall car park to the northwest.
- 4.4 Neighbouring properties comprise the applicant's own meadow to the south, agricultural land to the east, woodland to the southwest (a County Wildlife Site) and Wreningham Village Hall and its car park to the northwest.
- 4.5 In respect of the planning history of the site, planning permission was granted in October 2017 to change the use of the land to a paddock and to erect a stable (application ref. 2017/1979). A revised application (ref. 2017/2831) was approved in January 2018, which proposed a larger stable that accommodated a toilet and wash basin. This planning permission required details of foul water disposal to be submitted for approval prior to

development starting and Members may recall that a report was referred to Development Management Committee in October 2018 as this condition had not been complied with. At that time, Members accepted the officer recommendation that this represented a minor breach of planning control and no further action was deemed necessary.

- 4.6 The applicant has resided on site since July 2018 and so the current application is a retrospective application. Since July, a sewage package treatment plant has been installed and work has been undertaken on the previously approved stable to provide a day room. For members' information, the stable building has never been used as a stable. It was empty when constructed and when the application was first submitted but has since been fitted out as a day room.

*Need for and supply of Gypsy and Traveller sites locally*

- 4.7 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. Such considerations include the NPPF and the Planning Practice Guidance. Of particular relevance are paragraphs 60 and 61 of the NPPF. Paragraph 60 explains that to determine the number of homes needed, strategic policies should be informed by a local housing need assessment, conducted using the standard method in national planning guidance. Paragraph 61 explains that within this context, the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies, with travellers being explicitly referenced.
- 4.8 Footnote 25 to NPPF paragraph 61 references the Government's Planning Policy for Traveller Sites (PPTS), which sets out how travellers' housing needs should be assessed for those covered by the definition in Annex 1 in that document. Policy A of the PPTS outlines that in assembling an evidence base necessary to support their approach, local planning authorities should co-operate with relevant representative bodies and interest groups to prepare and maintain an up to date understanding of the likely accommodation needs of their areas (working collaboratively with neighbouring authorities) and use a robust evidence base to establish accommodation needs to inform the preparation of local plans and make planning decisions.
- 4.9 Amongst other things and of relevance to this application, Policy B of the PPTS explains that local planning authorities should set pitch targets for gypsies and travellers who meet the definition in Annex 1 of that document and identify and update annually a supply of specific deliverable sites sufficient to supply five years worth of sites against locally set targets and also identify a supply of specific, developable sites or broad locations for growth for years 6-10 and where possible years 11-15.
- 4.10 Elsewhere, the PPTS states that it is the Government's aim to ensure fair and equal treatment for travellers in a way that facilitates their traditional and nomadic way of life while respecting the interests of the settled community (paragraph 12). It states that traveller sites should be sustainable economically, socially and environmentally (paragraph 13). It also states that local planning authorities should ensure that traveller sites in rural areas respect the scale of and do not dominate the nearest settled community and avoid placing an undue pressure on the local infrastructure.
- 4.11 In terms of planning policy at a local level, Policy 4 of the JCS identifies the requirements to provide permanent residential traveller pitches across the plan area and in South Norfolk the target for provision was set at 28 permanent pitches between 2006 and 2011 and 38 permanent pitches between 2012 and 2026. These figures were taken from the 2008 Single Issue Review which was undertaken as part of the now revoked East of England Plan. Policy 4 and the supporting text to it recognised that this Plan was about to be revoked and set out that new targets for permanent residential and transit pitches for the period after 2011 will be set based on local evidence.

- 4.12 Local level research has been undertaken since the adoption of the JCS and the most up to date evidence was published in October 2017 in the *Norfolk Caravans and Houseboats Accommodation Needs Assessment (ANA) including for Gypsies, Travellers and Travelling Show People*. This was jointly commissioned by the Broads Authority and the Councils of South Norfolk, Norwich, Broadland, Great Yarmouth and North Norfolk. This document was prepared as an evidence base for policy development in housing and planning and will be used as part of the evidence base for the forthcoming Greater Norwich Local Plan. The document has been considered, accepted and signed by the directors/leaders of each authority. A key element of the ANA was the stakeholder consultation that was undertaken with the gypsy and traveller community within Norfolk to understand their accommodation needs currently and in the future together with modelling of need based on current best practice issued by the Department for Communities and Local Government (now the Ministry of Housing, Communities and Local Government). In terms of the gypsy and traveller part of the assessment, it has taken account of the requirements set out in the PPTS in respect of the provision of a supply of adequate sites. The ANA advocates two different options for identifying suitable provision for the period 2017-2036; option 1 is for a supply 'based on households who have not ceased to travel permanently' and option 2 which is a supply 'based on those who only travel for work purposes'. In light of current case law, the Greater Norwich authorities agreed to use the figures provided by Option 2.
- 4.13 By way of providing a complete picture, the identified need for Gypsy and Traveller pitches is set out in Appendix 1 of the ANA. These show that in Greater Norwich, the five year need (2017-2022) under option 1 is 15 plots (average 3 per year) and the need for the remaining 15 year period between 2022-2036 is a further 45 pitches (average 3 per year). Under option 2, the five year need (2017-2022) is -2 plots and the need for the remaining 15 year period between 2022-2036 is a further 33 pitches (average 2.2 per year). It should be noted that these requirements are across the wider Greater Norwich comprising Broadland, South Norfolk and Norwich City and are very low per year for option 1 and for option 2, the supply exceeds demand for the first 5 year period so no further sites are required to be provided.
- 4.14 There is a requirement to demonstrate a five year supply of pitches for Gypsies and Travellers. For the current period of 2017-2022, the total current (and expected) supply exceeds need by two pitches and therefore there is in excess of a five year supply. Pitches for the years 2022-2027 and beyond are not currently identified but will be expected to be made up through a combination of windfall sites and addressed through the Greater Norwich Local Plan process. However, to avoid relying heavily or wholly on allocated sites, officers consider that it is important for there to be a flow of windfall sites in appropriate locations to contribute towards meeting the five year supply.
- 4.15 In respect of the weight that can be given to the ANA, in determining an appeal for a single traveller pitch in Weston Longville in the Broadland district (appeal ref. APP/K2610/W/17/3189064) in August 2018, the Planning Inspector acknowledged that the ANA has not been subject to independent scrutiny and will not be formally tested comprehensively other than as a background paper to the emerging GNLP, which will be examined in due course. With that in mind, he limited the weight that he could give to the ANA at this time. However, despite his reservations, the Inspector also stated that it appeared to him that this is the best available published evidence on the five year need for gypsy and traveller sites.
- 4.16 Although the current supply of pitches exceeds the identified need, this does not preclude the ability of the Council to approve applications for new pitches in appropriate circumstances to ensure future need is met and the supply of pitches can be maintained. Policy DM1.3(2) of the SNLP permits development in the countryside outside of defined development boundaries for settlements where: (c) specific development management policies allow; or (d) the development otherwise demonstrates overriding benefits in terms of the economic, social and environmental dimensions of sustainable development.

