

Development Management Committee

Members of the Development Management Committee:

Conservatives Liberal Democrats

Mr V Thomson
(Chairman)
Mrs L Neal
(Vice-Chairman)
Mr D Bills

Dr M Gray

**Please note that item 1
has been deferred**

Mr B Duffin
Mrs F Ellis
Mr C Gould
Dr C Kemp
Mr G Minshull

Pool of Substitutes

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

Pre-Committee Members' Question Time
9.00 am Blomefield Room

Agenda

Date

*Tuesday, 8 January 2019

Time

10.00 am

Place

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

Contact

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NR15 2XE

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*Please note change of day

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 5 December 2018;**
(attached – page 8)

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

(attached – page 19)

To consider the items as listed below:

Item No.	Planning Ref No.	Parish	Site Address	Page No.
1	ITEM DEFERRED 2018/2368/F	BAWBURGH	Land Adj To Park View New Road Bawburgh, Norfolk	19
2	2018/2359/F	ASHWELLTHORPE AND FUNDENHALL	Disabled Motoring UK Ashwellthorpe Hall The Street Ashwellthorpe Norfolk	30
3	2018/1905/F	HADDISCOE	The Crown Inn The Street Haddiscoe NR14 6AA	45
4	2018/1906/LB	HADDISCOE	The Crown Inn The Street Haddiscoe NR14 6AA	45
5	2018/2476/RVC	COSTESSEY	95 Grove Avenue Costessey Norfolk NR5 0HZ	52
6	2018/2710/CU	LONG STRATTON	Public Toilet Block Swan Lane Long Stratton Norfolk	57

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 64)

8. **Date of next scheduled meeting – Wednesday, 30 January 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 must then withdraw from the meeting.

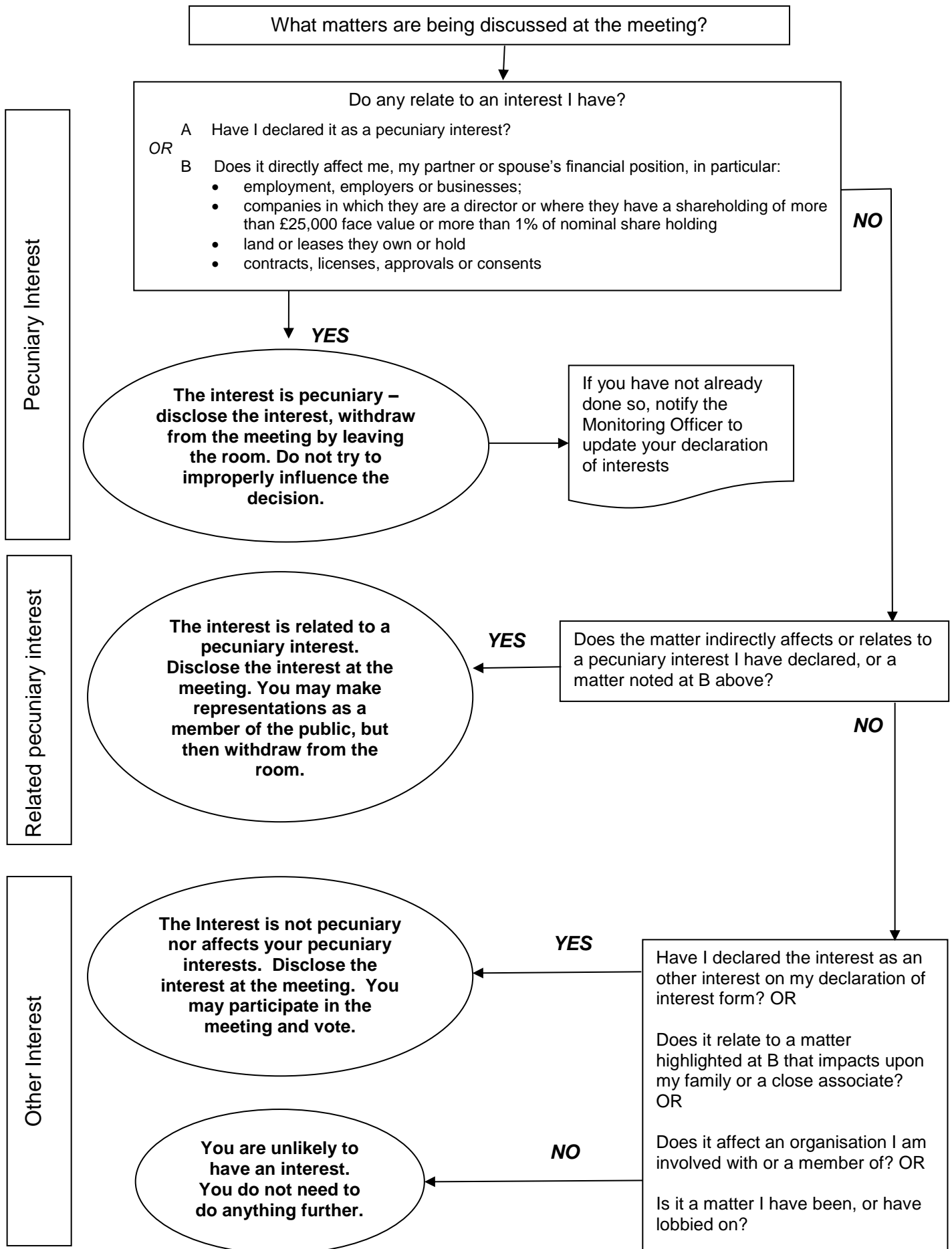
Is the interest not related to any of the above? If so, it is likely to be an other interest. You will need to declare the interest, but may participate in discussion and voting on the item.

