

Development Management Committee

Members of the Development Management Committee:

Conservatives

Mr V Thomson
(Chairman)
Mrs L Neal
(Vice Chairman)

Mr D Bills

Mr J Easter

Mr R Elliott

Mrs F Ellis

Mr G Minshull

Liberal Democrats

Ms V Clifford-Jackson
Mr T Laidlaw

**Please note that item 3 (Diss)
has been withdrawn by the
Applicant**

Pool of Substitutes

Mrs Y Bendle Mr D Burrill
Mr T Holden Mr J Halls
Mr K Hurn
Mrs A Thomas
Mr J Worley
Mr B Duffin

Pre-Committee Members' Question Time
9.00 am Blomefield Room

Agenda

Date

Wednesday, 18 September 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 21 August 2019;**
(attached – page 8)

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

(attached – page 13)

To consider the items as listed below:

Item No.	Planning Ref No.	Parish	Site Address	Page No.
1	2011/1666/F & 2011/1732/LB	WORTWELL	Granary Barn Wortwell Hall Farm Low Road Wortwell	13
2	2018/1318/F	FLORDON	Polytunnels At Tas Valley Mushrooms The Street Flordon Norfolk	28
3	2019/1275/CU ITEM WITHDRAWN BY APPLICANT	DISS	Roswald House Oak Drive Diss IP22 4GX	43
4	2019/1520/H	BAWBURGH	4 Stocks Hill, Bawburgh, NR9 3LL	50
5	2019/1629/CU	MULBARTON	5 Pightle Close Mulbarton NR14 8GJ	55

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 60)

8. **Date of next scheduled meeting – Wednesday, 16 October 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

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

PLANNING APPLICATIONS AND OTHER DEVELOPMENT CONTROL MATTERS

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

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

Key to abbreviations used in Recommendations

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



DECLARATIONS OF INTEREST AT MEETINGS

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

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

Does the interest directly:

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

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

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

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

If yes, you need to inform the meeting. When it is discussed, you will have the right to make representations to the meeting as a member of the public, but you should not partake in general discussion or vote.

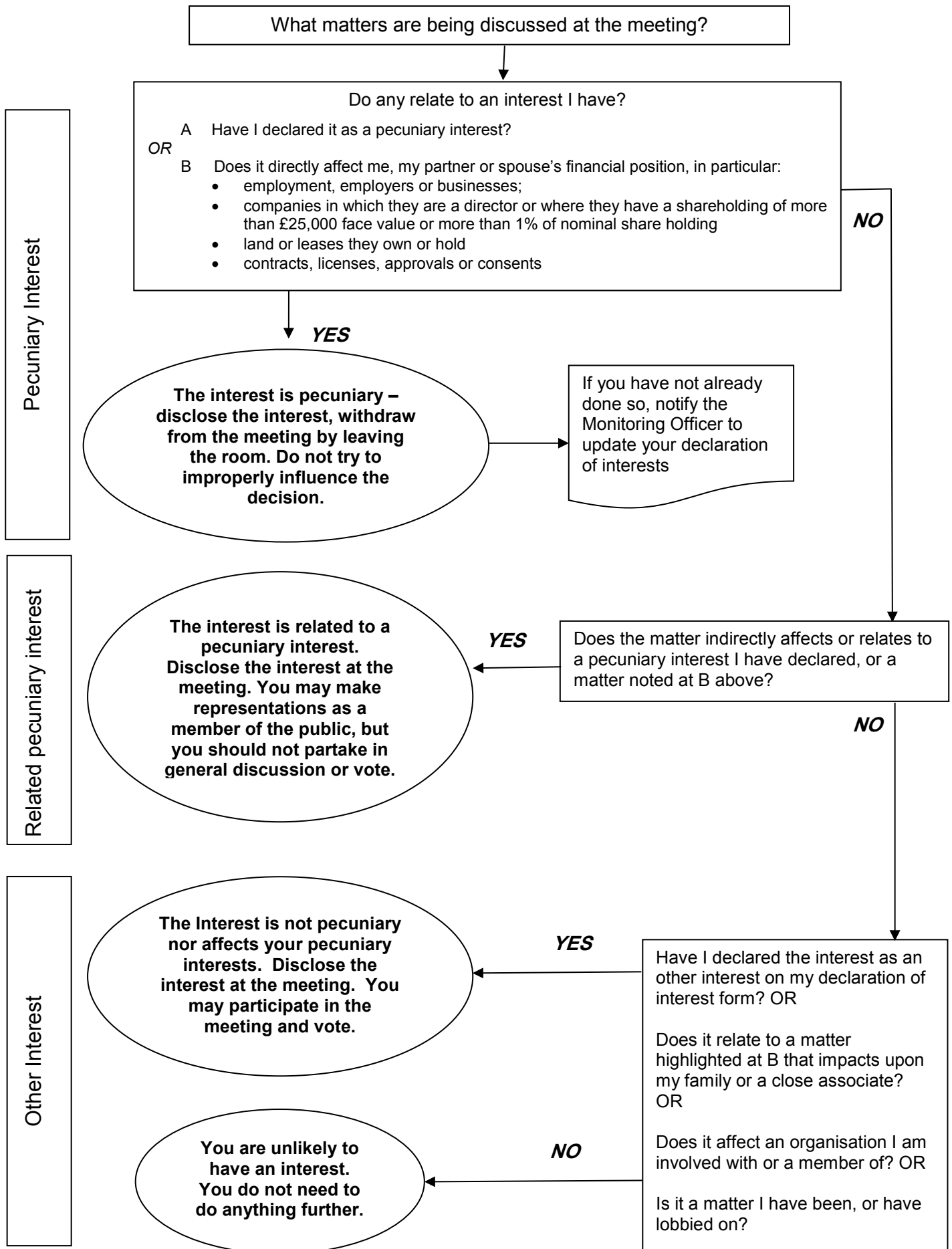
Is the interest not related to any of the above? If so, it is likely to be an other interest. You will need to declare the interest, but may participate in discussion and voting on the item.

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, 21 August 2019 at 10.00 am.

Committee Members Present: **Councillors:** V Thomson (Chairman), D Bills, R Elliott, F Ellis, L Neal and T Laidlaw

Apologies: **Councillors:** V Clifford-Jackson, J Easter and G Minshull

Substitute Members: **Councillors:** J Halls (for applications 2 – 5 only) for V Clifford-Jackson and A Thomas for J Easter

Officers in Attendance: The Assistant Director, Planning (H Mellors), The Development Management Team Leader (C Raine), the Highways Officer (A Jacklin), the Senior Planning Officer (T Barker) and the Planning Officer (D Jones)

35 members of the public were also in attendance

454. 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
2018/2738/CU (Item 1)	WYMONDHAM	J Halls	Local Planning Code of Practice Cllr Halls was pre-determined and stepped down from the committee, while this item was discussed
		D Bills	Local Planning Code of Practice Lobbied by Objector
2019/1093/H (Item 3)	STOKE HOLY CROSS	All	Local Planning Code of Practice Lobbied by Objector

455. MINUTES

The minutes of the Development Management Committee meeting dated 24 July 2019 were confirmed as a correct record and signed by the Chairman.

456. PLANNING APPLICATIONS AND OTHER DEVELOPMENT CONTROL MATTERS

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

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

APPLICATION	PARISH	SPEAKER
2018/2738/CU (Item 1)	WYMONDHAM	A Crotch – Objector M Funchal – Agent for the Applicant Cllr S Nuri – Local Member
2019/0794/F (Item 2)	DITCHINGHAM	C Hamilton – Thwaite Parish Meeting S Hamilton – Objector F Bootman – Agent for the Applicant
2019/1093/H (Item 3)	STOKE HOLY CROSS	D Sherman – Objector N Badley – Applicant Cllr N Legg – Local Member
2019/1224/F (Item 4)	HECKINGHAM	J Stone – Agent for the Applicant

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

457. PLANNING APPEALS

The Committee noted the planning appeals.

(The meeting closed at 12.25pm)

Chairman

Updates for DEVELOPMENT MANAGEMENT COMMITTEE
– 21st August 2019

Item	Updates	Page No
Item 1	<p>2 letters from a local resident, one concerning visibility related concerns and the other hedgerow related matters.</p> <p>With regard to visibility, concern has been expressed at the level of forward visibility to driver using the entrance on Silfield Street, mindful of the curvature of the carriageway.</p> <p>Officer observations: The Highway Officer has previously confirmed their preference for a single point of access/egress rather than the separate in and out arrangement proposed, however, the applicant has requested that we consider the arrangement currently put forward. The Highway Authority has confirmed that in planning terms they do not feel a refusal could be substantiated to this on safety grounds.</p> <p>With regard to the hedgerows, it has been suggested that this is protected, its removal would be illegal and would also be detrimental to the character of the rural area.</p> <p>Officer observations: Paragraph 5.29 of the committee report alludes to the fact that the hedge can be considered to be protected and as such an overriding justification should exist to support their removal. In this case, paragraph 5.39 also highlights that the provision of an emergency access and the need for a safe access could be considered to be overriding justifications. It is also evident that suggested condition no. 14 of the recommendation will secure additional planting in line with the wishes of the Council's Landscape Architect as set out in paragraph 4.5 of the committee report.</p>	15
Item 2	No updates	26
Item 3	No updates	34
Item 4	Additional condition required to provide the surface water drainage system in accordance with the submitted details.	39
Item 5	No updates	46

PLANNING APPLICATIONS AND OTHER DEVELOPMENT CONTROL MATTERS**NOTE:**

Conditions of approval or reasons for refusal of planning permission as determined by the Committee are in summary form only and subject to the Director of Place's final determination.

- 1. Appl. No : 2018/2738/CU**
Parish : Wymondham
- Applicants Name : Mr Maurice Briggs
 Site Address : Woodland Area south of Silfield Street Silfield Norfolk
 Proposal : Change of use of land to educational purposes. Erection of gates and fencing, Yurt, summer house, field shelter, sheds (4), poly-tunnels (6), composting toilets (3) and construction of parking areas with hard standing.
- Decision : Members voted 7-0 for **Approval**
- Approved with conditions
- 1 In accord with submitted drawings
 - 2 New Access
 - 3 Access Gates
 - 4 Access - Limited
 - 5 Visibility splay
 - 6 Provision of parking, service
 - 7 Details of signage
 - 8 Full details of external lighting
 - 9 Limited Hours of Use
 - 10 Numbers of children, adults, staff
 - 11 No generators,
 - 12 Specific Use
 - 13 Ecology
 - 14 Additional planting

Other Applications

- 2. Appl. No : 2019/0794/F**
Parish : Ditchingham
- Applicants Name : Ditchingham Farms
 Site Address : Dark Hole Toad Lane Thwaite NR35 2EQ
 Proposal : Proposed two commercial units to accommodate flexible B1/B8 uses, comprising refurbishment and small extension to two existing buildings together with associated parking.
- Decision : Members voted unanimously for **Refusal**
- Refused
- 1 Contrary to Policy DM2.10
 - 2 Contrary to Policy DM21 and DM1.3
 - 3 Historic character would not be retained

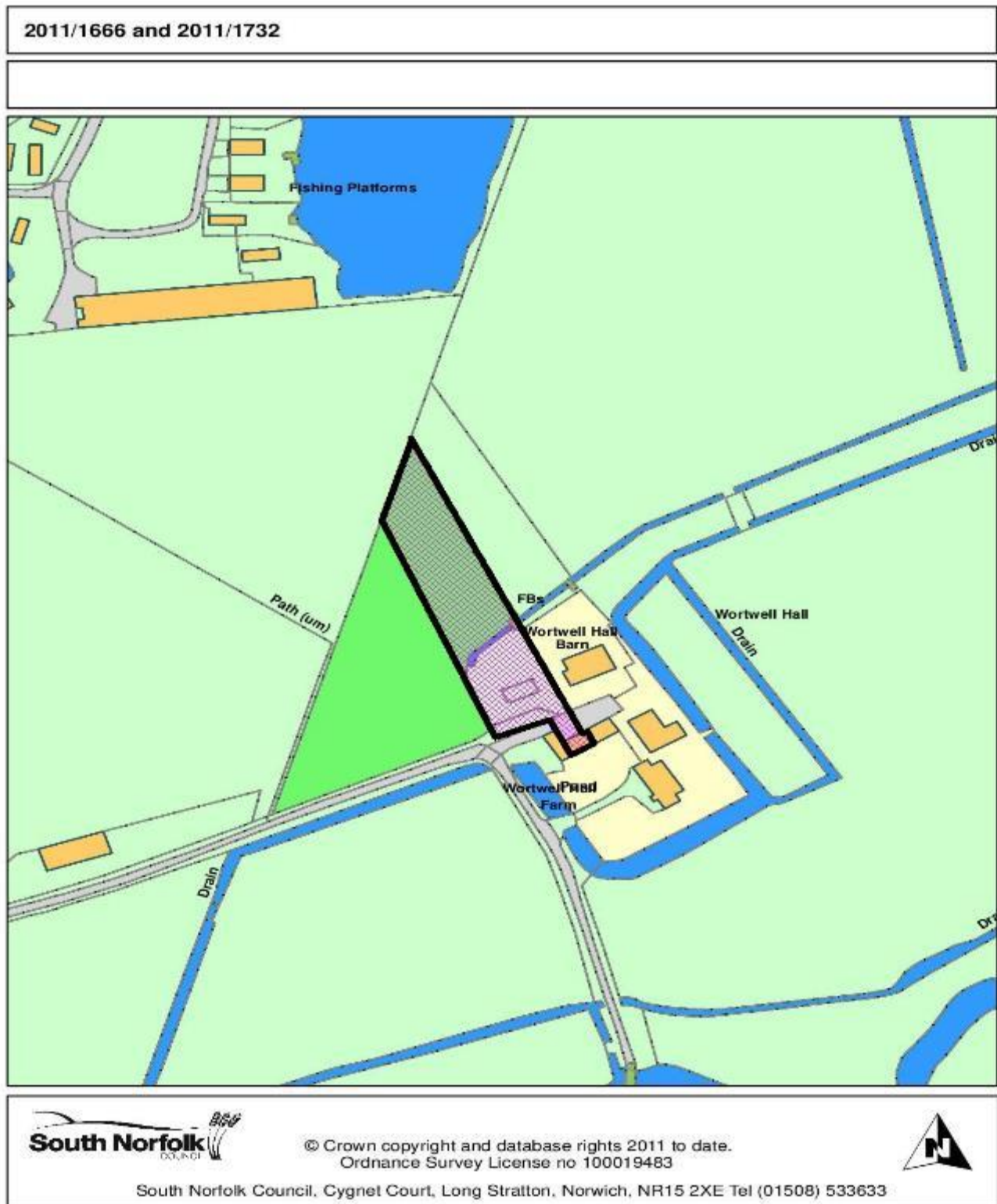
3. **Appl. No** : **2019/1093/H**
Parish : **Stoke Holy Cross**
- Applicants Name : Mr Kieran Jessett
 Site Address : 57 Norwich Road Stoke Holy Cross NR14 8LP
 Proposal : Removal of existing detached garage, erection of a one-and-a-half storey side extension and corresponding replacement roof to house including 6 dormers, erection of a single-storey rear extension, and further alterations including to fenestration
- Decision : Members voted unanimously for **Approval** (contrary to officer recommendation, which was lost 0-8)
- Approved with appropriate conditions
- Reason for overturning officer recommendation
 Members accepted that there was a variety of designs and sizes in Norwich Road and considered this proposal would be in character and keeping and not have undue impacts to neighbour amenity, and delegated authority to officers to include appropriate planning conditions.
4. **Appl. No** : **2019/1224/F**
Parish : **Heckingham**
- Applicants Name : Mrs Nick & Lizzie Roberts
 Site Address : Land east of Briar Lane, Heckingham, Norfolk
 Proposal : Development of gallops, manège and parking area
- Decision : Members voted unanimously for **Approval**
- Approved with conditions
1. Full planning permission time limit
 2. In accord with submitted drawings
 3. Full details of external lighting
 4. Highways (limit to 2 appointments per day)
 5. No loudspeaker
 6. Surface water drainage system (as referred to in update sheet)
5. **Appl. No** : **2019/1234/H**
Parish : **Denton**
- Applicants Name : Mr & Mrs Brown
 Site Address : Globe House Norwich Road Denton IP20 0BD
 Proposal : Removal of existing shed and replace with garden room, to include solar panels to roof
- Decision : Members voted unanimously for **Approval**
- Approved with conditions
- 1 Full planning permission time limit
 - 2 In accord with submitted drawings