- 4.17 Policy DM3.3 of the SNLP refers to proposals for Gypsy and Traveller sites inside and outside of development boundaries and sets out the key considerations and requirements that proposals should be assessed against. These are listed below:-

Key considerations

- a) The scale of the site should not dominate the nearest settled community;*
- b) The development should be well planned to provide open space and facilities for the needs of occupiers and to meet national design guidance and site management experience. The site should include the provision of satisfactory foul and surface drainage, water supply and utilities, and avoid boundary structures that give a deliberately isolating appearance to the site;*
- c) Sites for mixed residential and business uses must be suitably designed with regard to the amenity of the occupants, the neighbouring community and protection of the local environment;*
- d) The development should not have a significant adverse impact on heritage assets and their setting or the character and appearance of the landscape and should be sited and designed to integrate into the local landscape, with good screening by vegetation and / or landform;*
- e) The site should not be allocated in the Local Plan for a non-residential purpose, and there is a preference for sites located on previously developed land or previously occupied agricultural yards and hard-standings;*
- f) The site should not be so isolated from settlements that the occupiers cannot gain convenient access to schools and facilities to meet their daily needs;*
- g) Consideration should be given as to where there is adequate capacity available in local infrastructure and services and potential measures to remedy any lack of capacity; and*
- h) The proposed site should have suitable route(s) of access for the occupiers.*

Requirements

*In addition to the above key considerations, proposals will not be approved in circumstances where the proposed development is:*

- i) Located in an area of Flood Zone 3 or on a site in Flood Zone 2 where an exception test concludes that development is not appropriate or*
- j) On or nearby a site designated as an International, National or County-wide environmental asset, where those areas will be unacceptably harmed (see Policy DM 4.4 and DM 4.5) or*
- k) On a site unsafe for continuous occupation because of:*
  - site contamination or*
  - localised pollution levels or*
  - unsafe site access or*
  - other reasons of health and safety (see Policy DM 3.14); or*
- l) Individually or cumulatively with other nearby approved or allocated Gypsy and Traveller site(s) is disproportionate with the size and density of the surrounding population or*

*m) Will have serious adverse impacts that would significantly and demonstrably outweigh the benefits when assessed against the Policy DM 1.1 and the Local Plan as a whole.*

*For clarification, criteria c, e and k of this policy are of limited relevance to this proposal as a mixed use development is not being proposed, the site has not been allocated for non-residential purposes and there are no known contamination or pollution issues at the site.*

*The Traveller status of the applicant and personal circumstances*

Annex 1 to the PPTS defines gypsies and travellers as:

- 4.18 *Persons of nomadic habit of life whatever their race or origin, including such persons who on grounds only of their own or their family's or dependants' educational or health needs or old age have ceased to travel temporarily, but excluding members of an organised group of travelling showpeople or circus people travelling together as such.*
- 4.19 The PPTS explains further that in determining whether persons are gypsies and travellers for the purposes of this planning policy, consideration should be given to the following issues amongst other relevant matters:
- a) whether they previously led a nomadic habit of life
  - b) the reasons for ceasing their nomadic habit of life
  - c) whether there is an intention of living a nomadic habit of life in the future, and if so, how soon and in what circumstances.
- 4.20 Information submitted in support of the application has set out that the patterns of movement of the applicant's partner (Mr C Sweeney) since 2016 for landscaping, labouring and handyman work. This is summarised below:-
- April to May 2016 – 6 weeks, working with the applicant's brother and staying at the River Dart Campsite in Devon.
  - June and July 2016 – 3 to 4 weeks on a private site at Wootton Bassett.
  - April-May 2017 – 3 weeks at Rutland, working in Peterborough. The family joined Mr Sweeney for some of this time.
  - June and July 2017 – 3 to 4 weeks at Wootton Bassett, Wiltshire.
  - August and September 2017 – 5 weeks travelling around Dorset and Devon looking for work, stopping in laybys and on verges.
  - May/June 2018 – 4 weeks working in and around the London area, stopping on a private site at South Mimms.
  - July/August 2018 – 3 weeks at Newark with his cousins, staying at and working on a site at Tolney Lane.
  - August/September 2018, the family travelled together to Kent, where they stayed at Marlie Holiday Park, New Romney, for 10 days whilst Mr Sweeney worked locally with his nephew.
- 4.21 Emails were also submitted from third parties in Rutland and Leicester stating that the applicant and her family have stayed with them numerous times, mainly during the spring and summer months, while the applicant's partner sought work.

- 4.22 Objections received from the local community refute that the applicant meets the definition of a traveller set out in the PPTS and reference has been made to the applicant's family and their history of travelling, which at the time of their respective applications (prior to the PPTS) was largely local. However, the applicant's parents or siblings are not the applicants for this application.
- 4.23 Regard should also be given to the best interests of the children. As part of the application, a letter was received from the Executive Headteacher at the school where two of the applicant's children attend. Her letter confirmed that their attendance is good. Some of the dates above show that the family travelled together or met up and that these dates appear to, in part, have fallen during school holiday times.
- 4.24 The agent has set out that there are no available pitches on sites belonging to the applicant's family and they are not aware of any available pitches on alternative private sites. Officer discussions with the Housing Standards and Community Protection Manager have confirmed that there are no available pitches on the two South Norfolk Council social rented sites. In the absence of an available site and if this application were to be refused, the education and social development of the applicant's children could suffer given the lack of continuity afforded by a permanent site. These circumstances are positive factors in favour of the applicant and her family continuing to live on site.
- 4.25 In assessing the above, officers consider that the applicant has demonstrated an intention to lead a nomadic habit of life and meets the definition of a traveller set out in Annex 1 of the PPTS.

*Accessibility of the site*

- 4.26 Paragraph 25 of the PPTS states that local planning authorities should very strictly limit new traveller site development in open countryside that is away from existing settlements or outside areas allocated in the development plan. Local planning authorities should ensure that sites in rural areas respect the scale of and do not dominate the nearest settled community and avoid placing an undue pressure on the local infrastructure.
- 4.27 Wreningham has been defined as a service village by the JCS and is considered a sustainable settlement for some small scale development. It is considered that the provision of one traveller pitch on the edge of the village will not dominate the settled community and the application complies with this element of paragraph 25 of the PPTS and Policy DM3.3(a) and (l) of the SNLP.
- 4.28 The site is approximately 190m outside of the development boundary that has been defined for Wreningham (see Appendix A). This part of the development boundary is next to the primary school but otherwise the site is next to the village hall (which has a footpath outside the front that leads to one of the school entrances) and within 150m of the village playing field. Although outside of the development boundary, the site is within an achievable walking or cycling distance of the main services and facilities available within the village. In that sense, it can be described as being in an accessible location that complies with Policies 1 and 6 of the JCS and Policies DM3.3(f) and DM3.10 of the SNLP.
- 4.29 The applicant has three children of school age but they do not attend Wreningham Primary School. One child is of high school age and two attend Hapton Primary School approximately 2.2 miles away from the application site (shortest route measured). It is understood that the children attended this school prior to the applicant moving on site. However, while other parents may choose to send their children to Wreningham Primary School, including those from outside the village, it is equally open to them – as it is with the applicant – to send their children to another school. The applicant is not required to send her children to Wreningham Primary School but should she wish to exercise that choice, the opportunity is available.