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

FOR GUIDANCE REFER TO THE FLOWCHART OVERLEAF.

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

DECLARING INTERESTS FLOWCHART – QUESTIONS TO ASK YOURSELF





DEVELOPMENT MANAGEMENT COMMITTEE

Minutes of a meeting of the Development Management Committee of South Norfolk District Council held at South Norfolk House, Long Stratton, on Wednesday 5 December 2018 at 10.00 am.

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

Apologies: **Councillor:** F Ellis

Substitute Members: **Councillors:** A Thomas for F Ellis

Officers in Attendance: The Development Manager (H Mellors), the Development Management Team Leaders (T Lincoln and R Collins), the Senior Planning Officers (C Curtis and C Raine) and the Planning Officer (J Jackson)

50 members of the public were also in attendance

419. 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
2018/1981/F (Item 1)	BROOME	C Gould	Other Interest Member is the Council's representative on the Waveney, Lower Yare and Lotherland Internal Drainage Board, which responded to the consultation, although Cllr Gould was not involved in the response
2018/2303/DC (Item 2)	CRINGLEFORD	All	Other Interest Big Sky Developments is the Council's property development company
		L Neal	Local Planning Code of Practice As a Cabinet Member, Cllr Neal left the room while this application was considered
		C Kemp	Local Planning Code of Practice Councillor had been contacted by neighbour to discuss flooding issue in Cantley Lane

2018/0958/CU (Item 3)	DENTON	M Gray	Member considered he was predetermined and stepped down from the Committee for this item and reverted to his role as Local Member
2018/2131/F (Item 7)	REDENHALL WITH HARLESTON	All	Local Planning Code of Practice Lobbied by Objectors
2018/2163/CU (Item 8)	HETHERSETT	D Bills C Kemp	Local Planning Code of Practice Lobbied by Objector Local Planning Code of Practice Lobbied by Local Member

420. MINUTES

The minutes of the Development Management Committee meeting dated 7 November 2018 were confirmed as a correct record and signed by the Chairman.

421. PLANNING APPLICATIONS AND OTHER DEVELOPMENT CONTROL MATTERS

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

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

APPLICATION	PARISH	SPEAKER
2018/1981/F (Item 1)	BROOME	C Kramer – Parish Council M Miles – Objector J Stone – Agent for Applicant Cllr B Bernard – Local Member
2018/2303/DC (Item 2)	CRINGLEFORD	M Wagstaff – Parish Council N Perryman – Agent for the Applicant C Stammer – Architect for Applicant
2018/0958/CU (Item 3)	DENTON	R Gibson – Parish Council R Carden – Objector Mr Winter – Objector H Greenmore – Applicant S Locke – Agent for Applicant Cllr M Gray – Local Member
2018/2131/F (Item 7)	REDENHALL WITH HARLESTON	A Horner – Objector S Whymark - Applicant Cllr J Savage – Local Member
2018/2163/CU (Item 8)	HETHERSETT	H Landis – Objector S Jones – Agent for the Applicant Cllr L Dale – Local Member

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

422. PLANNING APPEALS

The Committee noted the report and was pleased to see a reduction in the number of appeals.

(The meeting closed at 1.45pm)

Chairman

Updates for DEVELOPMENT MANAGEMENT COMMITTEE
– 5 December 2018

Item	Updates	Page No
Item 1 2018/1981	<p>A Preliminary Ecological Appraisal (PEA) has been submitted by the applicant. NCC ecology have been consulted in this regard and their response is summarised below:</p> <p>Ecology It is explicit in the PEA that the proposed development identified has a potential number of negative impacts on local biological receptors and suggests further surveys for breeding birds, wintering birds, reptiles, great crested newts and water voles are carried out. These are considered necessary before planning permission can be granted.</p> <p>Officer response Further information remains required in terms of ecology and therefore reason for refusal as set out in paragraph 6.5 still stands as suggested.</p>	27
Item 2 2018/2303	No Updates	43
Item 3 2018/0958	<p><u>Verbal update given at meeting:</u> concerns raised regarding how it would be known that there was alternative. Officer stated this parking could be resolved by an additional condition.</p> <p>Denton Parish Council In addition to our previous objections, we also object to the infilling the ditch outside Denton Chapel, as this is a Grade 2 listed building and the building, grounds, hedge and ditch have always been maintained by and are the responsibility of the Elders of the Church. The visual appearance and setting of the Church would be impaired by this proposed parking bay.</p> <p>This is a commercial business and should be self-contained and not reliant upon using offsite alternatives for car parking.</p> <p>The submitted plan of the proposed parking bay suggests that the width from the road to the hedge is within the 2.5 metres required. Our understanding however is that this rule applies to free standing car parking bays (e.g. supermarket car parks). We believe that the proposed size does not comply with Parking Standards Supplementary Planning Documents which state 'Where a space is adjacent to a wall, fence or landscape area a minimum width of 3 metres will be required'. There are additional requirements for the provision for a parking space for people with disabilities. The suggested parking bay will be against a hedge and there is no footway on this narrow road.</p> <p>Implementing hard standing for a car parking bay and the possible removal or re-siting of the present kerb and gully drainage could cause flooding problems for</p>	53