PLANNING APPLICATIONS AND OTHER DEVELOPMENT CONTROL MATTERS

Report of Director of Place

Applications referred back to Committee

Application 1



1. **Application Nos :** 2011/1666/F & 2011/1732/LB
Parish : WORTWELL

Applicant's Name: Mr T Gentleman
 Site Address Granary Barn Wortwell Hall Farm Low Road Wortwell
 Proposal Repair & re-erection of collapsed barn caused by storm damage and conversion to residential use

Reason for reporting to committee

The application was deferred at Development Management Committee on 20 August 2014 in order that the applicant can provide further information in regard to the amount of original timbers to be used in the reconstruction of the barn.

Recommendation summary :

Refusal

1 Proposal and site context

- 1.1 The site is in a rural location on the floodplain of the Waveney Valley, with the site falling within Flood Zone 3b (functional floodplain). The site is adjacent to another barn that has been converted to residential use and within the setting of Wortwell Hall. Both the adjoining barn and the Hall are listed buildings. Access to the site is via a long private access track from Low Road. A public footpath passes close to the site.
- 1.2 This planning application and application for listed building consent are for the re-erection of a listed barn that was damaged in a storm in February 2004 and its occupation as a residential dwelling. The storm led to partial collapse and much of the remainder subsequently dismantled for the preservation of component parts of the structure. A small part of the structure remains in situ on the site.
- 1.3 These applications have been previously been considered at Development Management Committee on two previous occasions and on both times deferred pending further investigation.
- 1.4 The applications were originally heard at the meeting of the Development Management Committee on 20 June 2012. Members deferred consideration of the applications at that stage to allow the applicant the opportunity to address the concerns of the Environment Agency in regard to the adequacy of the Flood Risk Assessment which the Environment Agency had deemed unsatisfactory. A revised Flood Risk Assessment was submitted and the Environment Agency re-consulted who were satisfied that the Assessment provided information for South Norfolk Council as the local planning authority to make an informed decision.
- 1.5 This application was then heard at Development Management Committee in 2014. On this occasion members opted to defer determining the application to allow the applicant to provide further information in regard to the amount of original timbers to be used in the reconstruction of the barn. This information has now been submitted.

2. Relevant planning history

- 2.1 2004/2084 & 2085 Proposed dismantling, repair and re-erection of collapsed barn caused by storm damage and conversion to residential dwelling Approved

- 2.1 2000/1611 & 1612 Conversion of barn and granary to two residential units. Use of cart shed as residential car ports Approved

3 Planning Policies

- 3.1 National Planning Policy Framework (NPPF)
 NPPF 02 : Achieving sustainable development
 NPPF 04 : Decision-making
 NPPF 05 : Delivering a sufficient supply of homes
 NPPF 11 : Making effective use of land
 NPPF 12 : Achieving well-designed places
 NPPF 14 : Meeting the challenge of climate change, flooding and coastal change
 NPPF 16 : Conserving and enhancing the historic environment
- 3.2 Joint Core Strategy (JCS)
 Policy 1 : Addressing climate change and protecting environmental assets
 Policy 2 : Promoting good design
 Policy 3: Energy and water
 Policy 4 : Housing delivery
 Policy 17 : Small rural communities and the countryside
- 3.3 South Norfolk Local Plan Development Management Policies
 DM1.3 : The sustainable location of new development
 DM2.10 : Conversion and re-use of buildings in the Countryside for non-agricultural use
 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
 DM4.10 : Heritage Assets

Statutory duties relating to Listed Buildings:

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.

4. Consultations

- 4.1 Parish Council
 Approve
- the plans are in keeping with the area
- 4.2 District Councillor (previous)
 To be determined by Committee
- disappointing that the original timbers aren't being used apart from the roof
 - views of the EA need to be taken seriously
- 4.3 Conservation Officer
 Conditional support

4.4 SNC Community Services - Environmental Quality Team

No comments received

4.5 Waveney Valley Internal Drainage Board

No comments received

4.6 Health and Safety Executive

No comments received

4.7 Environment Agency

Comments on revised FRA:

- The first part of the Exception Test requires you to be satisfied that the development provides wider sustainability benefits to the community that outweigh the flood risk.
- The second part of the Exception Test requires the submission of a FRA which demonstrates the development will be safe for its lifetime, without increasing flood risk elsewhere, and will reduce flood risk where possible. We are satisfied that the FRA provides you with the information necessary to make an informed decision and suggest a number of conditions should permission be granted

Original comments:

Refuse

- The proposed development falls into a flood risk vulnerability category that is inappropriate to the Flood Risk Zone in which the application site is located which is a functional flood plain
- Property would be at risk of frequent flooding and also of significant depths of internal flooding
- Flood risk assessment does not contain an assessment of whether the proposed development will result in an increased flood risk elsewhere within the flood department

4.8 NCC Highways

No objections

4.9 Other Representations

1 letter received at the time the application was last heard at Development Management Committee

- Regret that it has come to this state of affairs as the Granary Barn was once an important heritage building
- The queen post trusses have been described as fine examples and are said to be still in usable condition
- It would be indefensible to allow a vital part of this ensemble to be arbitrarily destroyed
- Recommended that no decision was taken at that time pending further investigation of this aspect

5 Assessment

Key considerations

- 5.1 As the barn has collapsed and there is now little of the remaining structure remaining on the site, the scheme would necessitate significant new build contrary to criterion b) of Policy DM2.10 which makes provision for the conversion of rural buildings to residential use, subject to certain criteria.
- 5.2 Whilst a previous consent had been granted, this was on the basis that the barn was a listed structure and therefore given these exceptional circumstances a departure from policy could be accepted. However, subsequent to this approval it became apparent that should the structure be re-built it would no longer be considered of such value as to be listed.
- 5.3 The key considerations therefore are as follows:
- whether the heritage value of reconstructing the building is a material consideration justifying a departure from a scheme which conflicts with Local Plan policy (DM2.10), and,
 - whether the development is acceptable in terms of flood risk

Heritage Considerations

- 5.4 The applicant has now provided information from a structural engineer to demonstrate how the original timber frame will be re-used in the reconstruction of the barn. This includes how the queen post roof will be incorporated, this having been considered to be the main feature of the original barn due to it being a very good example of a feature that is unique to South Norfolk and North Central Suffolk.
- 5.5 The further information submitted demonstrates that many of the timbers can be re-used in reconstruction of the walls of the barn. However, in regard to the roof timbers, the structural engineer has advised that the timbers are in poor condition and that they cannot therefore be used as an integral part of the roof structure. Consequently, the solution the applicant is therefore proposing is to create a new roof structure with those original timbers that can be salvaged forming a purely decorative feature within the roof space.
- 5.6 As noted, it is the queen post roof structure that was of primary importance to the original structure. Whilst the retention of the timbers from the original structure within the roof space as a decorative feature is welcome, its significance is much reduced as a decorative feature rather than providing an integral part of the main structure. Furthermore, there are concerns over the ability to ensure that these are retained in the longer term if they do not form part of the main roof structure.
- 5.7 In summary, it is considered that the re-using of the timbers from the listed building as proposed carries little weight in the decision-making process.

Flood Risk

- 5.8 The site falls within Flood Risk Zone 3b (functional floodplain). As such, the Environment Agency have noted that the local planning authority needs to be satisfied that the development provides wider sustainability benefits that outweigh the flood risk.
- 5.9 In the report to Development Management Committee in 2014, officers advised that it could no longer be considered that development can be justified in such a location as the development would no longer be a designated heritage asset. Therefore in order for the development to satisfy the sequential test members would need to be satisfied that the reconstructed barn could be considered a heritage asset of sufficient value.

- 5.10 As highlighted above the use of the original salvaged timbers as proposed would not offer a sufficient heritage value so as to justify the creation of a new dwelling in flood zone 3b.

Other Issues

- 5.11 There is no objection with regard to the relationship of the barn with the neighbouring converted barn in terms of residential amenity.
- 5.12 Section 66(1) of the Listed Buildings Act 1990 require assessment of the effect upon listed buildings and their setting. For the reasons noted above, the building if re-constructed would no longer be of such value to warrant listing. The development would not be detrimental to the setting of the neighbouring listed buildings as it would be largely replicating a historic arrangement. Equally removal of the remainder of the structure would enhance their setting in accordance with the Council's duties under the Act.
- 5.13 Under Section 143 of the Localism Act the council is required to consider the impact on local finances. This can be a material consideration but in the instance of this application the other material planning considerations detailed above are of greater significance.
- 5.14 **This application is liable for Community Infrastructure Levy (CIL).**

Conclusion

- 5.15 The reconstruction of the building would not result in the restoration of a heritage asset of sufficient value to justify a departure from planning policy (DM2.10).
- 5.16 There is not considered to be any justification for permitting a new dwelling in flood zone 3b contrary to the requirements of section 10 of the NPPF.
- 5.17 Given that the proposal would create a new dwelling outside of a development limit, it is necessary to have regard for the requirements of Policy DM1.3 of the SNLP which allows for new development outside of a development where specific criterion are met. It is evident that the scheme fails to meet the requirement of any relevant policy permitting development outside of a development limit, most pertinently in this case Policy DM2.10, and also fails to present any overriding benefits, mindful that the Council has an up to date 5 year housing land supply.
- 5.18 Given the small elements of the structure that are in place, refusal would result in the Council needing to pursue enforcement action.

Recommendation : Refusal

- 1 Contrary to DM2.10
- 2 In Flood Zone 3b
- 3 fails to comply with DM1.3

Reasons for Refusal

- 1 The proposal is contrary to the provisions of Policy DM2.10 of the South Norfolk Local Plan as the works exceed that permissible as a conversion.
- 2 The site lies with Flood Risk Zone 3b (functional floodplain) and therefore is in a location where new residential development should not normally be permitted. The application is therefore contrary to Section 10 of the NPPF.

- 3 The site is located outside of a development limit and the scheme fails to meet the requirement of any relevant policy permitting development outside of a development limit, including Policy DM2.10 and fails to present any overriding benefits and is therefore contrary to Policy DM1.3 of the South Norfolk Local Plan.

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Development Management Committee

20 August 2014

Agenda Item No. 5PLANNING APPLICATIONS AND OTHER DEVELOPMENT CONTROL MATTERS**Report of Director of Growth and Localism****Applications referred back to Committee**

1. **Appl. No** : 2011/1666/F
Parish : WORTWELL

Applicants Name : Mr T Gentleman
Site Address : Granary Barn Wortwell Hall Farm Low Road Wortwell
Proposal : Repair & re-erection of collapsed barn caused by storm damage and conversion to residential use

Recommendation : Refusal
1 Contrary to local plan policies ENV8, HOU10 and IMP13, JCS Policy 1 and section 20 of the NPPF
2 In Flood Risk Zones 3a and 3b where new residential development should not be permitted and fails the Exception Test

2. **Appl. No** : 2011/1732/LB
Parish : WORTWELL

Applicants Name : Mr T Gentleman
Site Address : Granary Barn Wortwell Hall Farm Low Road Wortwell
Proposal : Repair & re-erection of collapsed barn caused by storm damage and conversion to residential use

Recommendation : Refusal
1 Contrary to Policy IMP13 and S66(1) of Listed Building Act 1990 as little historic fabric retained

1. Planning Policies

- 1.1 National Planning Policy Framework
NPPF 06: Delivering a wide choice of high quality home
NPPF 10: Meeting the challenge of climate change, flooding and coastal change
NPPF 12: Conserving and enhancing the historic environment

- 1.2 Joint Core Strategy
Policy 1 : Addressing climate change and protecting environmental assets

- 1.3 South Norfolk Local Plan 2003
HOU 10: Adaptation and re-use of existing rural buildings for residential purposes (Part Consistent)
IMP 8: Safe and free flow traffic
IMP 9: Residential amenity
IMP 13: Alteration of Listed Buildings (Part Consistent)

- 1.4 Emerging South Norfolk Local Plan
Please note that these policies are not yet part of the Development Plan. They were submitted to the Planning Inspectorate on 17th April 2014 but have not yet completed the Examination stage. Full weight cannot be given to them until final adoption which is likely to be at the end of 2014. In line with paragraph 216 of the National Planning Policy Framework (2012) some weight can be applied to emerging policies as they advance through their preparation.