- 4.30 In the circumstances described above and given the scale of development, it is not considered that this proposal will place undue pressure on the local infrastructure and the application complies with this part of paragraph 25 of the PPTS and Policy DM3.3(g) of the SNLP.

*Impact on the character and appearance of the area*

- 4.31 The day room sits on top of a concrete pad and comprises a red brick plinth with black horizontal cladding above and a pitched tiled roof. At present, two touring caravans are stationed in front of it in a similar position to the proposed areas of hardstanding.
- 4.32 The day room and the areas of hardstanding proposed for the touring caravans and playhouse are all in the southeast section of the application site with the access gates at the northwest end of the front boundary. With the exception of the gates, which given their set back position and height do not require planning permission, when approaching the site from the southeast, none of these elements are easily visible by virtue of the effective screening provided by vegetation along the site boundaries. When travelling along the front, although the day room building is visible at this time of year through the boundary planting, views are still filtered. In the summer when the vegetation is in leaf, views into the site will be more limited. When approaching the site from the direction of the village from the northwest, the gates are visible and it is possible to catch a glimpse of the side elevation of the day room and two touring caravans that are stationed on site. However, these views are localised and not long distant. At present, the site is also visible to varying degrees through the laurel hedge from the parts of the village hall car park that are closest to the site. However, this will mature further in time and in due course will further screen out views from the car park.
- 4.33 When in use, the external lighting attached to the day room building is seen from views into the site close to the vehicular access. The freestanding security light, which the agent has explained is needed to light the parking area, will be mounted to a washing line pole and will be approximately 2.45m above ground. It cannot be mounted on the building as its light will be blocked by the tourers. This light will also be visible from the same viewpoint as the building mounted light although the agent has explained that it will be activated by a motion sensor and on a timer. For both lights, and taking account of the recommendations of the applicant's Ecologist, it is considered necessary to use an appropriately worded condition that requires a lighting scheme to be submitted for approval, which will achieve the dual purpose of mitigating the impact of external lighting on the surrounding area and bats.
- 4.34 The area of tarmac chippings that has been laid is in accordance with that which was granted planning permission under application refs. 2017/1979 and 2017/2831. The extent to which this area is visible is relatively limited. It is visible from underneath the gates and through the short lengths of post and rail fence on either side of the gates.
- 4.35 Overall, officers consider that given the position and scale of each element of the application, they will not stand out as assertive or incongruous features within the wider area. Instead, any views from public land will be through modest apertures. Taking account of that, it is considered that the development will have an acceptable impact on the character and appearance of the area and on the surrounding landscape. The application therefore complies with paragraph 26(d) of the PPTS, Policies 1 (insofar as it relates to the protection of the countryside as an environmental asset) and 2 of the JCS and Policies DM3.3(d), DM3.8 and DM4.5 of the SNLP.

*Residential amenity*

- 4.36 The site area is relatively generous for a development of this scale and the applicant and her family will benefit from an adequate outside amenity area. There are no residential properties in close proximity to the site. Therefore, the impact of the development on residential amenity will be neutral allowing it to comply with Policies DM3.3(b) and DM3.13 of the SNLP.

*Highway safety*

- 4.37 In commenting on the application in its original form, Norfolk County Council (in its capacity as Highway Authority) did not object to the day room or the now omitted mobile home. However, it noted that Mill Lane is an unclassified road and that while some sections are of two way vehicle width, there are also lengthy sections that are principally of single carriageway in width. It also noted that the site is within a 30mph speed limit and that some footway provision is available between the adjacent village hall and the village school.
- 4.38 The County Council set out its concerns over the possibility of touring caravans being parked on site resulting in additional families staying on site for an extended basis thus generating additional traffic. However, it recognised that planning conditions could be used to restrict this.
- 4.39 Of greatest concern to the County Council though was that in many places, the width of Mill Lane is less than 5.5m and that vehicles towing up to 2.55m wide caravans would have difficulty in passing each other. It commented that when two towing vehicles meet on this restricted network of roads, vehicles approaching from opposite directions would generally have to slow down and probably stop. One of the two approaching vehicles may need to reverse in order to manoeuvre and pass. Whilst this is not so difficult in a light vehicle, this is more difficult when towing and more of a safety hazard to other road users.
- 4.40 In having regard to the above, the County Council objected to the provision of two touring caravans being stationed as this would increase the propensity for touring caravans to meet each other along Mill Lane at places with limited passing provision.
- 4.41 In response to this, the agent explained that one touring caravan is expected to remain on site for the great majority of the time. When the family travels together, they do so with one caravan. In the event that both caravans are taken off site, the family will make appropriate arrangements to ensure that they do not meet each other on Mill Lane.
- 4.42 In commenting on this, the County Council reiterated that it does not consider Mill Lane to be suitable for the constant comings and goings of touring caravans. However, in the event that consent is granted, it has requested that one of the touring caravans should be a fixed unit with the other being specifically for the purpose of travelling by the occupying family.
- 4.43 It is the opinion of officers that the application cannot be refused on the grounds of highway safety. It is considered unlikely that there will be constant comings and goings of touring caravans in association with the application site and while large vehicles and indeed other drivers towing caravans or trailers are able to use Mill Lane, the frequency of events when these are likely to meet the applicants own caravan(s) must be considered low. Similarly, the agent has set out that the family travel with one touring caravan when they go away but in the event that both caravans are taken away, the pattern of travel would likely be as a convoy and not unrelated trips travelling in opposite directions. In accordance with paragraph 109 of the NPPF, it is not considered that the cumulative impacts on the road network will be severe or that the satisfactory functioning of the highway network will be endangered and it is not necessary to make the development acceptable to impose a planning condition that requires of the touring caravans to be a fixed unit. The application therefore complies with Policies DM3.3(h) and DM3.11 of the SNLP.

- 4.44 Sufficient space is available to allow vehicles to park and turn on site and to enable the application to comply with Policy DM3.12 of the SNLP.

*Flood risk*

- 4.45 The application site is in Flood Zone 1 (so is at the lowest risk of river or sea flooding) but is at risk of flooding from a surface water flood flow path for high, medium and low risk events. Depths are shown as being below 300mm for all events. The surface water flood risk extends across the whole of the site and includes the access and egress and highway. An area of hardstanding that was originally proposed next to the western boundary with the village hall was in an area of high risk (up to the 1 in 30 year event) but this was subsequently omitted from the application upon the submission of a Flood Risk Statement.
- 4.46 In further information that was submitted with the application, the agent explained that the previously approved area of hardstanding is between 300mm and 600mm thick and that it has a gradual gradient towards the southwest that directs surface water to the meadow at the rear. The agent has also set out that the raising of levels provides a safe evacuation route in the event of flooding. Combined, the proposed hardstandings and floor levels of the caravans will be 450mm above current ground levels. Floor levels for the day room are 295mm above current ground levels. When taking account of the depth of the hardstanding that has been laid and floor levels of the day room and caravans, floor levels are above surface water flood depths. The Water Management Officer is satisfied with the information that has been submitted and it is considered that the application complies with paragraph 13(g) of the PPTS, Policy 1 of the JCS (insofar as it relates to flood risk) and Policies DM3.3(i) and DM4.2 of the SNLP.