	<p>the house opposite where the door access is below the level of the road.</p> <p>Neighbouring representations: Four further neighbouring representations have been received objecting to filling in the ditch outside the Chapel as at this point the road is narrow with no pavement; a commercial business should provide a disabled car parking space; there is limited visibility in this location; the proposal would adversely affect the setting of the Listed Church; the land is not in the ownership of the applicant; and this site is inappropriate for the proposed use and already generates noise; and how will the applicants be able to guarantee that it is reserved for their customers' use? Especially given the amount of traffic in the area.</p>	
Item 4 2018/0962	No Updates	61
Item 5 2018/1913	No Updates	66
Item 6 2018/2090	<p><u>Verbal update given at meeting:</u> Comments have now been received from the Ecologist, who have no concerns regarding the mitigation and protection of great crested newts.</p> <p><u>Ecology comments to be reported, if received.</u></p>	72
Item 7 2018/2131	<p><u>Verbal update give at meeting:</u> Request from applicant to open the premises on Saturday and Sunday.</p> <p>Redenhall with Harleston Town Council:</p> <ul style="list-style-type: none"> • The committee request that the decision is made for a funeral parlour and does not give carte blanche for alternative commercial use under the change of use classification A1 • In view of the site, we are aware of the concerns of local residents with regard to vehicle movements on site particularly during unsocial hours. • As far as the air conditioning and refrigeration is concerned, it is requested that care is taken that the necessary equipment is of a quality to minimise noise problems and that stipulation is made that any such equipment is regularly serviced and maintained. <p>Officer observations: The request is for an unrestricted A1 and as such it is to be determined on this basis, there is no valid planning reason why it would not be unacceptable as another A1 use so as to warrant making the permission specific to a funeral parlour.</p> <p>As highlighted in the committee report it is not considered that there are parking concerns so as to justify refusal.</p> <p>Air conditioning/refrigeration equipment details are to be controlled via planning condition.</p>	79

	<p>10 pieces of correspondence received via Richard Bacon MP, raising the following points:</p> <ul style="list-style-type: none"> • The proposal would remove existing hours of operation to the detriment of neighbour amenity • Traffic implications of the proposal have been given insufficient regard • Neighbour amenity concerns including noise, 24 hour access, lighting related concerns, clinical waste, use would be better placed on an industrial estate • Traffic related concerns including insufficient parking and turning • Misleading by saying it is “unrestricted B1” as there are hours of operation restrictions • The additional information confirms fears about the proposal • Adverse impact on streetscene and Listed buildings • Proposed conditions do not resolve concerns • Disregarding Environmental Quality Team advice • Could be any A1 type of premises <p>Officer observations: Any permission granted would impose a new hours of operation condition, and whilst it is accepted that this allows for the premises to be used beyond those previously restricted via the previous approval, the impacts from an A1 use are not considered so significant so as to justify either refusal or having a more restrictive condition.</p> <p>It is considered that amenity impacts are covered in the main assessment with the suggested conditions sufficient to protect amenity.</p> <p>The traffic and parking impacts have been assessed by the Highway Authority who have no objections.</p> <p>The very modest changes to the building and from additional refrigeration/air conditioning would have no significant impact on the setting of the locality.</p> <p>The views of the Council’s Environmental Quality Team are noted in the report and have been considered in the assessment of the scheme.</p> <p>There is no valid planning reason why it would not be unacceptable as another A1 use so as to warrant making the permission specific to a funeral parlour.</p>	
Item 8 2018/2163	<p><u>Verbal update given at meeting:</u> formal comments received from Highways England, who consider there will be no impact on junction.</p> <p><u>Verbal update on points raised regarding Strategic Gap and Historic Parks and Gardens:</u> These issues were not covered in the report, therefore the proposal was</p>	87

	<p>assessed against these policies to explain why proposal was considered acceptable and to enable members to consider the proposal and any impact the scheme would have on the area in relation to these points made.</p> <p>No Updates</p>	
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PLANNING APPLICATIONS AND OTHER DEVELOPMENT CONTROL MATTERS**NOTE:**

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

Major Applications

1. **Appl. No** : **2018/1981/F**
 Parish : **BROOME**
- Applicants Name : Mr Darren Broughton
 Site Address : Marsh Land Rear Of 184 Yarmouth Road Broome Norfolk
 Proposal : Change of use of Land from Grade 4 Agricultural grazing marsh to the development of 32 Mobile Homes, one caravan for manager's accommodation, acoustic bund and fence between the A143 and site for sound reduction. Widening for dykes to create wildlife environment and wildlife walk and planting. Creation of pedestrian access with locking gate to rear garden of The Artichoke P.H. Retention of lagoon.
- Decision : Members voted unanimously for **Refusal**
- Refused
- 1 Unacceptable risk of flooding
 - 2 Scale is out of character
 - 3 Impact on amenity
 - 4 Insufficient access
 - 5 Unacceptable impact on biodiversity
 - 6 Unacceptable landscape impact
 - 7 Not sustainable development
- Members voted unanimously to take no further enforcement action with respect to the engineering operation carried out on site which required planning permission.