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Development Management Committee

20 August 2014

- 1.5 Development Management Policies
 DM1.3 Sustainable location of development
 DM2.10 Conversion and re-use of buildings in the Countryside for non-agricultural use

1.6 Statutory duties relating to Listed Buildings

Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires 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 2004/2084/F & 2805/LB Proposed dismantling, repair and re-erection of collapsed barn caused by storm damage and conversion to residential dwelling Approved

- 2.2 2004/2227/F & 2228/LB Re-erection of collapsed barn caused by storm damage and conversion to residential dwelling Withdrawn

- 2.3 2000/1611/F & 1612/LB Conversion of barn and granary to two residential units. Use of cart shed as residential car ports Approved

3. Consultations

- 3.1 Parish Council Approve
 • the plans are in keeping with the area

- 3.2 District Member:
 Dr J M Gray To be determined by Committee
 • disappointing that the original timbers aren't being used apart from the roof
 • views of the EA need to be taken seriously

- 3.3 Conservation Officer Support, with conditions

- 3.4 Environmental Services (Protection) To be reported

- 3.5 Waveney Valley Internal Drainage Board No comments received

- 3.6 Health And Safety Executive No comments received

- 3.7 Environment Agency Comments on revised FRA:
 • The first part of the Exception Test requires you to be satisfied that the development provides wider sustainability benefits to the community that outweigh the flood risk.
 • The second part of the Exception Test requires the submission of a FRA which demonstrates the development will be safe for its lifetime, without increasing flood risk elsewhere, and will reduce flood risk where possible. We are satisfied that the FRA provides you with the information necessary to make an informed decision and suggest conditions should permission be granted

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Development Management Committee

20 August 2014

Original comments:

Refuse

- the proposed development falls into a flood risk vulnerability category that is inappropriate to the Flood Risk Zone in which the application site is located which is a functional flood plain
- property would be at risk of frequent flooding and also of significant depths of internal flooding
- Flood risk assessment does not contain an assessment of whether the proposed development will result in an increased flood risk elsewhere within the flood department

- 3.8 NCC Highways No objections
- 3.9 Representations No response received

4 Assessment

- 4.1 The planning application and application for listed building consent are for the re-erection of a listed barn that was damaged in a storm leading to partial collapse and the remainder dismantled for the preservation of component parts of the structure. This application is for the re-erection of the barn and its conversion to residential use. The assessment of this application gives due weight to the saved policies in the South Norfolk Local Plan referred to above, because those policies remain consistent / part consistent with the published National Planning Policy Framework.
- 4.2 The applications were considered at the meeting of the Development Management Committee on 20 June 2012, the report for which is attached as Appendix 2. Members deferred consideration of the applications to allow the applicant the opportunity to address the concerns of the Environment Agency in regard to the adequacy of the Flood Risk Assessment which the Environment Agency had deemed unsatisfactory. A revised Flood Risk Assessment has now been submitted and the Environment Agency re-consulted and therefore the applications are now to be reconsidered by members.
- 4.3 The Environment Agency have commented that in regard to the Flood Risk Assessment itself, they are satisfied that it provides the information necessary for Council as the local planning authority to make an informed decision. The Council's Flood Defence Officer has also been consulted and raises no objection to the content of the Flood Risk Assessment itself subject to the imposition of conditions relating to surface water drainage. It is therefore considered that the reason for refusal included in the recommendation of the previous report relating to the unsatisfactory nature of the Flood Risk Assessment is no longer applicable.
- 4.4 The Environment Agency also note that the local planning authority needs to be satisfied that the development provides wider sustainability benefits that outweigh the flood risk in order for the proposal to meet the exception test as identified in the NPPF. As noted in paragraph 4.3 of the previous report, this issue has been considered and it was concluded that development cannot be justified in such a location as the re-erected barn would no longer be a statutory heritage asset due to the loss of its historic fabric. The development therefore fails the exception test and is not acceptable in this location.
- 4.5 As noted previously, there is no objection to the detailed design of the scheme proposed for the reconstruction, but in light of the position of the NPPF in relation to development in the functional flood plain the application remains recommended for refusal.

Development Management Committee

20 August 2014.

5. Reasons for Refusal2011/1666/F

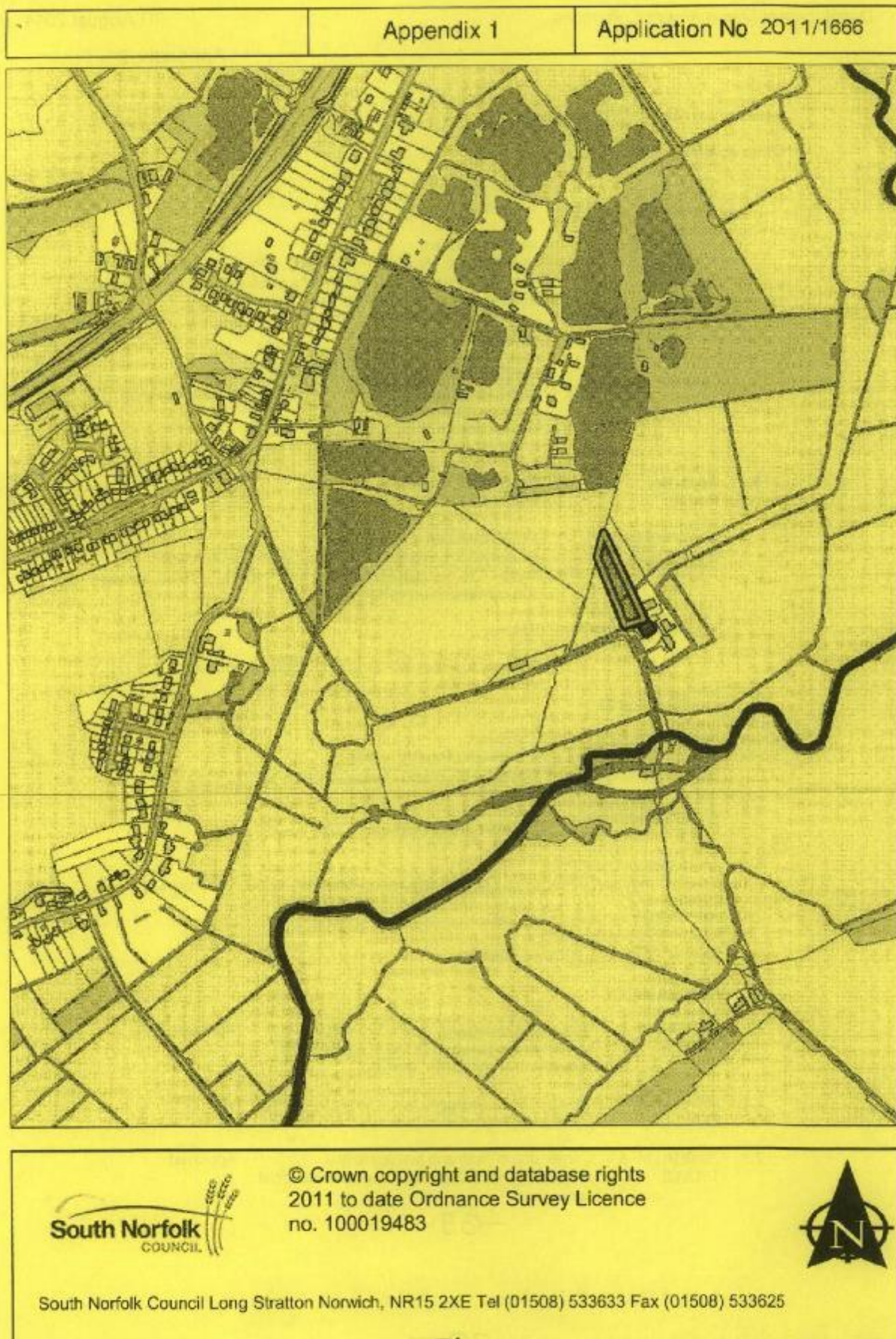
5.1 The proposal is contrary to the provisions of the adopted Joint Core Strategy and South Norfolk Local Plan including, in particular, policies ENV8, HOU10 and IMP13 of the adopted South Norfolk Local Plan (2003), Policy 1 of the adopted Joint Core Strategy (2011, amendments adopted in 2014) and paragraph 102 of the National Planning Policy Framework (2012).

5.2 The site lies with Flood Risk Zone 3b (functional floodplain) and therefore is in a location where new residential development should not normally be permitted. Given the limited amount of historic fabric preserved from the original barn in the proposed development the wider sustainability benefits are not considered to outweigh the flood risk.

2011/1732/LB

5.3 The proposal is contrary to the provision of policy IMP13 of the adopted South Norfolk Local Plan (2003) and the requirements of Section 66(1) of the Planning (Listed Building and Conservation Areas) Act 1990 as the conversion of the barn would lead to limited historic fabric being retained in the building, which would not act to preserve the special architectural or historic interest of the building.

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Development Management Committee

20 August 2014.

Appendix 2

Development Management Committee

20 June 2012

Other Applications

5. **Appl. No** : 2011/1666/F
Parish : WORTWELL

Applicants Name : Mr T Gentleman
 Site Address : Granary Barn, Wortwell Hall Farm Low Road, Wortwell
 Proposal : Repair & re-erection of collapsed barn caused by storm damage and conversion to residential use

Recommendation : Refuse

- 1 Contrary to JCS policy 1 and section 20 of the NPPF
- 2 In functional flood plain where new residential development should not be permitted
- 3 Unsatisfactory Flood Risk Assessment

6. **Appl. No** : 2011/1732/LB
Parish : WORTWELL

Applicants Name : Mr T Gentleman
 Site Address : Granary Barn, Wortwell Hall Farm Low Road, Wortwell
 Proposal : Repair & re-erection of collapsed barn caused by storm damage and conversion to residential use

Recommendation : Refuse

- 1 Contrary to Policy IMP13 as little historic fabric retained

1. Planning Policies

- 1.1 National Planning Policy Framework
 Section 6 – Delivering a wide choice of quality homes
 Section 10 – Meeting the challenge of climate change, flooding and coastal change

- 1.2 Joint Core Strategy
 Policy 1: Addressing climate change and protecting environmental assets

- 1.3 South Norfolk Local Plan
 HOU 10: Adaptation and re-use of existing rural buildings for residential purposes (Part Consistent)
 IMP 8: Safe and free flow of traffic
 IMP 9: Residential amenity
 IMP13: Alterations to Listed Buildings

2. Planning History

- | | | | |
|-----|-----------------------|--|-----------|
| 2.1 | 2004/2804/F & 2805/LB | Proposed dismantling, repair & re-erection of collapsed barn caused by storm damage and conversion to residential dwelling | Approved |
| 2.2 | 2004/2227/F & 2228/LB | Re-erection of collapsed barn caused by storm damage and conversion to residential dwelling | Withdrawn |
| 2.3 | 2000/1611/F & 1612/LB | Conversion of barn and granary to two residential units. Use of cart shed as residential car ports | Approved |

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Development Management Committee

20 August 2014

Development Management Committee

20 June 2012

3. Consultations

- | | | | |
|-----|--|---------------------------------|--|
| 3.1 | Parish Council | : Approve | <ul style="list-style-type: none"> • The plans are in keeping with the area |
| 3.2 | District Member | : To be determined by Committee | <ul style="list-style-type: none"> • Disappointing that original timbers aren't being used apart from in the roof • Views of the EA need to be taken seriously |
| 3.3 | NCC Highways | : No objections | |
| 3.4 | Environment Agency | : Refuse | <ul style="list-style-type: none"> • The proposed development falls into a flood risk vulnerability category that is inappropriate to the Flood Zone in which the application site is located which is functional flood plain • Property would be at risk of frequent flooding and also of significant depths of internal flooding • Flood risk assessment does not contain an assessment of whether the proposed development will result in an increased flood risk elsewhere within the flood compartment |
| 3.5 | Health & Safety Executive | : No response received | |
| 3.6 | Waveney Valley Internal Drainage Board | : No response received | |
| 3.7 | Environmental Services (Protection) | : No response received | |
| 3.8 | Conservation Officer | : Conditional Support | |
| 3.9 | Local Residents | : No response received | |

4. Assessment

- 4.1 The site is located outside of the development limits for Wortwell and forms part of a collection of buildings including an adjoining barn and Wortwell Hall itself. They are located close to the River Waveney, accessed via a private track from Low Road in the village of Wortwell. The barn was storm damaged in February 2004, causing partial collapse of the structure. Prior to the collapse of the building a previous scheme had been approved to convert the building to a residential dwelling. Permission was subsequently granted consent for reconstruction (2004/2804 & 2805), but this permission required the use of far more original timbers than is now proposed and therefore no longer remains valid.
- 4.2 Since the granting of the 2004 permission, there have been a number of policy changes in regard to development within the flood plain, firstly with the introduction of PPS25 and its subsequent replacement with Section 10 of the National Planning Policy Framework (NPPF). The supporting technical guidance for the NPPF states that no new residential development should be permitted within the functional flood plain. As the proposed reconstruction is new build, the proposal is contrary to this guidance and therefore subject to a strong objection from the Environment Agency.

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Development Management Committee

20 August 2014.

Development Management Committee

20 June 2012

- 4.3 Notwithstanding the above, given that the proposal is a reconstruction of a barn that had consent for conversion to residential use a sequential test in respect of the development has been applied. The original building was listed and therefore this could be a justification for development in this location. Norfolk County Council's Historic Environment Services officer was contacted to establish to what extent the rebuilt structure could be considered a heritage asset. He has advised that the structure could still be considered a heritage asset to an extent, due to the queen post roof which is a unique form of roof structure to South Norfolk and North Central Suffolk. However, he also advises that it is unlikely that the rebuilt structure would retain such value as to be listed. Given that the development would not therefore be a statutory heritage asset, it is not considered that the development can be justified in such a location. The development therefore fails the sequential test and is not acceptable in principle.
- 4.4 The Environment Agency has also commented that the Flood Risk Assessment is deficient in a number of ways. In particular, the Assessment does not sufficiently demonstrate that prior evacuation of the property would be practicable as it does not contain a detailed assessment of the anticipated depths of flooding along access routes, nor is it known how long it will take for flood waters to reach the site in a flood event. The Assessment also fails to contain an assessment as to whether the proposed development will result in an increased flood risk elsewhere within the flood compartment.
- 4.5 No objection is raised to the detailed design of the scheme proposed for the reconstruction of the barn, however in light of the objection of the Environment Agency and the position of the NPPF in relation to development in the functional flood plain the application is recommended for refusal.
5. Reasons for Refusal
- 5.1 The proposal is contrary to the provisions of the adopted Joint Core Strategy and South Norfolk Local Plan including, in particular, Policy 1 (Addressing climate change and protecting environmental assets) of the JCS, as well as Section 10 of the National Planning Policy Framework (NPPF).
- 5.2 The site lies within Flood Risk Zone 3b (functional floodplain) and therefore as is in a location where new residential development should not normally be permitted. The application is therefore contrary to Section 10 of the NPPF.
- 5.3 Furthermore, the Flood Risk Assessment provided as unsatisfactory to demonstrate that the safety of occupants of the proposed development would not be compromised during times of flooding and that the proposed development will not lead to an increased flood risk elsewhere within the flood compartment, thereby contrary to the above Policy 1 of the JCS.
- 5.4 In addition, the proposal is contrary to Policy IMP13 (Alterations to Listed Buildings) of the South Norfolk Local Plan as the proposed development would preserve little of the historic fabric of the original barn.