*Ecology*

- 4.47 A County Wildlife Site is located immediately to the west of the application site and a number of objectors have raised concerns about the impact of the development, including the sewage package treatment plant, on ecology. An Ecology Assessment was submitted during the course of the application and the site was surveyed after the package treatment plant was installed. This did not find any potential for the development to result in impacts to protected species but the following mitigation measures were recommended: i) the package treatment plant must be operated within the general binding rules for small sewage discharge in England or else permitted by the Environment Agency; and, (ii) to mitigate impacts on bats, a lighting scheme should be agreed and secured by way of a planning condition. To achieve an ecological enhancement, the installation of one or two bat boxes was recommended.
- 4.48 Norfolk County Council's Ecologist and Norfolk Wildlife Trust have both commented on the Ecology Assessment and recommended the mitigation and enhancement measures are secured by appropriately worded planning conditions. This will allow the application to comply with Policy 1 of the JCS and Policies DM3.3(j) and DM4.4 of the SNLP.
- 4.49 The package treatment plant has been installed and a completion certificate issued by CNC Building Control. This demonstrates that the plant has been correctly installed and in the event of this planning application being approved, the applicant will need to ensure that the operation of the plant is in accordance with the general binding rules, which fall outside of the remit of planning.
- 4.50 A concern was raised by a local resident at the potential toxicity of the tarmac chippings. The Ecology report has not identified this as a matter of concern.

*Trees and hedges*

- 4.51 Hedges and a small number of trees line the front and side/eastern boundary of the site. Although these are not affected by the application, in order to ensure that these continue to contribute towards the character and visual amenity of the area and not be removed to accommodate any fencing, a planning condition will be used to ensure that they are retained. This will ensure compliance with Policy DM4.8 of the SNLP.

*Other matters*

- 4.52 The Chief Planner's letter of 31 August 2015 set out the Government's concern about the harm that is caused where the development of land has been undertaken in advance of planning permission being obtained and that in such cases, there is no opportunity to appropriately limit or mitigate the harm that has already taken place. This is termed as intentional unauthorised development and the Chief Planner's letter introduces this as a material consideration. In this case, the applicant occupied the site without obtaining planning permission and carried out works to create a day room and to install a sewage package treatment plant. Her actions therefore appear to have resulted in intentional unauthorised development. However, officers consider that the work that has taken place is reversible and therefore have attributed only moderate weight to this element of the application.
- 4.53 Overhead power lines run across the front section of the site. UK Power Networks has not responded to the application and the presence of these power lines is not seen as a reason to refuse the application.
- 4.54 Concerns have been raised at the potential impact of the development on property values. This is a matter for the property market to determine as opposed to the planning system.
- 4.55 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.
- 4.56 The day room is liable for the Community Infrastructure Levy.

*Planning balance*

- 4.57 Due regard has been had in the assessment of this application to the Public Sector Equality Duty under section 149 of the Equality Act 2010, which requires public bodies to have due regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations between different people when carrying out their activities. Officers have also considered the best interests of the applicant's children as a primary consideration.
- 4.58 Regard has also been given to the protected rights under the Human Rights Act including Article 1, Protocol 1, which gives every person the right to peaceful enjoyment of their property; and Article 8, which provides a right to respect for family and private life. However, these rights are qualified rights and need to be balanced with other factors in the public interest. In this case, given the location of the site and the level of separation between it and the nearest residential properties, it is considered that for members of the settled community, those rights will not be interfered with if this development is permitted. For the applicant, in the event that the application is refused, this will be disruptive to her and her family as it will likely result in the loss of her and her children's home.

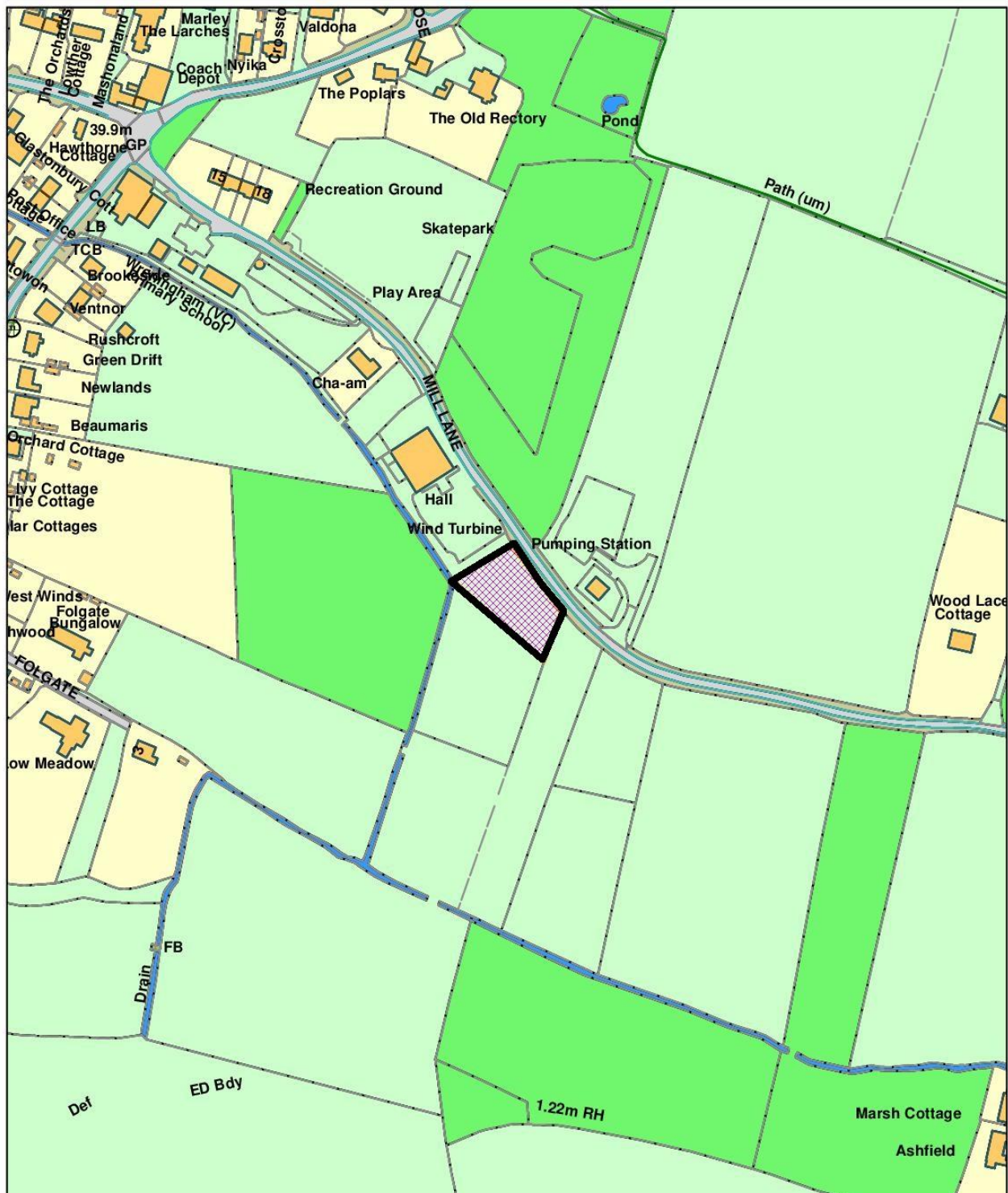
- 4.59 Based on the evidence that has been submitted, officers have concluded that the applicant, her partner and children have a nomadic habit of life that meets the definition of gypsies and travellers provided in Annex 1 of the PPTS and is pursued so far as is compatible with her children's education.
- 4.60 On the other main issues, although the site is outside of the development boundary that has been defined for Wrenningham in an area of countryside, when considered against Policies 1 and 6 of the JCS and Policies DM3.3(f) and DM3.10 of the SNLP, given the proximity of the site to the development boundary and the facilities that are available within the village, it is in an accessible location. In addition, there will be an acceptable impact on the character of the area and the impact on residential amenity will be neutral.
- 4.61 Regarding highway matters, despite the concerns that have been raised by the local community and the Highway Authority, it is considered that the frequency of movements involving both touring caravans will be low and that the impacts on the satisfactory functioning of the highway network will not be severe.
- 4.62 The effect on protected species can be mitigated by a lighting scheme being required for submission and matters relating to surface water flood risk have also been satisfactorily addressed.
- 4.63 Taking these factors into account, the application complies with the relevant criteria of Policy DM3.3 of the SNLP and on that basis, it also complies with Policy DM1.3((2)(c)) of the SNLP, which permits development in the countryside where specific policies allow for development outside of development boundaries.
- 4.64 Although the ANA sets out that there is an excess in the supply of gypsy and traveller pitches in the Greater Norwich area, this does not preclude the Council's ability to positively consider suitable sites that come forward for determination to maintain the supply of sites. The applicant's actions appear to have resulted in intentional unauthorised development but for the reasons set out above, only moderate weight is attributed to this. A significant number of objections have also been received from members of the local community and these have been considered in the overall planning balance; the key material considerations have also been addressed within this report and if not specifically addressed, they have been taken into account.
- 4.65 On balance, the application accords with the development plan and complies with the PPTS and the NPPF when taken as whole and should therefore be approved.
5. Conclusion
- 5.1 In having regard to those matters raised by this application and referred to above, when taken as a whole, it is considered that the proposal represents sustainable development that complies with the policies referred to in the PPTS, Policies 1 and 6 of the JCS and Policies DM1.3(2), DM3.8, DM3.10, DM3.11, DM3.12, DM3.13 (criteria a, b, d, f, g, h, i, j, l and m), DM4.2, DM4.4, DM4.5 and DM4.8 of the SNLP. Therefore, the officer recommendation is that the application is approved.