Major Applications on land where South Norfolk Council has an interest

- 2 **Appl. No** : **2018/2303/DC**
 Parish : **CRINGLEFORD**
- Applicants Name : Mr Spencer Burrell
 Site Address : Land East of A11 And North and South of Round House Way Cringleford Norfolk
 Proposal : Discharge of condition 6 following planning permission 2017/2120 - Design Code
- Decision : Members voted 8-0 to agree that the Design Code be **approved** pursuant to condition 6 of planning permission 2017/2120 subject to the resolution of outstanding matters of minor amendment and clarification

Other Applications

3 Appl. No : 2018/0958/CU
Parish : DENTON

Applicants Name : Mr & Mrs Greenmore
Site Address : Rainbows End Norwich Road Denton IP20 0AN
Proposal : Change of use to a mixed use of residential, the keeping of pygmy goats and horses and for the keeping and breeding of dogs and provision of a car parking bay

Decision : Members voted 5-3 for **Approval** to authorise the Director of Growth and Business Development to approve with conditions, subject to the expiry of the consultation period on 10/12/2018 and no new material issues being raised following Planning Committee.

Approved with conditions

- 1 In accordance with amendments
- 2 Number of adult dogs restricted to 10
- 3 Highway Improvements – Offsite to be completed before number of dogs increases to 10.
- 4 Waste Disposal
- 5 Management Plan to be submitted and agreed including signage
- 6 Approval personal to Applicant only

4 Appl. No : 2018/0962/F
Parish : HEDENHAM

Applicants Name : Mrs Buck
Site Address : Willow Farm Earsham Road Hedenham NR35 2DF
Proposal : Change of use of Children's Nursery back domestic use

Decision : Members voted unanimously for **Approval**

Approved with conditions

- 1 Full Planning permission time limit
- 2 In accord with submitted drawings
- 3 Ancillary use only

5 Appl. No : 2018/1913/O
Parish : HALES

Applicants Name : Mr P Cullum
Site Address : Faber Roofing Green Lane Hales NR14 6TA
Proposal : Demolition of existing B2 premises, erection of 3no two bedroom dwellings including access with all other matters reserved.

Decision : Members voted unanimously for **Approval**

Approved with conditions

- 1 Outline Permission Time Limit
- 2 Standard outline requiring RM
- 3 In accordance with amendments
- 4 Single storey dwelling only
- 5 No additional windows at first floor
- 6 New Access over verge
- 7 Access Gates - Restriction
- 8 Visibility splay, approved plan
- 9 Provision of parking, service
- 10 Protection of Highway Boundary
- 11 Contaminated land - submit scheme
- 12 Implement of approved remediation
- 13 Reporting of unexpected contamination
- 14 Surface Water
- 15 New Water Efficiency

6 Appl. No : 2018/2090/F
Parish : GREAT MOULTON

Applicants Name : Mr & Mrs Calver
Site Address : Land West Of Overwood Lane Great Moulton Norfolk
Proposal : Erection of floricultural building.

Decision : Members voted unanimously for **Approval**

Approved with conditions

- 1 Full Planning permission time limit
- 2 In accord with submitted drawings
- 3 Retention trees and hedges
- 4 Visibility splays to be retained

- 7** **Appl. No** : **2018/2131/F**
 Parish : **REDENHALL WITH HARLESTON**
- Applicants Name : Ms Susan Whymark
Site Address : 11A London Road Harleston IP20 9BH
Proposal : Change of use from B1 office to A1 shop
- Decision : Members voted unanimously for **Approval**
- Approved with conditions
- 1 Full Planning permission time limit
 - 2 In accord with submitted drawings
 - 3 Removal of PD rights for re-surfacing
 - 4 Waste management details to be agreed
 - 5 Air conditioning/refrigeration system to be agreed
 - 6 No ventilation, refrigeration extraction etc systems to be installed without permission
 - 7 Full details of external lighting
 - 8 Hours of opening to general public (Monday to Friday 08:00 to 18:00, Saturday 10:00 to 13:00)
 - 9 Roller shutter door details to be agreed
 - 10 Restricted to A1 Susan Whymark Funeral Director
-
- 8** **Appl. No** : **2018/2163/CU**
 Parish : **HETHERSETT**
- Applicants Name : Mr Brad Williams
Site Address : Field South of Norwich Road, Hethersett Norfolk
Proposal : Change of use of existing paddock for an organised outdoor assault course and associated ancillary equipment.
- Decision : Members voted 7-1 for **Approval** subject to carrying out a statutory consultation regarding the historic parkland
- Approved with conditions subject to statutory consultees raising no new issues.
- 1 Full Planning permission time limit
 - 2 No public on site before 7.30am or after 7.30pm or on Sundays and bank holidays
 - 3 No equipment above 4 metres in height
 - 4 No loud speakers or loud hailer
 - 5 No lights unless otherwise approved
 - 6 No generators or other machinery unless otherwise approved

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

1. **Appl. No** : **2018/2368/F**
Parish : **BAWBURGH**

Applicants Name : Mr D Greengrass
 Site Address : Land Adj To Park View New Road Bawburgh Norfolk
 Proposal : Erection of 1 No. self build dwelling with associated parking
 Recommendation : Refusal
 1 No Flood Risk Assessment
 2 No overriding benefits and will erode the rural character of the area, contrary to Policy DM1.3.