Contact Officer, Telephone Number Tim Barker, 01508 533801,
and E-mail: tbarker@s-norfolk.gov.uk

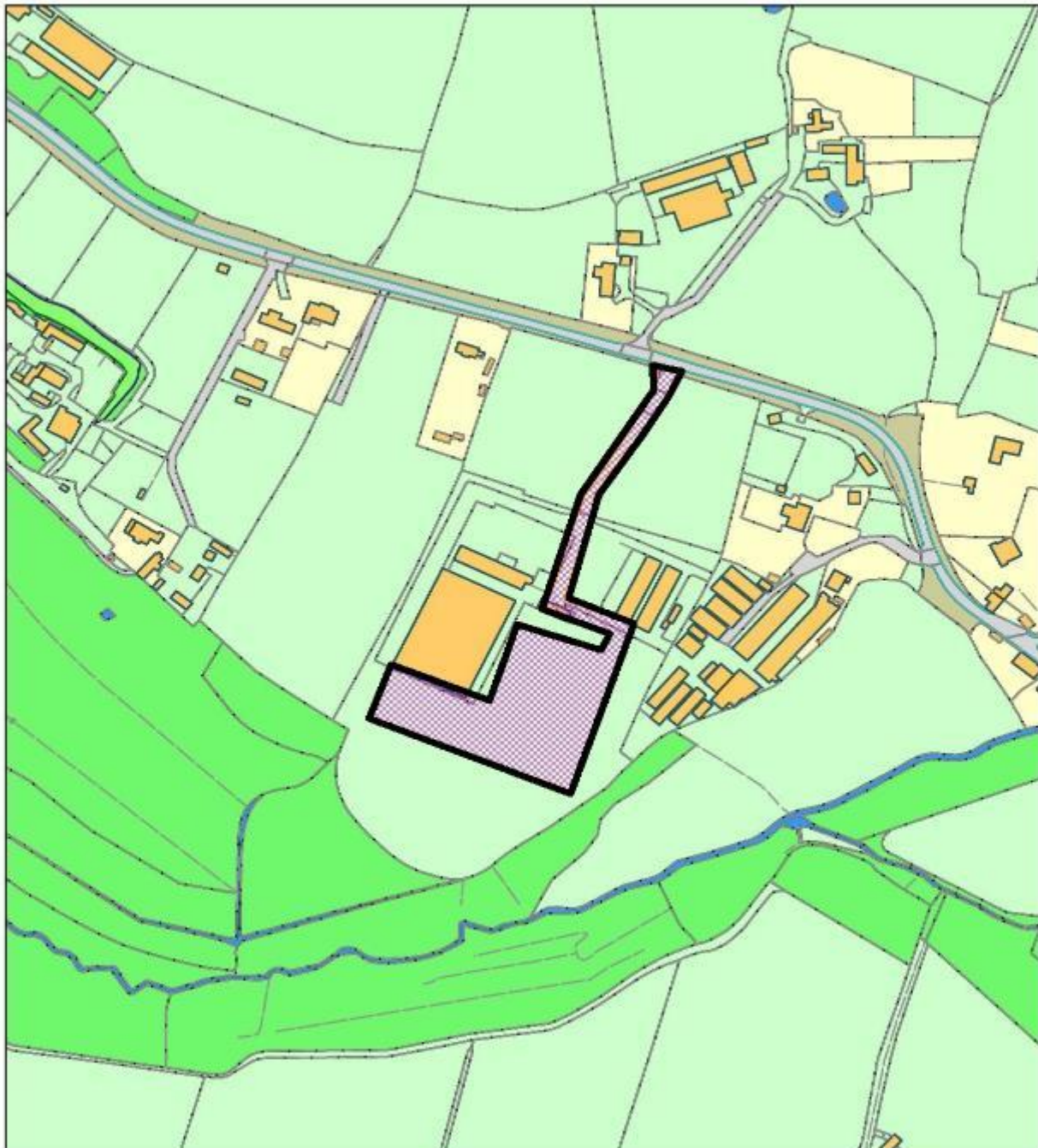
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Major Applications

Application 2

2018/1318



Scale 1:3,000

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

2. Application No : 2018/1318/F
Parish : FLORDON

Applicant's Name: Mr T Tumov
 Site Address: Polytunnels At Tas Valley Mushrooms The Street Flordon Norfolk
 Proposal: Erection of 7 plastic covered growing tunnels.

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 in section 4.

Recommendation summary : Delegated Authority to the Director of Place to approve subject to receipt of an updated landscaping scheme and a plan setting out further details of buildings within the blue line, and the conditions set out below, and S106 legal agreement, if necessary.

1 Proposal and site context

- 1.1 The application proposes the erection of 7 plastic covered tunnels for the growing of mushrooms, at Tas Valley Mushrooms, Flordon. The buildings take the form of tunnel like structures, with an external green insulated Polythene blanket. The individual buildings measure approximately 13m in width, 45m in length and 5.7m in height. Additional works proposed include the provision of hard standing to connect to the existing internal access road. The application represents an expansion of the existing site which is already in use for intensive agricultural purposes (specifically the growing of mushrooms). The proposal will utilise the access which was approved under application 2013/1415.
- 1.2 Tas Valley Mushrooms is located to the west of Flordon with access from The Street. The site is adjacent to Flordon Common which is a Site of Special Scientific Interest (SSSI) and forms part of the Norfolk River Valleys Special Area of Conservation (SAC). The site has been subject to previous applications. The original site is closer to the village and included a separate access. Under the 2013 application, the site was expanded with modern growing rooms added, these are adjacent to the now proposed scheme. This also included a new access in order to remove traffic from entering the site going through the village.
- 1.3 Work has commenced on the scheme, with site clearance and laying of the slab for the foundations on the site. The metal structure for the tunnels has also recently been started. As part of this work on site a bund has also been constructed around the edge of the site adjacent to Flordon Common. The bund is considered to be an engineering operation which would require planning permission. Further information in this regard is included in the main body of the report.

2. Relevant planning history

- | | | | |
|-----|-----------|---|---------------------------------------|
| 2.1 | 2013/1415 | Erection of eight plastic covered agricultural buildings. New entrance to site. | Approved |
| 2.2 | 2015/1357 | Discharge of conditions 3, 6 and 12 of planning permission 2013/1415/F - landscaping, surface water details and drainage maintenance plan. | Approved in part /
Refused in part |
| 2.3 | 2016/0728 | Discharge of Conditions 6 and 12 of planning consent 2013/1415 (8 plastic covered ag. buildings & new entrance) - Surface water and drainage management plan. | Approved |

- | | | | |
|-----|-----------|---|----------|
| 2.4 | 2010/1204 | Proposed erection of two plastic covered agricultural buildings | Approved |
|-----|-----------|---|----------|

3 Planning Policies

- 3.1 National Planning Policy Framework (NPPF)
 NPPF 02 : Achieving sustainable development
 NPPF 04 : Decision-making
 NPPF 06 : Building a strong, competitive economy
 NPPF 12 : Achieving well-designed places
 NPPF 15 : Conserving and enhancing the natural environment
- 3.2 Joint Core Strategy (JCS)
 Policy 2 : Promoting good design
 Policy 5 : The Economy
 Policy 16 : Other Villages
- 3.3 South Norfolk Local Plan Development Management Policies
 DM2.1 : Employment and business development
 DM2.7 : Agricultural and forestry development
 DM3.8 : Design Principles applying to all development
 DM3.11 : Road safety and the free flow of traffic
 DM3.12 : Provision of vehicle parking
 DM3.13 : Amenity, noise, quality of life
 DM4.2 : Sustainable drainage and water management
 DM4.4 : Natural Environmental assets - designated and locally important open space
 DM4.5 : Landscape Character Areas and River Valleys
 DM4.9 : Incorporating landscape into design

4. Consultations

4.1 Town / Parish Council

Initial Comments 19 October 2018

The Parish Council are concerned for the following reasons:

- HGVs already use Flordon Road in Newton Flotman seven days a week not only to access this site but also to access the sites of Bernard Matthews and Redwings, this proposal will further increase the volume of HGVs
- the route that the lorries take includes a narrow bridge in Flordon and narrow and heavily populated roads in both Flordon and Newton Flotman
- the junction that forms the access for the HGVs onto the A140 (A140/Flordon Road junction in Newton Flotman) has already been recognised as a dangerous junction

If the District Council are mindful to approve the application, the Parish Council would suggest the following conditions:

- no more than the anticipated HGV movements are permitted to use the public highway
- the HGVs access and leave the site using the B1113.

Additional Comments received 23 November 2018

Mushroom growing is more of an industrial than agricultural process. The production operation in Flordon consists of paving over agricultural land and growing mushrooms in imported compost. As an industrial process it involves heavy, noisy machinery including forklift trucks, trolleys, cooling fans and numerous vehicle movements from both employees

cars and lorries. The impacts and potential impacts of this type of operation in a rural setting on the natural, as built and social environments are significant.

Breach of Planning Control - Would wish to draw the LPA's attention to the disregard of the existing planning conditions on the site. This includes operating outside of permitted times. The current construction activities on the site have started without planning permission. This has included the construction of a bund on the site. It is understood the bund has covered the drainage attenuation pond and reed beds and therefore there is currently no protection to the drainage system on the common.

EIA – The scheme is believed to be EIA development and therefore it is questioned whether the appropriate screening has occurred. The site is within an area with a sensitive hydrological and hydrogeological climate and is next to a SSSI and SAC. It is within the Tas River Valley which is a sensitive landscape and is also within an area known for Roman remain/ earthworks. The precautionary principle applies here.

Highways and Social Impacts – There is significant concern about the potential impacts from traffic noise, and light pollution and visual impacts. A transport assessment and noise management plan should be submitted for this application. Considers that the transport information submitted is not reflective of the expansion of the site.

Planning Conditions – recommends refusal of the application. If LPA is minded to grant the applications conditions restricting further development on the site, requiring all vehicle movements to take place away from the village and not via The Street and restrictions on the opening hours of the whole site.

4.2 District Councillor

- Phil Hardy (former ward member for Flordon)

I would like this to go before Planning Committee. Planning reasons: noise impacts, highways impacts and environmental considerations.

Comments have been submitted in relation to:

- Expansion turning the site into more of an industrial use than agricultural.
- Noise from the site. A revised noise impact assessment should be submitted.
- Concern raised that existing conditioned operational hours from the site are not being adhered to.
- Increased traffic movements associated with the expansion of the site, Many 26 ton 6 wheeled refrigerated HGVs now travel through the village across narrow roads and a very narrow bridge that often involves vehicles backing up when they meet the lorries. 44 ton articulated lorries deliver compost which also travel through the village. Waste compost is transported by tractors with large containers making many journeys throughout the week. There is justified concern that with the doubling of the site, the 3 additional articulated lorries mentioned in the application are not realistic and that other associated movements such as refrigerated lorries, vans, cars and tractors are not included.
- Implications of the work which has been carried out without planning permission including clearing the site and the construction of the bund on the reedbeds and the impact this may have on Flordon Common.
- The site is within an area with a sensitive hydrological and hydrogeological nature and is in close proximity to a Site of Special Scientific Interest (SSSI) – around 70 metres away. It is within the TAS river valley which is a sensitive landscape area and also known for archaeological interest I understand. Until further surveys are carried out in relation to these protected areas, surely work should not have commenced prior to commissioning the associated reports in terms of ecology, archaeology, landscape etc. Significant harm may already have been caused in the absence of assessments.

- Should an EIA be carried out to inform development going forward? This would assess all the impacts and risks of the proposed development. In terms of drainage, there are fears increased discharge needs to be drained which currently discharges into the SSSI. What would trigger the requirement for an ecology report? What would trigger the requirement for an EIA?
- What will happen if significant damage has been done to the protected area without required assessments?

4.3 Anglian Water Services Ltd

As the applicant is not proposing to connect to Anglia Water's assets it is outside our jurisdiction to comment.

4.4 SNC Conservation and Design

No objections with regard to heritage assets.

4.5 SNC Community Services - Environmental Quality Team

Original Comments – 20 November 2018

- We have ongoing complaints about noise impact from the existing site. As you are aware noise is a material consideration in planning decisions and therefore there is an expectation to avoid permissions would could give rise to noise nuisance.
- The submitted documentation suggests that the proposal will result in the scaling down of activities on the old site, but this has not been quantified.
- We feel that there is the potential that the site could give rise to a statutory noise nuisance. This in turn could result in the ES team having to take formal action against the company which could affect the viability of the proposals and as such any planning permission given may not be implementable and contrary to the National Planning Policy Framework. We are obviously keen to avoid such a situation arising.

Considering the above we are unable to support the application as there is insufficient information to enable us to assess the noise impact.

Additional Comments – 20 June 2019

- Officers accounts of noise from the Tas Valley Mushrooms site suggest that it could potentially constitute a statutory nuisance. The submitted assessment indicates that the new tunnels, with noise attenuation measures, could operate without causing a significant adverse impact on residential amenity when considered in isolation from the remainder of the site. We cannot support an application for expansion of a site which is currently causing noise issues – unless its impact alongside the whole site is considered, and noise levels controlled. Activities are not independent on each part of the site.
- Clarification is still required that the mitigation measures required as part of previous applications and the 2016 noise management plan have been incorporated. The latest noise assessment suggests that acoustic cowls have not been fitted to the high-level gable end fans as was required as part of the previous application.