Contact Officer, Telephone Number      Glen Beaumont 01508 533821  
and E-mail:                                      gbeaumont@s-norfolk.gov.uk

2018/1658

Appendix 1

Not Set



Scale 1:2,500

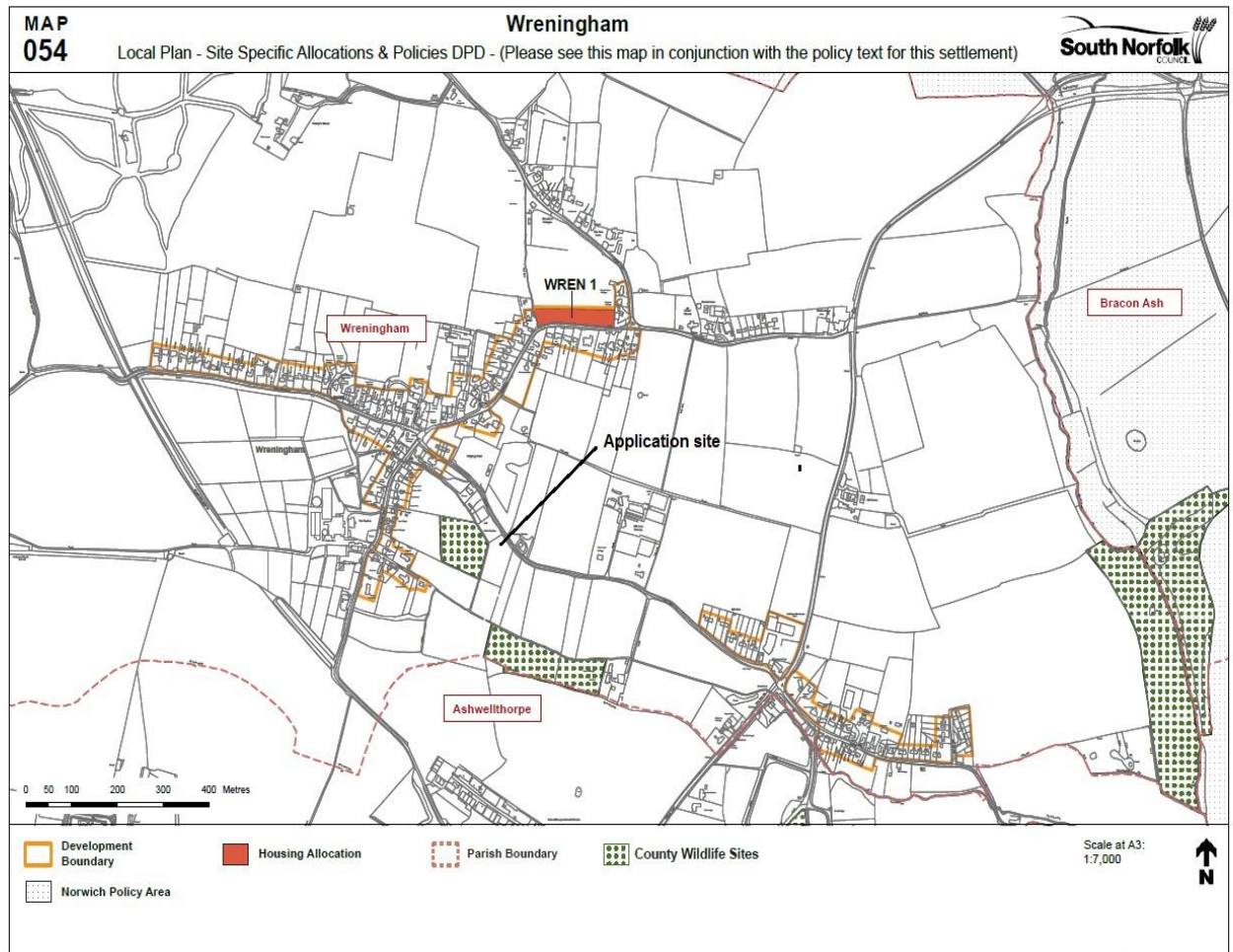
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## APPENDIX A



**2. Appl. No : 2018/2611/H**  
**Parish : FORNCETT**

Applicants Name : Mr S Taylor  
 Site Address : The Granary, Northfield Road, Forncett St Peter, NR16 1JY  
 Proposal : Erection of single storey and two storey extensions

Recommendation : Authorise Director of Growth and Business Development to approve with conditions  
 1 Full planning permission time limit  
 2 In accord with submitted drawings  
 3 External materials to be agreed  
 4 Window/door details to be agreed  
 5 Roof light details  
 6 PV panels

Subject to no new material considerations being raised during the remainder of the consultation period.