Reason for reporting to committee

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

1 Planning Policies

- 1.1 National Planning Policy Framework (NPPF)
 NPPF 02 : Achieving sustainable development
 NPPF 03 : Plan-making
 NPPF 04 : Decision-making
 NPPF 05 : Delivering a sufficient supply of homes
 NPPF 12 : Achieving well designed places

- 1.2 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

- 1.3 South Norfolk Local Plan (SNLP)
 South Norfolk Local Plan Development Management Policies
 DM1.1 : Ensuring Development Management contributes to achieving sustainable development in South Norfolk
 DM1.3 : The sustainable location of new development
 DM3.8 : Design Principles applying to all development
 DM3.12 : Provision of vehicle parking
 DM3.13 : Amenity, noise, quality of life
 DM3.14 : Pollution, health and safety

2. Planning History

- | | | | |
|-----|-----------|---|----------------------------|
| 2.1 | 2015/0140 | Erection of 1 No. self build dwelling with associated parking | Refused - Appeal dismissed |
|-----|-----------|---|----------------------------|

3. Consultations

- 3.1 Town / Parish Council Support
- 3.2 District Councillors:
Cllr Wheatley To be reported to Committee. Although the application site is outside the development boundary there have been changes in the area and in policy which justify the attention of the DMC.
- Cllr Kemp To be reported, if appropriate.
- 3.3 SNC Water Management Officer Unable to support this application due to insufficient assessment of flood risk.
- Site lies in Flood Zone 1 and 2 with the dwelling being in Flood Zone 1 and the access egress in Flood Zone 2.
- Full details for the disposal of surface water. Foul drainage to sealed system only.
- 3.4 NCC Highways Support subject to a condition to require improvements to the visibility splay.
- 3.5 Other Representations None received.

4 Assessment

Background

- 4.1 This application seeks full planning permission for the erection of a detached 3-bed bungalow between Brookview and Parkhome off New Road in Bawburgh. The site is outside of the development boundary that has been defined for Bawburgh and for the purposes of housing supply, is within the Norwich Policy Area (JCS).
- 4.2 A previous application for a single storey dwelling was submitted for the same plot under reference number 2015/0140. At the time of the appeal the Council could not demonstrate a 5 year housing and supply. The application was dismissed on appeal concluding that the benefits of the proposal were significantly and demonstrably outweighed by the harm. A copy of the appeal decision is attached for information as Appendix 2.

Principle of development

- 4.3 Planning law (section 38(6) of the Planning and Compulsory Purchase Act 2004) requires that applications be determined in accordance with the Development Plan, unless material considerations indicate otherwise. Material considerations include the National Planning Policy Framework (NPPF).
- 4.4 In accordance with both the Council's adopted development plan and the NPPF, in cases where there are no overriding material considerations to the contrary, development proposals for housing that accord with the development plan should be approved without delay. In this regard, consideration should be given to Policy DM1.3 which makes provision for development to be granted outside of development boundaries, such as this, where one of two criteria are met: either (c) where specific development management policies allow; or, (d) where there are overriding benefits in terms of economic, social and environmental dimensions of sustainable development, as set out in Policy DM1.1. In terms of (c), the current proposal is not considered to

meet the requirements of this criterion. In terms of (d), establishing whether there are any overriding benefits will be confirmed following an assessment of all the harms and benefits of the scheme.