Comments following revised noise impact assessment – 5 August 2019

The environmental quality team have reviewed the noise assessment and the mitigation measures and have commented:

- It is my understanding that the noise mitigation measures required relating to areas outside of the redline boundary (but within the blueline boundary) can be dealt with by

- condition and/or a section 106 agreement – this could address many of our concerns raised previously.
- The applicant has advised that the boiler room is only used to sterilise the nets (used in the “new part” of the site and which will be used in the proposed units) once a week for one hour, this is located on the old site which has no current hours of use restriction. The applicant has agreed that the old growing rooms and boiler room on the original site can be decommissioned and used only for storage.
- We acknowledge the work that had already been carried out on the site to minimise noise levels however my colleague’s noise investigations suggest that further work is required to minimise noise from existing activities.
- There is significant local concern about vehicle movements through the village, I understand that there has been no objection from highways officers & as such the submitted traffic data is being accepted. In noise terms the increase in noise from the additional vehicles movements is not significant.
- Section 5.2.35 of the noise impact assessment suggests that compost/peat deliveries should only take place during daytime hours
- The granting of any planning permission does not in any way indemnify against statutory nuisance action being taken should substantiated complaints within the remit of part III of the Environmental Protection Act 1990 be received.

The Environmental Quality Team have advised that a number of conditions should be included to secure the mitigation required through the noise impact assessment. These relate too: Weather cowls being fitted on fans, vibration mounts for external evaporator units, attenuators being fitted on inlet axial fan, acoustic louvres, noise attenuation on inlet fans, verification testing of mitigation measures, improvements to the haul road, closure of the boiler room and growing room, restrictions on operational hours, no air handling plant without consent and external lighting to be agreed.

4.6 NCC Lead Local Flood Authority

Application falls below threshold for providing detailed comment as site is less than 2ha in size and is not within a surface water flow path as defined by the Environment Agency.

4.7 NCC Ecologist

From publicly available aerial sources the site appeared to have some biodiversity value. The Preliminary Ecological Assessment (PEA) will not be necessary. If you are minded to approve this application we recommend that you condition an ecological enhancement plan to provide sufficient enhancements on the wider site providing net gains for nature" (paragraph 170, NPPF). There are opportunities to position a barn owl box on the wider site, close to the woodland overlooking the arable fields and to place bat boxes on mature trees.

Biodiversity enhancement - condition

"Prior to the commencement of development, a biodiversity enhancement plan shall be submitted and approved in writing by the local planning authority, detailing the enhancement measures for biodiversity on site. The biodiversity enhancement plan should include numbers and locations of a barn owl box, bird boxes, bat boxes, habitat enhancements. The measures shall be carried out strictly in accordance of the approved scheme."

4.8 Environment Agency

No comments received

4.9 Natural England

Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected sites or landscape, provided that the conditions under previous planning permission 2013/1415/F (dated 7 March 2014) are implemented in full, and specifically conditions 5,6 and 12.

4.10 SNC Landscape Architect

Original Comments October 2018

I am concerned about the advanced works that have been undertaken, in particular the earth mounding that has been created around the periphery of the site, adjacent to the SSSI / SAC. Whilst relatively screened by existing vegetation on Flordon Common, the new earthworks can be seen, and the visual effect of this will undoubtedly increase as the trees and shrubs shed their leaves. The Common has public access and receptors will be highly sensitive to visual effects.

The bunding is not indicated on the submitted drawings, but the planning statement refers to them as “previous works” although does not expand on this; further information is required.

Paragraph 6.30 of the Design, Access and Planning Statement correctly states that Policy DM 4.5 of the Development Management Policies Document requires development to respect, conserve and where possible, enhance the landscape character of its immediate and wider environment.

The site is in the A1 Tas Rural River Valley. One of the key considerations in the published assessment is *“visual sensitivities of the Tas Valley to new development/landscape change as a result of its open character, wide flat floor and long valley views, plus importance of valley crests”* Based on the information submitted and available, I cannot conclude that the proposed development will not be contrary to DM4.5.

Comments following amended plans

A Landscape and Visual Assessment (LVA) has been submitted. Whilst it is not a full Landscape and Visual Impact Assessment it does provide a commentary on the anticipated visibility of the new structures. Whilst much landscape character information is reproduced, no particular assessment has been made on the potential effect on landscape character.

In terms of visual effect, whilst the additional buildings will be able to be seen from some points, they will either be in the context of the other buildings, or seen as glimpsed views. From the most sensitive vantage points on the common, it is envisaged that the new buildings themselves would not be seen. The most visible element from Flordon Common at the present is the (unauthorised) earth mounding.

In terms of landscape character, whilst no specific assessment has been undertaken, my principal concern is the earth mounding which does not accord with the identified landscape character for either LCAs A1 or B1. My judgement is that this is an adverse harm.

The LVA states that it is not necessary to provide mounding in order to achieve successful visual mitigation, and that the earth bund is to be removed. In light of this my concerns about the proposal are much lessened. In order to be acceptable, however, we need to have a clear landscape concept based on the mitigation strategy within the LVA, which discusses proposed planting both to the north and south; the illustrative plan is not explicit as to where this will be, so clarification needs to be provided. Ideally I would like to have a full scheme at this time so to avoid a subsequent DC application, but if the applicant wishes

to leave the full details to be agreed later, then the minimum we should seek at this time is a plan to show all existing vegetation that will be retained, and the extent and nature of all new planting. In addition to this, full details (whether submitted now or later) will also need to cover species, sizes at planting, and numbers/densities along with full details of establishment and long-term management proposals.

Comments following amended plans

Pleased to note that the bunds will no longer form part of the scheme.

Regarding the proposed planting, I have reservations about some of the proposed tree species; Horse Chestnut (*Aesculus hippocastanum*) is beset pest and disease problems, whilst Scots Pine (*Pinus sylvestris*) is not particularly characterful of the area.

The proposals do not include any long-term management plans for the landscape; whilst these need not be complex, I consider that it will be important to agree the management in order to ensure the long-term landscape effect and benefits. This could be dealt-with by way of condition or – ideally – included as part of the revised planting proposals.

4.11 NCC Highways

Original comments 9 July 2017

Requested that the applicant submitted additional traffic information for this application including an explanation of how the traffic movement figures that are provided, are derived.

Comments following submission of additional information 5 March 2019

The additional highways movements proposed would not be sufficient to warrant a highway objection.

The site access arrangement as approved under 2013/1415 is such that the large HGV movements should be towards Mulbarton and not through the village to the A140. I believe that on site signage was also agreed to advise drivers. Although residents' comment that this is not always the case. A formal routing agreement would be desirable; however these are difficult in practise to enforce and would only relate to vehicles that are within the control of the applicant.

When asked to comment on development proposals the County Council as local Highway Authority is a consultee in the planning process. Our remit is limited to making an assessment of traffic impacts upon the highway and highway users only and issues such as nuisance to residents caused by traffic; noise from traffic and odour are all outside of our remit. They are issues for yourselves as the Local Planning Authority to assess.

4.12 Other Representations

Original Application – 24 Objections

- Traffic continuing to travel to the site through the centre of the village. This includes ignoring the weight limits on the route.
- The existing site already causes noise pollution. This includes noise from industrial fans, noise from steam outlets, noise from the boilers and general noise and disruption from late night working.
- Passing places should be provided on the Flordon to Hethel road.
- Noise from the site has caused problems with residents health and well being, and ability to enjoy their garden.
- Existing working hours within the site are not being complied with.
- Lack of signage for the site has resulted in lorries travelling to the wrong premises and disturbing residents at night.

- They have already laid the foundation pads for the new tunnels
- Vehicles travelling to the site are a danger to residents through ignoring routing restrictions.
- All vehicle movements must surely double if this application goes ahead. As part of the application there should be a vehicle movement survey, as we don't believe the predicted increase of 3 articulated lorries a week and no increase of rigid lorries. No mention is made of the increase of vehicles used to transport waste compost or the increase in vans and cars.
- The road near the old entrance is liable to flooding and Flordon Common (SSSI) is just metres behind the development. Strict drainage management conditions must be enforced to ensure that the road and Common are not inadvertently affected now or in the future.
- Noise from vehicles and tunnels will increase and threaten our enjoyment of our own properties. There is a constant humming which can be heard across the local area.
- There must be restrictions on further lighting being installed so that it does not affect the wildlife on Flordon Common or neighbouring properties.
- Landscaping: Driving into the village and from several other view points the 'view' is of an extensive flat area of car park and polytunnels. Further landscaping conditions must be put in place.
- The village is used as a rat run, between the mushroom farm and the packing plant in Swainsthorpe.
- Should be located on an industrial estate and not in a small village
- Disturbs the peaceful nature of Flordon Common
- The plans are inaccurate as they do not show the bund which has been constructed adjacent to Flordon Common SSSI
- Concern regarding the impact on ecology. The ecologists have requested a condition for an ecology report prior to work commencing, however work has already started.
- The negative impact on Flordon common caused by the new buildings, landscaping and increased activity on the adjacent land including uncontrolled drainage into the water courses.
- The increase in general noise. This works operates from early morning to late evening including bank holidays. The air condition plant on these tunnels runs continually during the summer months.
- The reed bed has been removed which is used to treat effluent and the facts have been reported to the Environment Agency.
- Construction has already commenced . Significant waste material has been brought onto the site without planning consent or licenses. Material is potentially contaminated threatening the areas hydrology and ecology.
- The development should be screened as EIA development.
- Traffic movement data is inaccurate and does not represent what is experienced in the village at present.

Amended Plans – 10 Objections

- Transport monitoring from village resident has been provided. This shows that more than 50% of the rigid lorries transporting mushroom is via the village rather than the B1113. A proper survey should be carried out.
- No restriction on the original site (closest to the village) means that work is happening at unsociable hours. The whole site needs to be considered inside the red line,
- Steam and fan noise continues to be a problem
- Traffic remains an issue with lorries travelling through the centre of the village with no concern whatsoever for weight limits, residents, people walking or other vehicles - quite often going too quickly and more than often going on the wrong
- side of the road to get round the bend near the railway bridge.
- Original objections are still relevant and have not been addressed via the amended plans.

- We have been told that they will scale down work on the old site but this has been said before and it hasn't happened. There should be some kind of time scale written into this application.
- Concern regarding the noise associated with the weekly steaming of compost, and whether this will increase with the expanded site.
- Air condition for the site is running 24/7
- Noise and traffic from the site has a negative impact upon the enjoyment of residential garden.

5 Assessment

- 5.1 The development of new tunnels at Tas Valley Mushrooms is proposed to enable a more efficient operation and higher crop yields, allowing the business to meet the existing and anticipated demand for a high quality, competitively priced product. As a direct result of the proposal, the creation of 12 additional jobs is anticipated. The proposal seeks to move production from an older part of the site (included within the blue line land of the application to the new tunnels to utilise a more efficient process for growing of mushrooms, which will also enable production to increase.
- 5.2 During the course of this application, it has been subject to amendment. The redline boundary has been revised to incorporate a wider area of land including all of the landscaping up to the site boundary.
- 5.3 Taking into account the circumstances of the site and the relevant planning policies, the main issues to be considered in assessing this proposal are: principle of development, design, landscape and visual impact, highways, drainage, ecology and impact upon residential amenity.

Principle of Development

- 5.4 The principle of development for agricultural purposes is considered under Policy DM2.7. This sets out that agricultural and forestry development will be permitted subject to criteria. Criteria b is not considered to relate to this proposal, however criteria a, c and d will need to be considered. They set out that the proposal should be necessary for the purposes of agriculture, appropriately located in terms of use, design, scale and siting to protect the amenity of the existing neighbouring uses and designed to avoid significant adverse impact on the natural and local environment. The applicant has confirmed that the proposal is necessary for the purposes of agriculture in accordance with the requirements of DM2.7. The other requirements are addressed within the following sections.
- 5.5 The proposal will also result in the expansion of the business and additional employment opportunities. As such Policy DM2.1 is also considered relevant to the determination of the application. Criteria 1 and 6 are considered of particular relevance to this application. They set out at criteria 1 that development proposals which provide for or assist the creation of new employment opportunities, inward investment and / or provide for the adaptation and expansion of an existing business will be supported unless there is a significant adverse impact. Criterion 6 sets out that proposals for the expansion of existing business located in the countryside should not have a significant adverse impact on the local and natural environment and character of the countryside and should protect the amenities of neighbouring occupiers.

Design

- 5.6 The NPPF at chapter 12 sets out that good design is a key aspect of sustainable development. This is reiterated through Policy 2 of the JCS and DM Policy 3.8. The proposed tunnels have been designed to match the existing tunnels on the site. The proposed design and materials of the tunnels is considered to be acceptable when having regard to the requirements of DM3.8 and JCS Policy 2.

Landscape and Visual Impact

- 5.7 Policy DM4.5 requires all development to respect, conserve and where possible, enhance the landscape character surrounding the development. Policy DM4.9 requires detailed development proposals to demonstrate a high quality of landscape design, implementation and management as an integral part of the new development.
- 5.8 The site is located within the river valley landscape. Policy DM 4.5 requires that particular regard is had to protecting the distinctive characteristics, special qualities and geographical extents. A Landscape and Visual Impact Appraisal has been submitted as part of this proposal, and the Landscape Architect has provided comments on this application. This has set out that in terms of visual effect, whilst the additional buildings will be able to be seen from some points, they will either be in the context of the other buildings, or seen as glimpsed views. From the most sensitive vantage points on the Common, it is envisaged that the new buildings themselves would not be seen.
- 5.9 It is evident that the applicant has constructed a bund around the western edge of the site, directly adjacent to Flordon Common. Due to the scale of the bund this is considered to be an engineering operation which requires retrospective planning permission. A number of the public representations have also raised concern with the construction of the bund. The Landscape Architect has noted that the most visible element from Flordon Common at the present is the (unauthorised) bund. In terms of landscape character, the bund does not accord with the identified landscape character for either Landscape Character Areas A1 or B1. The bund is considered to result in significant adverse harm to the landscape
- 5.10 In light of these concerns, revisions to the landscaping plans include the removal of the bund and the provision of boundary planting instead. The Landscape Architect has requested revisions to some of the proposed tree species and also the inclusion of a long-term management plan for the site to ensure the effects and benefits. These are still awaited, and the recommendation is subject to revised planting proposal being submitted prior to the decision being issued.
- 5.11 Conditions have been imposed relating to the removal of the bund, the implementation of the landscaping scheme and also the requirement for a long-term management plan.
- 5.12 In summary, subject to the receipt of an acceptable revised landscaping/planting scheme and the imposition of the suggested conditions the proposal is considered to have an acceptable impact in relation to the requirements of DM4.5 and 4.9.