**3. Appl. No : 2018/2612/LB**  
**Parish : FORNCETT**

Applicants Name : Mr S Taylor  
 Site Address : The Granary, Northfield Road, Forncett St Peter, NR16 1JY  
 Proposal : Erection of single storey and two storey extensions

Recommendation : Approval with conditions  
 1 Listed Building Time Limit  
 2 In accord with submitted drawings  
 3 External materials to be agreed  
 4 Window/door details to be agreed  
 5 Roof light details  
 6 PV Panels

Reason for reporting to committee

The Local Member has requested that the application be determined by the Development Management Committee for appropriate planning reasons as set out below.

**1 Planning Policies**

**1.1 National Planning Policy Framework (NPPF)**

NPPF 12 : Achieving well-designed places

NPPF 15 : Conserving and enhancing the natural environment

NPPF 16 : Conserving and enhancing the historic environment

**1.2 Joint Core Strategy (JCS)**

Policy 2 : Promoting good design

**1.3 South Norfolk Local Plan (SNLP) Development Management Policies**

DM3.6 : House extensions and replacement dwellings in the Countryside

DM3.8 : Design Principles applying to all development

DM3.12 : Provision of vehicle parking

DM3.13 : Amenity, noise, quality of life

DM3.14 : Pollution, health and safety

DM4.4 : Natural Environmental assets - designated and locally important open space

DM4.10 : Heritage Assets



**Statutory duties relating to Listed Buildings and their setting:**

S16(2) and S66(1) Planning (Listed Buildings and Conservation Areas) Act 1990 provides that in considering whether to grant planning permission or listed building consent 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	1988/2987	Conversion of farm buildings to four residential units	Approved with conditions
2.2	1990/1771	Renewal of 07/88/2987/F extension and alterations for Conversion of farm buildings to four residential dwellings (see 07/90/1772/F)	Approved with conditions
2.3	1990/1772	Renewal of 07/88/2987/F extension and alterations for Conversion of farm buildings to four residential dwellings (see 07/90/1772/F)	Approved with conditions
2.4	2015/1615	Proposed extensions and alterations.	Withdrawn
2.5	2015/1616	Proposed extensions and alterations.	Withdrawn
2.6	2016/0896	Proposed extensions and alterations (revised application)	Refused
2.7	2016/0898	Proposed extensions and alterations (revised application)	Refused

**3. Consultations**

3.1	Forngett Parish Council	No objection, subject to satisfaction of the Listed Buildings Officer	
3.2	District Councillor: Cllr Duffin	Application to be determined by the development management committee. Perceived damage to a grade 2 listed building NPPF Conserving and enhancing the historic environment, setting of listed buildings.	
3.3	Other Representations	<p>Objection from immediate neighbour at The Stables for the following reasons:</p> <ul style="list-style-type: none"> <li>• Significant loss of historic value to the local community</li> <li>• Application does not provide a full overview and history of the property. It does not describe the significance of the heritage assets affected by the proposal, as required by paragraph 189, section 16 of the NPPF.</li> <li>• The proposed scheme will result in the remaining features (three rear ground floor openings and first floor loft hatch) that distinguish the building to be of agricultural origin and heritage being engulfed by the proposed extension scheme resulting in loss of historic integrity. To date development on the site has been sympathetic preserving the historic integrity</li> <li>• Design is overpowering and materials not in keeping. The proposed development also visible from the road.</li> </ul>	

- The building could be extended from the existing extension to protect the integrity and historic value of cart-shed.
- Considerable impact on The Stables due to overshadowing. The Stables building already has limited natural light due to small windows.
- Videos showing the impact of the proposal on The Stables do not constitute an all encapsulating light assessment and are not impartial.
- Concern regarding the impact on existing foundations of the Stable.

#### 4. Assessment

- 4.1 These applications seek listed building consent and planning permission to extend a grade II listed dwelling, which was formerly an agricultural cart shed serving Lime Tree Farm. Planning permission was granted in 1990 to convert the building to a dwelling together with conversion of the adjacent stables to the west to one dwelling, and barns to north to three dwellings. Conversion of the outbuildings to 4 dwellings has subdivided the site into separate curtilage areas.
- 4.2 The Granary, The Stables and the far eastern barn directly north of the proposed site are all plastered clay lump buildings that date from the 19<sup>th</sup> century and are all individually grade II listed. The main farmhouse to the far west side is also grade II listed and is timber frame, dating from the 17<sup>th</sup> century.
- 4.3 The Granary is a former cart shed with hayloft above and has a clay pantile roof with painted rendered finish and stained timber windows and doors. There are three glazed openings at the rear ground floor, formerly the cart shed entrances. There is also a fixed door, where the first floor opening once served the hayloft. There is an existing late 20<sup>th</sup> century two storey extension to the east side, which was approved as part of the conversion scheme.
- 4.4 The site is situated outside of the development boundary and is set back from the road with front garden to the east side, which has a pond. Adjacent to the south side is a garage serving The Stables, built following the previous planning permission to convert the buildings to 4 dwellings. Behind the garage there is a garden area serving The Stables.
- 4.5 By way of background, a planning application and listed building consent application for extending the building were refused in 2016 due to the impact on heritage assets and neighbouring amenity. An application for a larger extension was submitted in 2015 but was withdrawn due to the Council's concerns regarding the substantial scale of the scheme.
- 4.6 The applicant's justification for this proposal is to provide additional living accommodation on the ground floor and a master bedroom suite at first floor level.

#### Principle of the proposal

- 4.7 The principle of extending a dwelling in the open countryside is acceptable under policy DM3.6 of the Local Plan 2015 provided it complies with the relevant stated criterion including reference to those included in Policies DM3.5 and DM2.8. The criterion effectively requires the following:
- development to be designed so as to respect the area's character and appearance, and the landscape setting
  - Neighbour amenity, including providing adequate private amenity and utility space, and retaining adequate levels of amenity with reasonable access to light and privacy, free from unacceptable noise or other pollutants.

- Adequate parking arrangements

It is also evident that in this case, regard for the impact on the setting of listed buildings must be considered. The following is an assessment of these key issues.