- 4.5 Where development proposals do not accord with the development plan, consideration should be given to whether there are material considerations that otherwise indicate that development should be approved. Of particular relevance to applications for housing development is paragraph 11 of the NPPF which states that:
- 4.6 For decision-taking this means:
- c) approving development proposals that accord with an up-to-date development plan without delay; or
 - d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
 - i. the application of policies in this Framework that protect areas or aspects of particular importance provides a clear reason for refusing the development proposed; or
 - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.
- 4.7 As the JCS housing requirement is less than 5 years old it should, in accordance with paragraph 73 of the revised NPPF, be the basis on which housing land supply is calculated. The 2017 Greater Norwich Area Housing Land Supply Assessment, published as Appendix A of the Joint Core Strategy Annual Monitoring Report, shows that against the JCS requirements there is 4.61 years supply in the combined Norwich Policy Area (NPA), a shortfall of 1,187 dwellings. Consequently, the policies relating to housing land supply cannot be considered up-to-date and applications for housing should continue to be determined within the context of the titled balance referred to in paragraph 11 of the NPPF.
- 4.8 It is notable that the JCS housing requirement will become 5 years old on 10 January 2019. Should, at this point, the JCS housing requirement be considered to need updating then housing land supply will begin to be calculated against the standard methodology for the calculation of housing need. A new housing land supply assessment will be published in 2019 and will set out the Council's position in regard to this issue. As the outcome of the updated assessment is not currently known the potential change in the calculation of housing land supply should not be given significant weight at this time.
- 4.9 Previously the Council has made reference to the updated Strategic Housing Market Assessment (SHMA) for Central Norfolk (the Greater Norwich authorities plus, North Norfolk and Breckland) published in June 2017. The SHMA assesses the Objectively Assessed Need for housing between 2015 and 2036 using evidence which supersedes that which underpinned the JCS housing requirement. Based on the evidence within the SHMA the Council has made reference to a housing land supply of 8.08 years.
- 4.10 Whilst direct reference to 'significant new evidence' reducing the weight given the adopted Local Plan housing requirements has been deleted from the NPPG, and the guidance to which the Central Norfolk SHMA accords has now been superseded, it is considered, nevertheless, that the SHMA remains an intellectually credible assessment of housing need and a material planning consideration, not least as assessments such as the SHMA will continue to form the basis of local plans submitted ahead of January 2019, including some within the Central Norfolk Housing Market Area.

- 4.11 Recent appeal decisions have applied differing approaches to the use of the evidence in the SHMA. To date these appeals have been by written representation and, as acknowledged in some of the decisions themselves, this type of appeal is not the appropriate place to undertake a detailed housing land supply assessment and robustly test the approach. Nevertheless, both the tilted balance test and test required by Policy DM1.3 have been applied and the assessment below seeks to establish the benefits of the scheme and any harm that would be caused in the context of the relevant development plan policies and the NPPF.

Economic

- 4.12 There would be a modest economic benefit from the construction of one dwelling in this location, during construction and from future occupants supporting local services and facilities once constructed and occupied.

Social

- 4.13 There is social benefit in providing a dwelling.

Character

- 4.14 While there has been changes in terms of land supply since the appeal decision as set out above, the fundamental issues of the location of the site and the Development Management Policies remain unchanged.
- 4.15 Bawburgh is identified as an 'Other Village' in Policy 16 of the JCS. However, the application site is located some distance to the east of the main village and therefore outside of the Development Boundary of Bawburgh.
- 4.16 Policy DM1.1 and DM1.3 require development to be located within Settlement Boundaries unless the benefits are over-riding or the development is supported by another Development Plan policy.
- 4.17 The application has not been submitted for the purposes allowed under any other Development management policy and is therefore considered against policy DM1.3.
- 4.18 The site located between Brookview to the west which is outside of the ownership of the applicant, and Parkhome to the east which falls within the same ownership of the applicant. The site is currently grassed with an access track to the south of the site off New Road which is a narrow road, with no footpaths or street lighting and lacks a dedicated cycle route to the main village, it is therefore highly likely that future residents would be reliant on the use of the private car to access services and facilities.
- 4.19 The site is located in the Yare/Tiffey Rural River Valley and the Norwich Southern Bypass Protection Zone. There are open views from the entrance of the site to the south leading towards the valley and the River Yare.
- 4.20 Both of the adjacent properties (Brookview and Parkhome) sit within generous plots surrounded by agricultural land giving the area sense of spaciousness. The application site is also generous and would be of a similar scale to that of Brookview. While the scale of the proposed dwelling would not be out of character with the adjacent dwelling, any development of this plot would be considered to erode the general rural setting of the site and the wider river valley setting having an adverse impact on the character of the area. It is considered that the proposed dwelling will not make a positive contribution to local character and distinctiveness and will be contrary to Policy 2 of the JCS and Policies DM1.4(d), and DM3.8 and DM4.5 of the SNLP.

Residential amenity

- 4.21 As already stated the two adjacent plots are occupied by single storey dwellings, the scale of the proposed dwelling, and the layout with any appropriate boundary treatment would ensure there is no adverse loss of residential amenities to either of the adjacent dwellings, therefore the scheme could accord with Policy DM3.13(1) of the SNLP.

Highways

- 4.22 Sufficient parking is shown as being provided and no highway objection has been raised. The only requirement from the Highways Authority is to provide visibility splays, the scheme therefore complies with Policies DM3.11 and DM3.12 of the SNLP.

*Environmental**Surface water and foul drainage*

- 4.23 The site lies within Flood Zones 1 and 2, with the proposed dwelling being located in Zone 1, the access to the site is within Flood Zone 2.
- 4.24 No details have been submitted to demonstrate how, in the event of flood, the applicant can secure access and egress to/from the site. On this basis the application cannot be supported. However, as there are other matters on which the application is being assessed, and due to additional cost to the client, the additional information has not been sought.
- 4.25 Subject to the imposition of appropriately worded planning conditions relating to foul drainage and surface water drainage, the Council's Water Management Officer has not objected to the application, which therefore complies with Policy DM4.2 of the SNLP.