Highways

- 5.13 Policy DM 3.11 states that planning permission will not be granted for development which would endanger the highway safety or the satisfactory functioning of the highway network.
- 5.14 The proposal seeks to utilise the existing access which was approved under application 2013/1415. This also set out that large HGV movements should be towards Mulbarton and not through the village to the A140.
- 5.15 Traffic information has been provided in support of the proposal which has set out that the proposal will result in 3 additional HGV's per week, 2 additional tractor and trailer movements and a further 41 staff movements. On the basis of the information submitted the Highways Authority has stated that the traffic movement would not be sufficient to warrant an objection.
- 5.16 A number of the public representations have raised concern in regard to traffic movement. They have questioned both the accuracy of the applicants information in regard to number of vehicle movements and also the routing of the vehicles accessing the site, which is often via the village rather than the agreed routing from Mulbarton. Additionally, concern has also

been raised in regard to the timing of the vehicles arriving at the site. The concerns of the local residents are fully understood. The Highways Authority have set out that a formal routing agreement would be desirable for this site, however acknowledge that these are difficult in practise to enforce and would only relate to vehicles within the control of the applicant. Conditions are also already in place on the site which means that although vehicles may access the site at any time, unloading must happen within prescribed times.

- 5.17 It is acknowledged that concern has been raised regarding noise from additional traffic movement, however due to the limited additional movements this is not considered to represent significant adverse harm.
- 5.18 In summary, having regard to the existing level of activities on-site and the restrictive conditions that apply to it, and the views of the Highways Authority, the proposal is not considered to endanger highway safety or the satisfactory functioning of the highway network. It is therefore considered that the proposal complies with the requirements of DM3.11.

Drainage

- 5.19 Policy DM4.2 requires sustainable drainage measures to be fully integrated within the design of proposals to manage any surface water arising from development proposals. The proposal sets out that Run-off from roofs and hard-standings will be directed to attenuation ponds (via oil/silt traps where appropriate) before discharge to the existing ditch system. Washdown water from the buildings will be directed to filtration beds before reaching other watercourses. The application proposes an expansion to the existing attenuation pond to accommodate the additional surface water runoff created by this proposal, alongside two new reed beds to take the wash down water from the growing tunnels.
- 5.20 Conditions are proposed to be imposed in relation to both surface water and foul water drainage. Subject to the inclusion of the conditions, the application is considered to accord with the requirements of DM4.2.

Ecology

- 5.21 Policy 1 of the JCS requires the development to both have regard to and protect the biodiversity and ecological interests of the site and contribute to providing a multi-functional green infrastructure network. Policy DM4.4 looks for new development sites to safeguard the ecological interests of the site and to contribute to ecological and biodiversity enhancements
- 5.22 The application site is located adjacent to Flordon Common which is designated as a SSSI and forms part of the Norfolk Valley Fens SAC. Both Norfolk County Council's Ecologist and Natural England have commented on this application and have not raised any objections subject to conditions being added to any permission. These relate to surface water and foul water drainage from the site, to ensure that they do not flow directly into Flordon Common SSSI. As part of the application reed beds are proposed to filter the wash down water from the site before it reached Flordon Common.
- 5.23 A number of the public representations have raised concern regarding the impact of the proposed development on Flordon Common, including the construction of the bund on the existing reed beds. Having regard to the response from the statutory consultees and the inclusion of conditions, the proposal is considered to be acceptable in relation to Policy 1 of the JCS and DM Policy 4.4.

Impact on Neighbouring Amenity

- 5.24 Alongside the requirements within DM2.7 and DM2.1, amenity is considered under DM3.13 Amenity, Noise and Quality of Life. DM3.13 requires development to ensure a reasonable standard of amenity reflecting the character of the local area.
- 5.25 A number of representations have been received regarding noise levels from the site currently, and the concern that this will increase with the addition of new units. This includes concern regarding both plant noise (fans and steam) and also vehicle noise around the site.
- 5.26 Paragraph 180 of the NPPF is also considered to be relevant when assessing noise impacts. This sets out that decisions '*should ensure new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should:*
- a) mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life;*
 - b) identify and protect tranquil areas which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason; and*
 - c) limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation*
- 5.27 An acoustic assessment has been prepared in support of this proposal. This has been reviewed by the Council's Environmental Quality Team. Following the initial report, additional information was required including consideration of the cumulative impact of noise from the site as a whole. The assessment has set out that a number of mitigation measures which would be required. This has included both mitigation for the buildings within this application and also for the existing buildings on the site, which fall within the blue line area of the application. The Environmental Quality Team have advised that should permission be granted conditions would be needed to mitigate the noise impact. The conditions seek to secure the mitigation measures required within the noise assessment. This includes attenuation measures for the fans on both the new and existing buildings and improvements to the haul road.
- 5.28 Particular concern has been raised from residents regarding the noise associated with the steam vent on the boiler room at the existing site. This currently points over the Common. A condition is included to re-direct the steam vent into the farm. Furthermore, the applicant has provided information on the use of the boiler room associated with the steam vent, this has confirmed that the boiler is only used to steam the nets for the new building and could be closed following the completion of the final tunnel on the site. A condition has been imposed restricting the hours of use of the boiler room to day time hours only and also requiring its closure following completion of the final unit. It should however be noted that the boiler room is required in relation to the new units, and provision has not been made as part of this application to provide a facility which would be able to carry out this operation.
- 5.29 The growing room adjacent to the boiler room on the original site has also been identified as a source of noise. A condition has been imposed ceasing its use, removing all plant and being used only for storage following the completion of the third tunnel. Alongside this it is also recommended that a condition is imposed relating to the compost handling tunnel and trayline building preventing the buildings being brought back into use. A plan is currently awaited from the applicants showing the location of these buildings. The recommendation of approval is subject to this being received.

- 5.30 In addition, it is also necessary to include a condition restricting the operating hours on the site. Noise from deliveries has been highlighted within a significant number of objections on the site. The condition would accord with the existing working hours on the adjacent units.
- 5.31 Having regard to the mitigation measures proposed, and the inclusion of them within conditions, the proposal is considered to accord with the requirements of DM 3.13 of the South Norfolk Local Plan and paragraph 180 of the NPPF.

Other Matters

- 5.32 The proposal by virtue of its scale is defined as schedule 2 development under the Environmental Impact Assessment Regulations 2017. As such the application has been subject to screening in order to consider likely effects of the development. The screening opinion concluded that an Environmental Statement would not be required.
- 5.33 A habitats regulation assessment has been undertaken and this has concluded that subject to mitigation measures there will be no residual adverse effects from the proposed development on the integrity of the European sites.
- 5.34 Under Section 143 of the Localism Act the council is required to consider the impact on local finances. This can be a material consideration but in the instance of this application the other material planning considerations detailed above are of greater significance.
- 5.35 **This application is liable for Community Infrastructure Levy (CIL)**

Conclusion

- 5.36 The principle of the expansion of the site is considered to acceptable having regard to the requirements of DM2.7. It is considered that the impact of the development in relation to both the amenity of existing neighbouring uses and also on the natural and local environment can be mitigated subject to the inclusion of conditions, and S106 legal agreement if deemed necessary.
- 5.37 Furthermore, the development is also considered to accord with the requirements of DM Policies 2.1, 3.11, 3.12, 3.13, 4.2, 4.4, 4.5 and 4.9

Recommendation : Delegated Authority to the Director of Place to approve subject to receipt of an updated landscaping scheme and a plan setting out further details of buildings within the blue line and the conditions set out below, and S106 legal agreement, if necessary.

- 1 Time Limit
- 2 In accordance with submitted plans
- 3 Foul Drainage
- 4 Surface Water Drainage
- 5 Drainage Management Plan
- 6 Removal of bund

- 7 Implement Landscaping Scheme
- 8 Landscape Management Plan
- 9 Biodiversity Enhancement Plan
- 10 Weather Cowl
- 11 Vibration mounts for external evaporator units
- 12 Attenuator on inlet axial fan
- 13 Acoustic Louvres
- 14 Noise from inlet fans
- 15 Verification Testing
- 16 Haul Road
- 17 Boiler Room
- 18 Growing Room
- 19 Compost handling building and Trayline building
- 20 Operational Hours
- 21 No air handling plant without consent
- 22 External Lighting

Contact Officer, Telephone Number Sarah Everard 01508 533674
and E-mail: severard@s-norfolk.gov.uk

- 3 Application No : 2019/1275/CU**
Parish : DISS

Applicant's Name: Mr Alan Stevens
Site Address Roswald House Oak Drive Diss IP22 4GX
Proposal Change of use of part of overflow car park to motorcycle training area

Reason for reporting to committee

The proposal has potential to generate employment but the recommendation is for refusal.

Recommendation summary:

Refusal

1 Proposal and site context

- 1.1 The site is at present an overflow car park for staff and customers forming part of an existing depot for the Simonds Coaches company based at the adjacent Roswald House. The applicant is not the land owner. It is located adjacent to the roundabout at the junction of Sawmills Road, Nelson Road and Sandy Lane and is within the Diss development boundary.
- 1.2 The proposed development is the change of use of a part of this car park, an area approximately 45 metres by 12 metres at the north end of the car park, to a motorcycle training area. Connected with this change of use would be the re-surfacing of that part of the car park to tarmac.
- 1.3 The access would be via Oak Drive, a private road that has access to the highway at the roundabout, and over the remainder of the existing car park.
- 1.4 The site is not allocated and is not designated in the development plan as an employment site. Planning permission for the coach depot was granted in 2005 and this permission includes the erection on the application site of a building for industrial "starter units". As the permission has been implemented, with the establishment of the coach depot, these units could still be erected.
- 1.5 To the north of the site, on elevated ground relative to the site, is a large two-storey commercial building forming part of the Diss Business Park off Hopper Way, which is occupied by several businesses largely in the B1 use class (offices, light industry and research).
- 1.6 To the east and south of the site is the remainder of the Simonds coach depot, including that company's offices.
- 1.7 To the immediate west is Sandy Lane and on the opposite side of this road is a dwellinghouse surrounded by vacant land. This vacant land is an allocated employment site, although planning permission has been granted (ref. 2015/2789) for a 76-bed residential care home that would take up the entirety of this land.
- 1.8 To the southwest of the application site is first the roundabout and then a development of two and three storey dwellings.

2. Relevant planning history

- 2.1 2005/0014 Proposed new coach depot and MOT centre with staff facilities and separate starter units for Simonds Coach & Travel. Approved

3 Planning Policies

- 3.1 National Planning Policy Framework (NPPF)
NPPF 02 : Achieving sustainable development
NPPF 06 : Building a strong, competitive economy
NPPF 12 : Achieving well-designed places

- 3.2 Joint Core Strategy (JCS)
Policy 1 : Addressing climate change and protecting environmental assets
Policy 2 : Promoting good design
Policy 3: Energy and water
Policy 5 : The economy

- 3.3 South Norfolk Local Plan Development Management Policies
DM1.3 : The sustainable location of new development
DM1.4 : Environmental quality and local distinctiveness
DM2.1 : Employment and business development
DM3.8 : Design Principles applying to all development
DM3.11 : Road safety and the free flow of traffic
DM3.12 : Provision of vehicle parking
DM3.13 : Amenity, noise, quality of life
DM3.14 : Pollution, health and safety
DM4.2 : Sustainable drainage and water management

4. Consultations

- 4.1 Town Council

No comments received

- 4.2 District Council

To be updated if appropriate.

- 4.3 NCC Highways

No objection.

- 4.4 SNC Community Services - Environmental Quality Team

- It is possible that this proposal can take place without causing a noise issue so severe as to cause a statutory nuisance to residents of the area;
- It appears that this business has been operating next to dwellings without giving rise to complaints in the past;
- However, in order to clarify this, we would suggest that any approval is for a temporary period of 18 months to allow monitoring of its impact and also includes an hours of use condition 8:30-18:00 Monday to Friday and 08:30-17:00 Saturday (use shall not take place on Sunday or public holidays);
- A noise impact assessment would be helpful but to be of relevance it will need to be done with care as traditional assessment methods/standards may not give a true

picture in this case and it would also be necessary to ensure that any assumptions (e.g. on usage, etc.) truly reflect the actual use of the site once fully up and running;

- In the case of the 125cc or 50cc machines, it may be practicable and safe to work the engines much harder and so have the potential to be noisier in practice;
- With regard to a condition regarding numbers, the applicant has stated “we hope to...provide training for up to 8 students 6 days per week between the hours of 0830 and 1700” – a condition requiring the applicant not to go beyond this number of students and hours of use would prevent the proposal intensifying in the future beyond that envisaged during the processing of this application and limit the impact.

4.5 Economic Development Officer

- There would not appear to be a significant gain in employment on the business park from the proposed use;
- Concerned that if the use does turn out to cause nuisance to tenants of this successful business centre (of predominantly office users), it may lead to one or more businesses moving from this location;
- The largest business in the range of units immediately to the north of the proposed use is Novum Structures who employ approximately 60 people;
- If it is deemed that the uses can sit alongside each other, and the application were to be recommended for approval, I would support the suggestion that it be a temporary consent (perhaps for 12 months initially) to allow for its use to be reviewed if it does turn out that it generates significant disturbance.

4.6 SNC Water Management Officer

The application form advises that foul drainage will discharge to “other”. It is assumed that foul drainage facilities will be required as part of this business operation. It is not clear from the information provided whether existing facilities are available or whether additional arrangements are required. We would request clarification on this matter please.

4.7 Other Representations

Nine letters of objection received from businesses or employees located in the neighbouring site to the north of the application site:

- The businesses on this site are of high-tech manufacturing, research and office;
- Employees of these businesses require concentration to undertake their work;
- Noise from the proposed motorcycle training use would affect these employees;
- Further, several raised possible smells/air pollution from the motorbikes;
- Some comments that windows may then have to remain shut which is detrimental to the well-being of staff, for example regarding ventilation;
- Several commented that they would likely look to re-locate if the use is allowed.

A further letter of objection received from a resident at Viscount Close, Diss:

- Noise will have negative impact on nearby residential development.

One letter of support received from a resident of Scole:

- Motorcycle training facility needed in the area.

5 Assessment

Key considerations

- 5.1 Principle
Design
Amenity and neighbouring occupiers
Surface water management
Highways

Principle

- 5.2 The proposal is considered to be employment and business development and, as the site is within the development boundary and not on land allocated for specific development, the principle is established by policies DM1.3 and DM2.1 of the Local Plan.

Design

- 5.3 The only operational development included in the application is the re-surfacing of part of the existing car park with tarmac. The proposed use and extent of tarmac in this location is considered to be acceptable with regard to design considerations, including being congruent with the site and its surroundings and not being unduly prominent on the street scene, and is therefore in accordance with Policies DM1.4 and DM3.8 of the Local Plan.