#### Heritage/Design

- 4.8 S16(2) and S66 of the Planning (Listed Building and Conservation Areas) Act 1990 requires that the local planning authority 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.'
- 4.9 An objection has been received regarding design issues and the impact on designated heritage assets and their setting. The various points of objection are referred to in the Consultation section of this document.
- 4.10 It is acknowledged that the application contains limited information on the significance of the heritage assets affected by the proposal. However, in this instance, it is considered that with the information that has been provided together with the Council's own knowledge of the site and its planning history, the Council is able to make an informed decision on the proposal.
- 4.11 The new lean-to extension will result in the loss of external views of three ground floor cart-shed openings at the rear of the property. Looking at the existing arrangement of built form, the original contribution made to the character and appearance of the site by the cart-shed openings has been to a large extent compromised by the modern wall which separates The Stables from The Granary, largely screening the original openings in key views from the road. The slightly wider massing of the adjacent garage and its modern garage doors also detracts from the original character.
- 4.12 If there was no dividing wall here, then a lean-to extension, as proposed, would be inappropriate due to the original relationship between buildings and courtyard area remaining in place, the cart-openings having originally been open to views from the road and front courtyard to The Stables. As the wall very much changes the original historic setting, creating a rear courtyard to the Granary and clearly visually breaking up the historic curtilage, it is considered that the proposed lean-to changes little in terms of the existing relationship between buildings. Also, the glazing in the cart-shed openings sits more or less flush with the rear wall line of the building which makes the original function of the openings less apparent in external views. Recessed glazing would have been more in keeping with the original appearance. The proposal will, however, leave the existing three cart shed openings in place, thus retaining the building's archaeology and evidential value, although the openings will no longer be visible externally.
- 4.13 Providing a first-floor access to the new bedroom will result in the hayloft doorway being no longer visible in external views. Taking into consideration the current appearance of the building as a dwelling and the extent to which the character and appearance has been diminished through conversion, changing the original relationship between buildings, it is considered that, on balance, the loss of the opening externally is justified, particularly as the original doorway will remain in place internally, retaining the archaeology and evidential value of the building.
- 4.14 With regard to the scale, form and design of the proposed extensions, the scheme is more sympathetic to the existing arrangement of buildings compared with the scheme that was refused in 2016. The form of the extension at the south side is more detached from the building, with a lower link, thus retaining the prominence of the original building, the main ridge of the extension also being lower than that of the existing building. The proposal has also been amended to include a glazed ground floor section to help retain a degree of separation. The massing of the new south extension respects that of the original building

being narrower than that of the existing late 20<sup>th</sup> century extension. The form and character of both proposed extensions, the arrangement of openings and the use of materials is very much in keeping with the character and appearance of agricultural buildings on the site.

- 4.15 The new extensions are rendered and have clay pantile roofs. A part weatherboard finish has been incorporated into the design as this picks up on the weatherboard finish on the existing gable ends, although weatherboarding is not used elsewhere on the site. It is considered that the extensions will not detract from the character and appearance of the site and wider setting and are appropriately designed to sit comfortably.
- 4.16 It is acknowledged that the proposal will result in a very marginal level of harm in the context of the NPPF and as such can be considered to present 'less substantial' harm to the significance of the building due to the loss of the cart shed and hayloft openings in external views.
- 4.17 With this in mind it is necessary to have regard for para 196 of the NPPF which states that: Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
- 4.18 In this instance, it is evident that the proposal will provide improved living accommodation which will help to ensure that the property remains as a residential dwelling in the long term. When seen in the context of a scheme that is sympathetic to the agricultural character of the building and site as whole, with the original openings of The Granary being retained inside the building, this will result in a proposal which can be considered favourably, whilst noting the very marginal level of harm identified. It is therefore considered that the benefit of the proposal outweighs the level of harm.
- 4.19 In the context of the requirements of S16(2) and S66(1) Planning (Listed Buildings and Conservation Areas) Act 1990 it is considered that the scheme does satisfactorily preserve the buildings and their setting.
- 4.20 For the reasons above the scheme is also considered to meet the requirements of Policy DM4.10 of the SNLP.

#### Neighbouring Amenity

- 4.21 There is a neighbour objection to the proposal due to potential overshadowing from the proposed development
- 4.22 Following a site visit it was requested that the agent provide further information on the impact of any potential overshadowing. Videos showing the timeline of the sun during the day on both the 21 June and 21 December have been provided. There is no reason to believe that the submitted videos are not impartial.
- 4.23 It is acknowledged that the proposal will have some impact on the neighbouring property until around 11 am but this is not considered unacceptable in view of the impact the existing Granary already has on The Stables at the west side and having regard to the distance of the new extension from the neighbour. It is noted that The Stables does have relatively small window openings in keeping with its original character when it was converted and as a result does already have a limited amount of daylight entering the building, but this in itself does not render the proposal unacceptable in terms of light levels.
- 4.24 With regard to overlooking, the neighbouring garden area of The Stables is currently overlooked at first floor level by existing windows in The Granary and the additional first floor window serving the new bedroom will not result in any significant increase in the level of overlooking.

- 4.25 The new roof of the proposed lean-to extension will be visible from The Stables but due to its single storey height will not be overbearing on the neighbour. The new southern 1.5 storey extension sits lower than the existing building and is set back from the boundary wall to the existing rear wall line. As it is more broken in its form and at a lower height than the main building it also will not have an overbearing impact on the neighbour.
- 4.26 Other than the one neighbour objection to the proposal, no other objections have been received. The immediate neighbour to the north side was not initially consulted on the application and therefore they have now been consulted with comments to be received by 6 March and this is reflected in the recommendation. Any additional material concerns raised in addition to those referred to in this report would still need to be taken into consideration should the Committee recommend approval of the applications.
- 4.27 In summary it is considered that the scheme complies with the criterion referred to in DM3.6 relating to amenity and also those of DM3.13 of the SNLP which safeguard neighbour amenity.

#### Ecology

- 4.28 The existing pond on the site is situated within a well-maintained garden area with short cut grass and therefore it is considered that the proposal does not present any significant threat to any protected species. A condition has been included to ensure materials are stored away from the pond to avoid any unnecessary contamination.

#### Highways

- 4.29 The proposal has no adverse impact on existing arrangements for parking/turning on the site and does not impact on the existing vehicle access from the road. There are therefore no issues under policies DM3.5, DM3.11 & 3.12 of the Local Plan 2015

#### Environmental Protection

- 4.30 The Granary is situated on a former farm site. To rule out any possible threat from any remaining potential pollution below ground, a condition has been included regarding the discovery of any contaminated land during the works. With this condition it is considered that the proposal accords with policy DM3.14 of the Local Plan 2015.

#### Other issues

- 4.31 Reference has been made to the ability to extend the property elsewhere to reduce impact. Whilst this may be the case, the applicant has requested that the application be determined as submitted.
- 4.32 Concern regarding the impact on existing foundations of the Stable has been raised. There is no evidence to suggest that this would be the case. Notwithstanding this, the applicant should have regard to the requirements of the Party Wall Act for any works on or in close proximity to the boundary of the site.
- 4.33 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.
- 4.34 This application is liable for CIL under the Regulations, however, Cabinet resolved on 7/12/2015 to no longer apply CIL to domestic extensions.