Other matters

- 4.26 Paragraph 68 of the NPPF states that small and medium sized sites can make an important contribution to meeting the housing requirement of an area. This is a material planning consideration. However, this site is not considered suitable for the reasons already set out and therefore is considered contrary to paragraph 68, which is not overriding in this instance. The Council is already delivering a number of windfall sites/small sites to align with paragraph 68 and therefore the need for additional small sites is not considered overriding in terms determining this application and would not outweigh the harm previously identified.
- 4.27 Under paragraph 61 of the National Planning Policy Framework (2012) requires Councils to plan for people wishing to build their own homes. This can be a material planning consideration for this application as self-build has been identified as the method of delivering the site. Whilst an indication of self-build has been given by the applicant it should also be noted that at this stage it cannot be certain that the method of delivering this site will be self-build. In the instance of this application the other material planning considerations detailed above are of greater significance.
- 4.28 Under Section 143 of the Localism Act the council is required to consider the impact on local finances. This can be a material consideration but in the instance of this application the other material planning considerations detailed above are of greater significance.
- 4.29 This application is liable for Community Infrastructure Levy (CIL).

5 Conclusion

- 5.1 It is recognised that this proposal will contribute towards the housing supply in the NPA and that it has the potential to be delivered relatively quickly. However, its contribution will be very modest and when taking account of Policy DM1.3 of the SNLP and the assessment above, it is considered that the application does not demonstrate overriding economic, social or environmental benefits. When applying the tilted balance required by paragraph 11 of the NPPF, it is considered that the harm that will arise to the character of the area significantly and demonstrably outweighs the limited benefits and therefore planning permission is recommended for refusal.

6. Reasons for refusal

- 6.1 The adverse impacts of the development are considered to demonstrably and significantly outweigh the perceived benefits, which are not considered to be overriding and the proposal is not considered to represent a sustainable development, having regard to the three tests set out in the National Planning Policy Framework due to the development eroding the rural character of the area. The application is contrary to Policy DM1.3 of the South Norfolk Local Plan Development Management Policies Document 2015 and the aims of the National Planning Policy Framework.
- 6.2 The access to the site is within Flood Zone 2 and it has not been adequately demonstrated that there would be safe access and egress to and from the site in the event of a flood and as a result the safety of future occupants has not been adequately demonstrated contrary to paragraph 163 in the National Planning Policy Framework (2018).

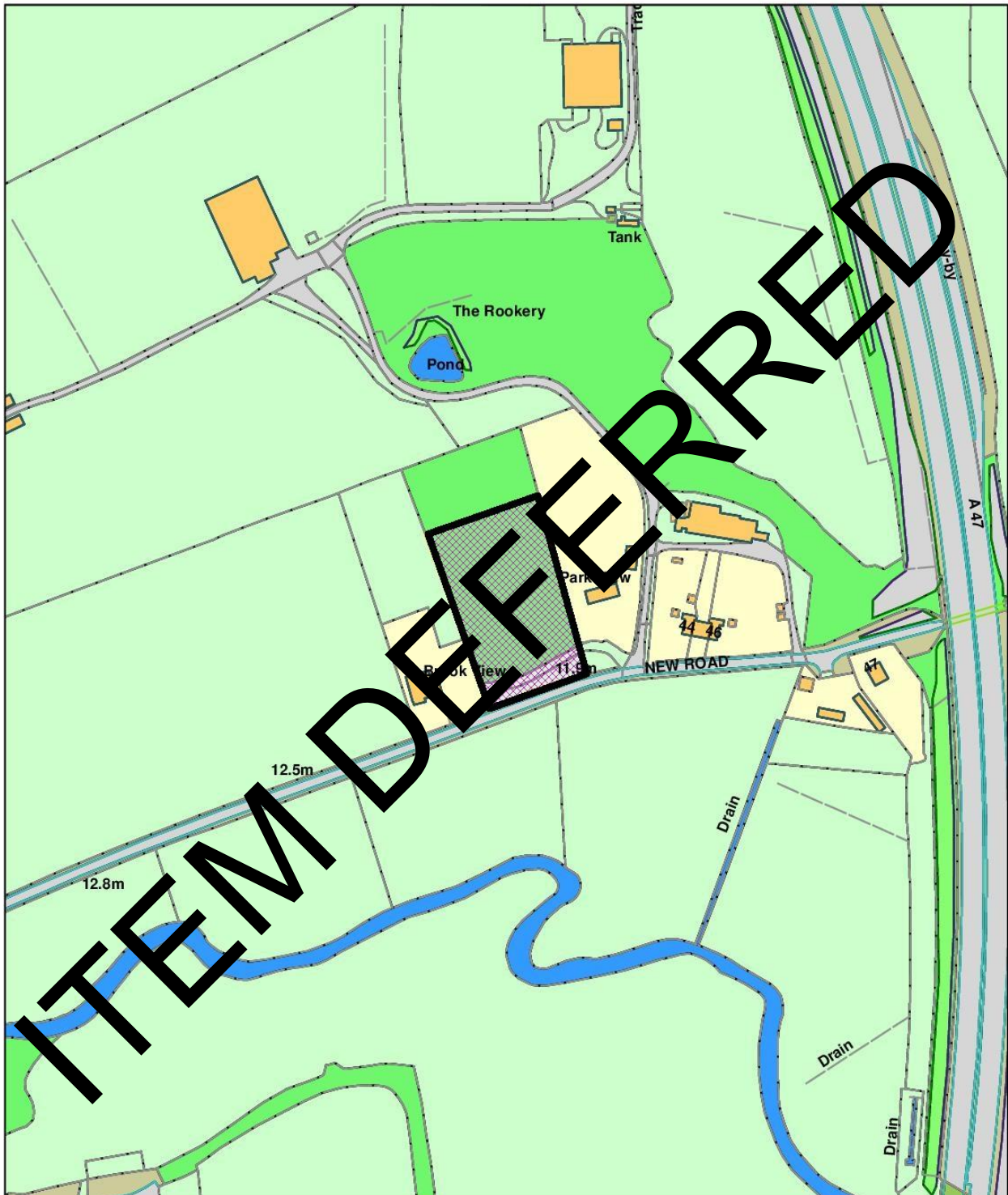
Contact Officer, Telephone Number Jacqui Jackson 01508 533837
and E-mail: jjackson@s-norfolk.gov.uk