Amenity and neighbouring occupiers

- 5.4 The applicant has stated that they intend to provide training for up to 8 students 6 days per week between the hours of 0830 and 1700. Further, the applicant has stated that most of the training is done on 125cc or 50cc machines, with their new 650cc machines used less frequently on the training area and by more experienced students, that their machines are not adapted to be noisy and that the training is done at very low speeds.
- 5.5 Representations have been received from the occupants of the business units to the immediate north of the site at the business park off Hopper Way, raising concerns including the impact on employees in terms of noise and odours resulting from the proposed motorcycling activities. In addition, the Council's Economic Development Officer has raised concerns regarding the possible nuisances caused by the proposed use and consequences including re-location away from the area of existing businesses.
- 5.6 It is considered that the proposal, by virtue of the nature of the motorcycle activities involved in training students, and the distances to the business units to the north and the dwellings in the area, would likely introduce activities to the site that would result in significant noise exposure, with regards to sound level, frequency and pattern, to existing residents and businesses in the area. The applicant has not submitted a noise impact assessment or similar.
- 5.7 Mindful of the Council's Environmental Quality Officer's comments and in particular the option to have a temporary permission which allows the impacts to be assessed during that period, in determining whether this is a suitable course of action, consideration has to be given to the cost outlay in establishing the site bearing in mind that these would become abortive works if it was not deemed acceptable to grant permanent permission. In this case a significant amount of new tarmac would need to be provided. The cost of this is deemed to be an unacceptable burden for an applicant to bear as part of a temporary permission. On this basis a temporary permission is not deemed acceptable in this instance.
- 5.8 In the absence of a noise impact assessment and without satisfactory evidence to the contrary, officers consider that the noise exposure would have an unacceptable impact on

the amenity of neighbouring business and residential occupants and the area and be contrary to Policies DM2.1(1) and DM3.13 of the Local Plan.

- 5.9 The expected odours produced by the motorcycles are not considered to be significantly detrimental to the existing amenities of the area, in consideration of existing uses and activities in the wider area including the coach depot, the highways and agricultural products processes.

Surface water management

- 5.10 The proposed development would involve the construction of a significant area of tarmac and it is considered that it would likely result in an increase in surface water run-off, and further would introduce activities to the site that might result in emissions of possible pollutants that could be detrimental to the biodiversity and amenity of the site and wider area.
- 5.11 No information has been submitted with the application in order to adequately assess the impacts that the proposed development would have on the water quality of local watercourses and ground water, and the risk of surface water flooding on the site and in the wider area.
- 5.12 In order for the application is accord with Policies DM3.14 and DM4.2 of the Local Plan, satisfactory details in these regards would have to be provided. If the application were to be approved then it would be reasonable and necessary for a condition to be imposed requiring this detail to be submitted to and approved by the local planning authority.

Highways

- 5.13 The Highway Authority have assessed the proposal and have raised no objection. The application is considered to be in accordance with Policies DM3.11 and DM3.12 of the Local Plan concerning highway safety and parking provision.

Other Issues

- 5.14 Under Section 143 of the Localism Act, the Council is required to consider the impact on local finances. This can be a material consideration but in the instance of this application the other material planning considerations detailed above are of greater significance.
- 5.15 **This application is not liable for Community Infrastructure Levy.**

Conclusion

- 5.16 The proposal, in the absence of a satisfactory noise impact assessment, is considered to be likely to lead to unacceptable noise exposure, which would have an unacceptable impact on the amenity of neighbouring businesses and residential occupants of the area, contrary to Policies DM2.1(1) and DM3.13 of the Local Plan.
- 5.17 In the planning balance, the material weight arising from employment gain of the proposal is minimal due to the expected employment of single person, and this must be considered in the context of the likely harm caused to adjacent businesses and residential properties. The application is therefore recommended for refusal for the following reason.

Recommendation: Refusal

- 1 Unacceptable impact on amenities of local residents and businesses

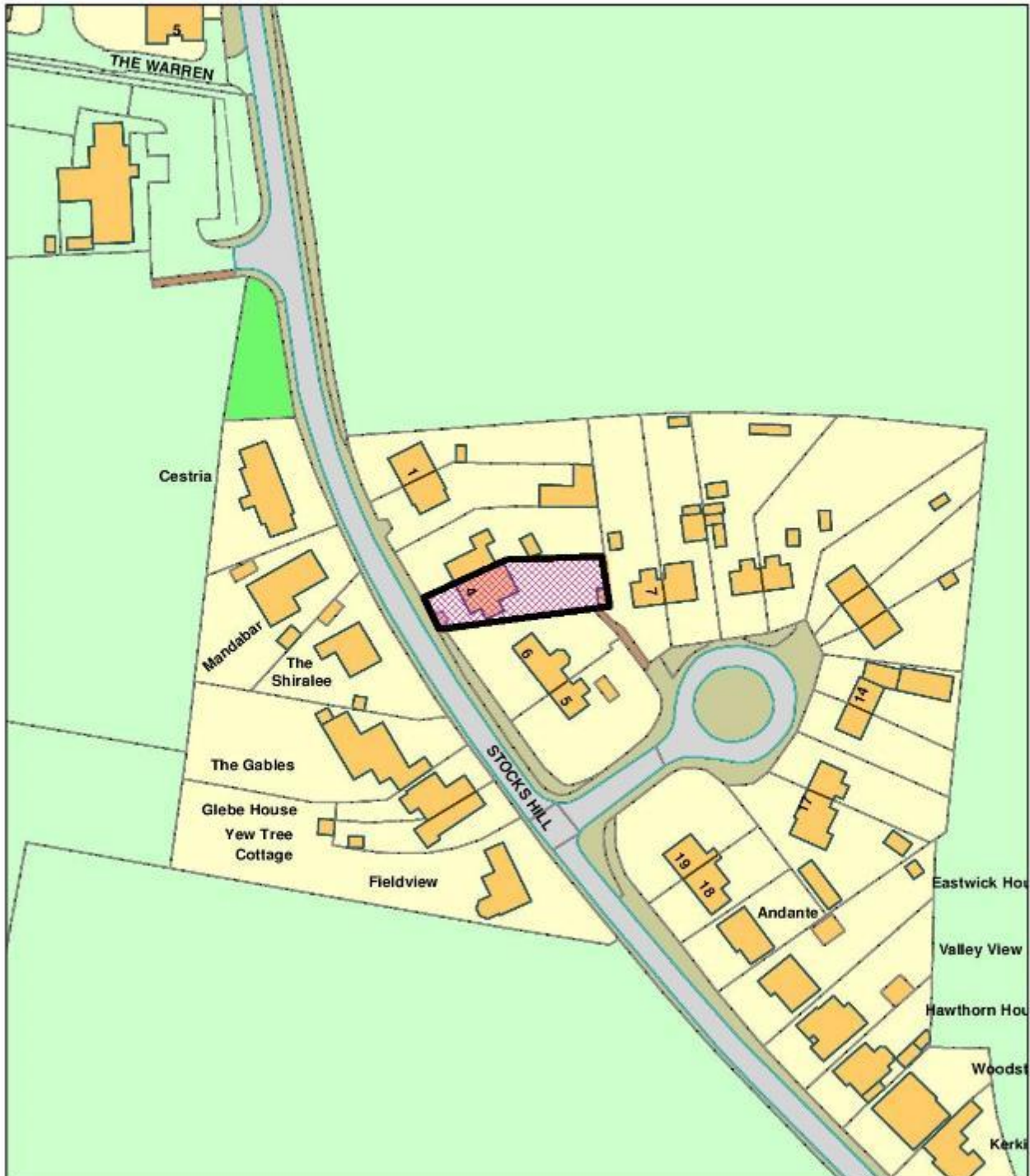
Reason for Refusal

- 1 Insufficient information has been provided to satisfy the Local Planning Authority that the proposed development would not introduce activities to the site that would result in unacceptable noise exposure with regards to sound level, frequency and pattern, to existing neighbouring residential and business occupants. The application is therefore contrary to Policies DM2.1(1) and DM3.13(1) and (2) of the South Norfolk Local Plan Development Management Policies Document 2015.

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ITEM WITHDRAWN BY THE APPLICANT

2019/1520



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

4 Application No : 2019/1520/H
Parish : BAWBURGH

Applicant's Name: Mr & Mrs Plant
 Site Address 4 Stocks Hill, Bawburgh, NR9 3LL
 Proposal First floor rear extension

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 in section 4.2

Recommendation summary: Approval with conditions

1 Proposal and site context

- 1.1 The property is a semi-detached two storey dwelling which has previously had a two-storey side extension and a single storey rear extension.
- 1.2 The dwelling is part of a development of two storey dwellings on the east side of the highway with a mix of dwelling types on the west side. The property to the south of the site has had a previous two storey side extension and the attached neighbour to the north is having a two storey side extension and a single storey rear extension constructed at the time of this application.
- 1.3 The proposal is to construct a first floor extension over the existing single storey rear extension. The eaves height of the extension will be 4.5 metres and it will be set in 0.4 metres from the boundary with the adjoining property. The overall height of the extension will be 7.3 metres and it is proposed to be clad in timber cladding or cement fibre boarding.

2. Relevant planning history

- | | | | |
|-----|-----------|--|----------|
| 2.1 | 2010/1017 | Proposed single storey side and front extension | Approved |
| 2.1 | 2004/1001 | Proposed first floor extension to side & single storey extension to rear of dwelling | Approved |

3 Planning Policies

- 3.1 National Planning Policy Framework (NPPF)
 NPPF 12 : Achieving well-designed places
- 3.2 Joint Core Strategy (JCS)
 Policy 2 : Promoting good design
- 3.3 South Norfolk Local Plan (SNLP) Development Management Policies Document
 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

4. Consultations

4.1 Parish Council

Object on the following grounds:-

- Affect neighbour's privacy
- Cast shadow on neighbour's garden
- High potential of intrusion and imposition on neighbouring property

4.2 District Councillor

- Cllr Dearnley

For the following reasons I request that this application is determined but Committee.

As highlighted in the public and Parish Council comments there are clearly issues relating to overshadowing and overlooking. There are conflicting views on the extent of the overshadowing and intrusion on the attached property plus some local concerns about the size of recent extensions not being in keeping (out of character) with the rest of the area.

4.3 Other Representations

2 letters of objection received raising the following issues:-

- Overpowering impact, will dominate neighbouring property
- Loss of daylight
- Overlooking
- Overdevelopment
- Concerns with materials

5 Assessment

Key considerations

- 5.1 The key considerations for the application are the principle of the development, the design of the proposal and the impact on the surrounding area and residential amenity.

Principle of development

- 5.2 The site is outside the development boundary that has been defined for Bawburgh and so is in the open countryside. However, the principle of extending dwellings in the countryside if permitted by Policy DM3.6 of the SNLP subject to compliance with various criteria.

Layout and design

- 5.3 The extension will be to the rear of the property and it is considered that its appearance is compatible with the original dwelling, the street scene and surrounding area. Although the proposed materials to be used are not common on the rear of the properties in the area, a variety of materials can be seen within the existing street scene, including timber or cement cladding. I therefore consider the choice of material is not out of place with the surrounding area and that overall, the layout and design of the extension complies with Policy 2 of the JCS and Policies DM3.6(a) and DM3.8 of the SNLP.

Impact on residential amenity

- 5.4 The existing single storey extension is flat roofed, 3 metres in height and extends out by 4.7 metres. With the exception of being off-set from the boundary with the adjoining neighbour by 0.4 metres, this extension spans across the rear of the original dwelling and the existing two storey extension. The proposed extension, which will accommodate two bedrooms, will be built above this and its projection outwards will also be the same as the single storey extension that is under construction at the adjoining property.
- 5.5 The neighbour to the north has raised concerns on the impact of the proposed extension on their residential amenity through overshadowing, overpowering impact, overdevelopment and overlooking.
- 5.6 The common boundary between the applicant's property and the adjoining property angles away from the neighbour a short distance after the proposed rear elevation. This opening out of the view from the neighbour's rear elevation leads me to consider that the extension proposed by this application will not have an overbearing impact.
- 5.7 The alterations to the neighbouring property that were recently granted planning permission and now being constructed show that the existing bedroom at first floor level adjacent to the boundary will become a bathroom. The other existing window will serve a landing area. These are not considered to be habitable rooms (as opposed to a bedroom for example) and although the proposed extension will be visible from these windows it is not considered that the impact will be significant enough to warrant refusing the application. If the neighbour decides to retain the room as a bedroom the extension would be visible from the window but it would not cause a tunnelling effect and would not be visible from inside the room.
- 5.8 The adjoining neighbour is to the north and I recognise that there could be some shadow cast at certain times of the day from the extension. The neighbour's rear extension has a roof lantern above the new kitchen area. There are however two other windows within the kitchen area: one in the rear/east elevation and one in the side/north elevation. The proposal will interrupt natural light into the roof lantern during part of the morning but shadowing from both the applicant's existing dwelling and the neighbouring dwelling will shadow the roof lantern during the afternoon. There will also be some shadowing of the rear garden of the neighbouring property but I do not consider that this will be total or so significant so as to warrant refusing the application.
- 5.9 In respect of overlooking, the proposed extension has windows on the rear elevation which will have a view of the neighbour's rear garden. These will not directly overlook the most private section of the neighbour's garden but instead will have views of the rear-most part of their garden. Due to the line of visibility I do not consider that the loss of privacy will have a detrimental impact on the residential amenity of the neighbours.
- 5.10 Taking account of all of the above and while noting the concerns raised by the neighbouring property, I consider that the proposal accords with policy DM3.8 and DM3.13 of the South Norfolk Local Plan.

Other matters

- 5.11 The proposal is for a first-floor rear extension and will have no impact on parking for the property. It therefore accords with Policy DM3.12 of the SNLP.
- 5.12 Under Section 143 of the Localism Act, the Council is required to consider the impact on local finances. This can be a material consideration but in the instance of this application the other material planning considerations detailed above are of greater significance.