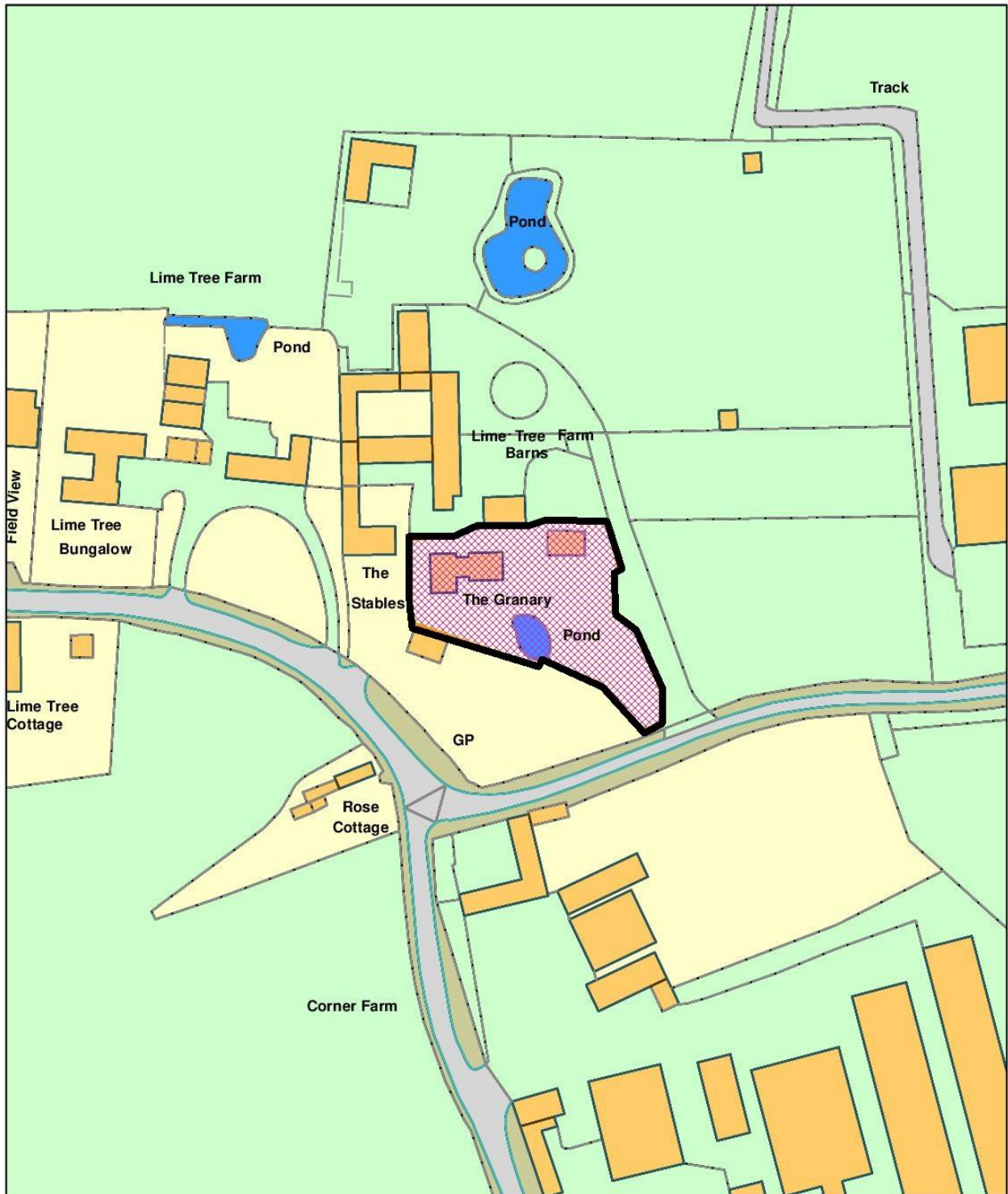
5. Conclusion 2018/2611/H and 2018/262/LB

- 5.1 For the reasons set out above the proposals are considered to comply with the requirements of the relevant planning policies, those of the NPPF and S16 of the Planning (Listed Building and Conservation Areas) Act 1990 and therefore both applications are recommended for approval. However, in the case of the planning application this is subject to no new material issues being raised during the remainder of the consultation period.

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2018/2611 and 2018/2612

Appendix 1



Scale 1:1,250

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## Planning Appeals

Appeals received from 19 January to 13 February 2019

Ref	Parish / Site	Appellant	Proposal	Decision Maker	Final Decision
2018/2477	Ashwellthorpe and Fundenhall 2 Jubilee Cottages New Road Ashwellthorpe Norfolk NR16 1HF	Mr & Mrs D & M Prior	Erection of first floor extension	Delegated	Refusal
2018/0318	Mulbarton Land adj to 1 Birchfield Lane Mulbarton Norfolk	Mr Giuliano Korosec	Proposed new dwelling	Delegated	Refusal
2018/0968	Bramerton Land East of Orchard House The Street Bramerton Norfolk	Mr Neil Walker	Construction of one dwelling with double garage, landscaping and access drive	Delegated	Refusal
2016/1627	Poringland Land to the North of Heath Loke Poringland Norfolk	Mr S Kittle	Erection of 19 dwellings with access and all other matters reserved	Development Management Committee	Refusal
2018/0048	Poringland Land to the East of Overtons Way Poringland Norfolk	Mr Stephen Litten	Construction of 8 no. new 3 storey, 3 bedroom town houses with private gardens and parking allocation.	Delegated	Refusal



## Planning Appeals

### Appeals received from 19 January to 13 February 2019

2018/0768	Wacton Land to the rear of Washfield Lodge Wash Lane Wacton Norfolk	Mr Christopher Elsbury	Proposed erection of dwelling	Delegated	Refusal
2018/0758	Bergh Apton Land West of Washingford Barn Cookes Road Bergh Apton Norfolk	Mr Grenville Cooper	Outline planning permission (with all matters reserved) for the development of two detached dwellings with garages.	Delegated	Refusal
2018/1207	Hethersett 26 St Davids Road Hethersett NR9 3DH	Mr David Poyntz	Variation of condition 2 of permission 2005/2230 - To lease annexe independently from main dwelling.	Delegated	Refusal
2018/0694	Wymondham Land to the rear of 1 Milebridge Farm Cottage Spinks Lane Wymondham Norfolk	Mr & Mrs Patrick and Christine Boswell	Erection of dwelling for retirement home incorporating existing art studio to include access only.	Delegated	Refusal
2018/1529	Wicklewood Land adj to 69 High Street Wicklewood Norfolk	Mr John Seville	Proposed new 2-bed bungalow to the rear of 69 High Street	Development Management Committee	Refusal

## Planning Appeals

Appeals decisions from 19 January to 13 February 2019

Ref	Parish / Site	Appellant	Proposal	Decision Maker	Final Decision	Appeal Decision
2018/1697	Morley Land adj to Clearview Hookwood Lane Morley St Peter Norfolk	Mr & Mrs Will & Rachael Lockwood	Erection of 1 No. Self- build Passivhaus dwelling with replacement stable, to be erected within enclosed block of grazing meadow (revised)	Development Management Committee	Refusal	Appeal dismissed
2018/1467	Caistor St Edmund 3 Hall Cottages Caistor Lane Caistor St Edmund NR14 8QT	Mr David Spurgeon	Detached Two Bay Garage and Storage	Delegated	Refusal	Appeal dismissed