5.13 This application is not liable for Community Infrastructure Levy.

Conclusion

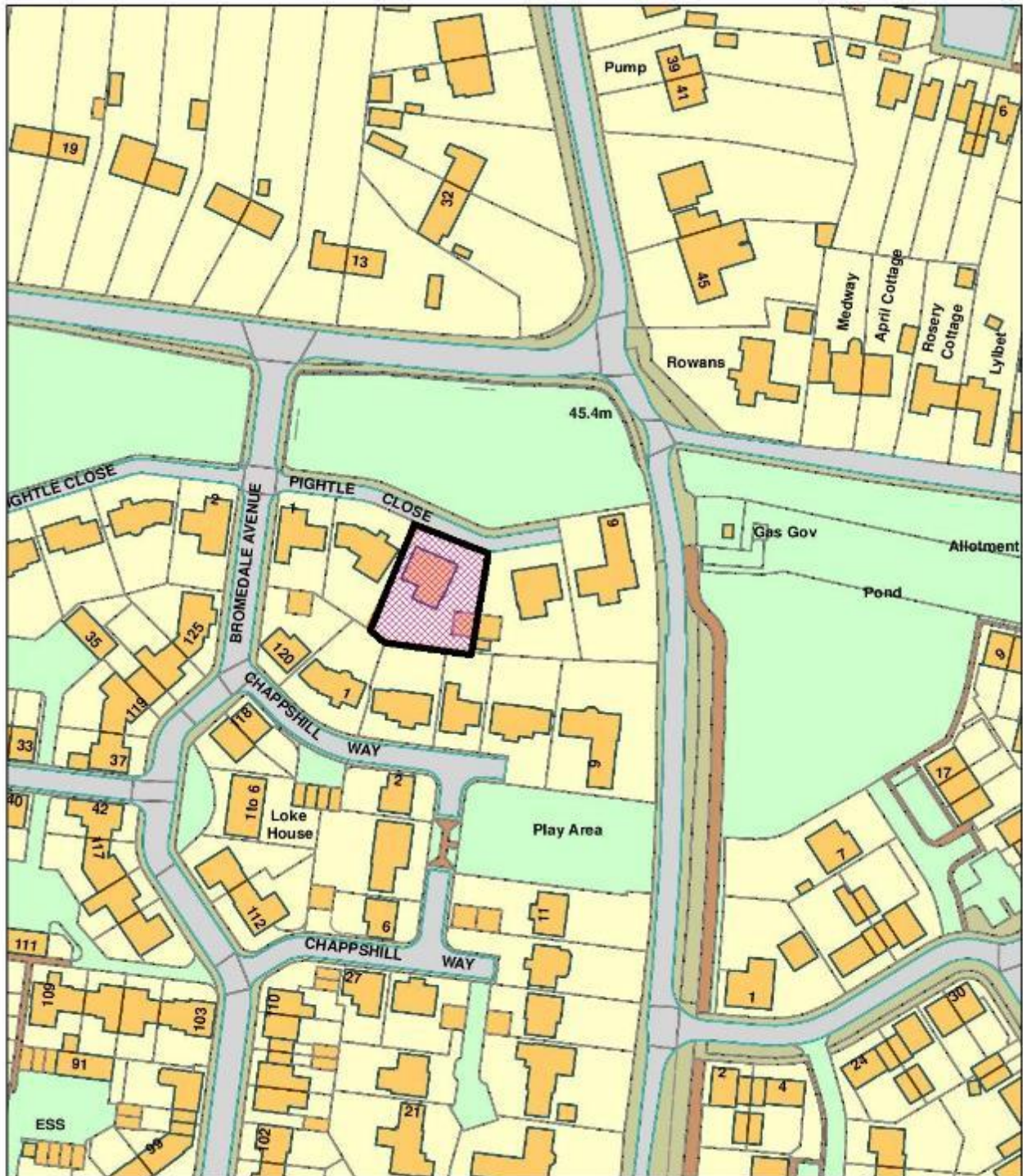
- 5.14 The design and scale of the proposed extension will be in keeping with the existing house and the appearance street scene and surrounding area and the impact on the residential amenity of neighbouring properties will also be acceptable. The application is therefore recommended for approval as it complies with Policy 2 of the JCS and Policies DM3.6, DM3.8, DM3.12 and DM3.13 of the SNLP.

Recommendation : Approval with Conditions

- 1 Full planning permission time limit
- 2 In accord with submitted drawings

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2019/1629



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

5 Application No : 2019/1629/CU
Parish : MULBARTON

Applicant's Name: Mr Craig Hilliam
 Site Address 5 Pightle Close Mulbarton NR14 8GJ
 Proposal Change of use from garage to office

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 in section 4.

Recommendation summary : Approval with conditions

1 Proposal and site context

- 1.1 The application proposes the conversion of the double garage at 5 Pightle Close to an office. Pightle Close is a private drive located at the front of a wider residential development between Cuckoofield Lane and Long Lane. The property is a detached dwelling with a reasonable sized driveway. The garage is set back within the plot and is attached to garage of the neighbouring dwelling.

2. Relevant planning history

- 2.1 None

3 Planning Policies

- 3.1 National Planning Policy Framework (NPPF)
 NPPF 02 : Achieving sustainable development
 NPPF 04 : Decision-making
 NPPF 06 : Building a strong, competitive economy
 NPPF 12 : Achieving well-designed places
 NPPF 13 : Protecting Green Belt land
- 3.2 Joint Core Strategy (JCS)
 Policy 2 : Promoting good design
 Policy 5 : The Economy
 Policy 15 : Service Villages
- 3.3 South Norfolk Local Plan Development Management Policies
 DM2.3 : Working at home
 DM3.8 : Design Principles applying to all development
 DM3.12 : Provision of vehicle parking
 DM3.13 : Amenity, noise, quality of life
 DM4.2 : Sustainable drainage and water management

3.4 Mulbarton Neighbourhood Plan

4. Consultations

- 4.1 Town / Parish Council

Consider the application should be refused for the following reasons:

- Residential area
- Additional parking on road, increasing existing problems
- Additional traffic from deliveries and visitors into a residential area

4.2 District Councillor

- Cllr Legg

Requested that the application is determined by committee. This appears to be an application for a commercial operation with up to six employees in a residential area rather than home working. Need to establish the principle of this in existing housing estates. There is the potential for parking issues and neighbour disturbance in such a development

- Cllr Clifford-Jackson

Application can be delegated.

4.3 NCC Highways

Pightle Close from which this property is served, is not an adopted highway, therefore based on the information submitted, it is unlikely that this development will affect the public highway.

Although depending on circumstances, the proposal may result in some parking on the private road.

4.4 Water Management Officer

The site lies at the edge of current day flood zone 2 with the highway including access and egress from the site within flood zones 2 and 3. No information regarding climate change predictions appears within the Strategic Flood Risk Assessment. We would suggest that finished floor levels should be at least 300mm above existing flood levels and that a Flood Emergency Plan is developed to raise awareness with future occupiers and to ensure that they can remain safe.

Foul drainage – recommend the inclusion of a condition to ensure that it is to a sealed system only.

Surface water drainage – recommend a condition is included requiring full details of sustainable surface water drainage to be submitted and agreed in writing.

4.5 Other Representations

No public comments received

5 Assessment**Principle**

5.1 The principle of the conversion of a garage to an office is considered under Policy DM2.3 Working at Home. This sets out that planning permission will be granted for proposals for the change of use of part of the dwelling, extension of the dwelling or for the erection of a new building in the curtilage of a dwelling to allow working at home subject to the following criteria:

- a) The proposal not having an unacceptable impact on the amenity of the nearby residential occupiers or on the character and appearance of the area
- b) The direct and indirect effects of the scale of the business, including employing non-residents, remaining ancillary to the overall use of the site for residential purposes.
- c) Adequacy of off-street parking

- 5.2 The requirements of DM2.3 can therefore be set out in regard to design, the impact upon amenity and highways. These are addressed individually below.
- 5.3 In addition to DM2.3, Mulbarton has an adopted neighbourhood plan which also considers new economic development within the parish. Policy ECN1 is relevant to this application. This sets out that new economic development that comprises a micro or small business will be encouraged and supported in principle, conditional on appropriate mitigation and design. Requirements in relation to the impact upon residential amenity and parking are included. Consideration is also given to environmental impacts including impacts upon the historic environment

Design

- 5.4 Policy DM3.8 Design Principles and JCS Policy 2 are also considered relevant to this application alongside the requirements of DM2.3 and ECN1. The proposal will retain the overall design of a double garage with the retention of two doors on the front elevation, albeit these will be replaced by new doors. Overall the proposal will retain the look of a residential garage within the street scene. The design of the office would also include two high level new windows to the rear elevation, which would not be visible from the street scene.
- 5.5 The proposal is not considered to conflict with the requirements of DM 3.8, and JCS Policy 2.

Impact upon Amenity

- 5.6 Criteria a and b of Policy DM2.3 both address issues of impact upon amenity, alongside Policy ECN1 of the Mulbarton Neighbourhood Plan. In addition, Policy DM 3.13 Amenity Noise and Quality of Life is also considered to be of relevance.
- 5.7 The application form sets out that the business would include 6 employees, 4 of whom would be full time whilst there would be a further 2 part time employees. This represents a relatively high number of employees within a residential area. Consequently, further clarification was sought from the applicant and they have confirmed that the office would be used by three employees, 2 of whom are the occupants of the house and there would be 1 part time non-resident employee. The company Shield Health and Safety do employ other members of staff, however are not office based. Furthermore, the applicants have confirmed that they would not have customers visiting the site.
- 5.8 On the basis of the additional information submitted, including that there would only be 1 non-resident employee working from the office, the proposal is considered to be acceptable in amenity terms subject to the following conditions:
- restricting the employment use to a personal permission related to this business
 - a restriction on the use of the residential property for the running of this business. (this condition has been included having regard to permitted development rights in relation to working at home, as it could result in an increase in the number of non-residents employees working at the office, which would have an impact upon the residential amenity)
 - hours of use (to ensure that there is not a negative impact upon residential amenity of neighbouring occupiers)
 - no customers visiting the site

Highways

- 5.9 The residential property includes a large driveway which has space for a number of cars. NCC highways have been consulted and have not raised an objection to the development. Subject to the information submitted in regard to number of employees and customers not

attending the site, there is considered to be sufficient parking to serve both the business and residential property. The conditions imposed seek to ensure that there is not a significant increase in number of employees at the office which may have an impact on parking. The proposal is therefore considered to accord with the requirements of DM3.12, criteria c of DM2.3 and ECN1 of Mulbarton Neighbourhood Plan.

Environmental Impact

- 5.10 Policy ECN1 requires an employment generating use to demonstrate that it would not result in unacceptable environmental impacts, including the impacts upon the historic environment. The proposal is not considered to result in any environmental impacts or impact upon any heritage assets, it is therefore considered to accord with the requirements of ECN1.

Other Matters

- 5.11 The water management officer has commented on this application in relation to flood risk and drainage. They have recommended that conditions are included on the application in relation to finished floor levels, foul and surface water drainage. In relation to finish floor levels the garage has previously been constructed. Due to the age of the development and that this proposal does not require additional construction beyond changes to the fenestration it is not considered appropriate to include a condition relating to finished floor levels. The proposal would introduce a requirement for foul water disposal and as such the condition has been imposed. The proposal will not result in a change to the floor area of the garage from that already constructed. On this basis it is not considered appropriate to include a condition relating to surface water as this will have been considered as part of the previous development.
- 5.12 Under Section 143 of the Localism Act the council is required to consider the impact on local finances. This can be a material consideration but in the instance of this application the other material planning considerations detailed above are of greater significance.
- 5.13 **This application is not liable for Community Infrastructure Levy (CIL) as it does not include additional floorspace**

Conclusion

- 5.14 Having regard to the scale of the proposal and the inclusion of relevant conditions restricting the use to the existing business, overall the proposal is considered to accord with the requirements of DM2.3. The proposal is also considered to accord with the requirements of Policy DM3.8, 3.12, 3.12, 4.2 and JCS Policy 2.

Recommendation : Approval with conditions

- 1 Time Limit
- 2 In accordance with submitted plans
- 3 Personal Occupancy
- 4 Business not to be run from property
- 5 Hours of Use
- 6 No customers visiting the site
- 7 Foul drainage to sealed system only

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Planning Appeals**Appeals received from 10 August 2019 to 5 September 2019**

Ref	Parish / Site	Appellant	Proposal	Decision Maker	Final Decision
2019/0932	Wymondham 45 High House Avenue Wymondham NR18 0HY	Mr Andrew Cook	Proposed dormer and loft conversion.	Delegated	Refusal
2018/2864	Tharston and Hapton Land Opposite Old Forge Picton Road Tharston Norfolk	Mr Peter Hubbard	Erection of one dwelling	Delegated	Refusal
2018/2302	Ashwellthorpe and Fundenhall Land North of The Street Ashwellthorpe Norfolk	Mr P Muskett	Six self-build dwellings.	Delegated	Refusal
2019/0389	Redenhall With Harleston 15 Needham Road Harleston IP20 9JY	Mr George Sekulla	Construction of a front garden/drive wall	Delegated	Refusal
2019/0483	Spooner Row Land East of School Lane Spooner Row Norfolk	Mr Grimmer	Erection of 5 dwellings	Delegated	Refusal

Planning Appeals

Appeals decisions from 10 August 2019 to 5 September 2019

Ref	Parish / Site	Appellant	Proposal	Decision Maker	Final Decision	Appeal Decision
2017/0810	Long Stratton Land off St Mary's Road Long Stratton Norfolk	Orbit Homes (2020) Ltd	Erection of 52 dwellings with associated car parking and amenity space, roads, public open space, landscaping and vehicular access off St Mary's Road.	Development Management Committee	Refusal	Appeal dismissed
2017/8237	Stable Block at Land off Wood Lane Starston Norfolk	Mr V Marino	Appeal against Enforcement Notice for change of use of land and stable building to residential use	Delegated	Refusal	Appeal dismissed
2019/0360	Burston and Shimpling Land North of Mill Green Burston Norfolk	Mr & Mrs Bloomfield	Outline application for demolition of existing outbuildings. Erection of 5 No. dwellinghouses & garage structures. New site vehicle access to Highway	Delegated	Refusal	Appeal dismissed
2018/2359	Ashwellthorpe and Fundenhall Disabled Motoring UK Ashwellthorpe Hall The Street Ashwellthorpe Norfolk	Mr J Kudhail	Erection of seven retirement properties (following demolition of B1 offices) with private and shared amenity, parking & turning.	Development Management Committee	Refusal	Appeal dismissed

Planning Appeals**Appeals decisions from 10 August 2019 to 5 September 2019**

2018/2698	Caistor St Edmund Land South of Water Treatment works Norwich Road Caistor St Edmund	Mr & Mrs Baldwin	Erection of Eco dwelling	Delegated	Refusal	Appeal dismissed
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