ITEM DEFERRED

2018/2368

Appendix 1

Not Set



Scale 1:2,500

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

Appendix 2



Appeal Decision

Site visit made on 19 October 2015

by Graham Chamberlain BA MSc MRTPI

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

Decision date: 17 December 2015

Appeal Ref: APP/L2630/W/15/3033684

Brookview, New Road, Bawburgh, Norwich, Norfolk NR9 3LZ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Mr Richard Greengrass against the decision of South Norfolk District Council.
- The application Ref 2015/0140/F, dated 15 January 2015, was refused by notice dated 18 March 2015.
- The development proposed is the erection of a bungalow and garage (self build) (in garden of Brookview).

Preliminary Matters

1. The address given on the application form refers to 'Brookview' whereas the appeal form refers to 'land adjacent to Brookview'. From my consideration of the submissions it is apparent that Brookview is no longer in the ownership of the appellant and therefore the appeal site is better described as land adjacent to Brookview. It is on this basis I have considered the appeal.
2. Since the Council issued their decision they have adopted a new suite of development management policies as part of the Local Plan (DMP)¹. Policies ENV8, IMP8, IMP9 and ENV5 of the South Norfolk Local Plan 2003, which were referenced in the submissions, have now been superseded. Consequently I have not had regard to the 2003 policies in my determination of the appeal.

Decision

3. The appeal is dismissed.

Main Issue

4. The main issue raised by this appeal is whether the proposed development would constitute a suitable site for housing having regard to the principles of sustainable development and the housing land supply within the district.

Reasons

5. Policies 15, 16 and 17 of the Joint Core Strategy² (JCS) as well as Policies 1.1 and 1.3 of the newly adopted DMP, requires most new housing in the district to be located within defined settlement boundaries unless a rural location is essential. The appeal proposal would conflict with the Council's housing strategy set out in

¹ The South Norfolk Local Plan Development Management Policies Document 2015 (DMP).

² The Joint Core Strategy for Norwich, Broadland and South Norfolk 2014

Appeal Decision APP/L2630/W/15/3033684

these policies being located in the countryside outside of a settlement boundary. I have seen no evidence that the proposal would be a rural workers dwelling where a countryside location is essential. In this respect I conclude the proposal undermines the planned approach to housing supply contained in the Development Plan.

6. However, the Council has confirmed in its statement that it cannot currently demonstrate a five year housing land supply as required by the National Planning Policy Framework (the Framework). As a consequence, the housing supply strategy iterated in Policies 15, 16 and 17 of JCS and Policies 1.1 and 1.3 of DMF are out of date. As are the development boundaries set out in the Site Specific Allocations and Policies Document 2015.
7. Paragraph 14 of the Framework indicates that in such circumstances planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole. I have determined this appeal accordingly.
8. Paragraph 55 of the Framework specifically addresses the provision of housing in rural areas. It states that housing should be located where it will enhance and maintain the vitality of rural communities by avoiding isolated homes unless there are special circumstances. The Framework does not define or limit the meaning of 'isolated'. In my experience there are two main aspects to be assessed when considering 'isolation', these being the site's physical and spatial relationship with a settlement and its functional connectivity to services.
9. The appeal site is located between Bawburgh and Norwich. There are open views of fields to the front of the site and a farming operation to the rear giving the area a rural character. The site is located away from Bawburgh with fields between the settlement and appeal site. I do not therefore consider the site to be physically part of this settlement. Furthermore, there is sporadic housing in the general vicinity of the site but I do not consider this small grouping of houses to be a discernible settlement, which the appeal site could be considered part of.
10. The nearest settlement is Bawburgh, which is an 'Other Village' identified in Policy 16 of the JCS. Due to a lack of services, Bawburgh would not cater for the everyday needs of any future residents of the appeal proposal. For everyday needs, a future resident of the appeal scheme would need to travel further. The site is located close to the fringe of Norwich including the Bowthorpe area, which includes employment, schooling and other day to day facilities. Access to these facilities on foot or by bicycle would require a walk or cycle along a narrow country lane. I observed that this road is reasonably busy and is without pavements. If heading towards Bowthorpe a pedestrian would need to negotiate the bridge under the A47, which is narrow and without pedestrian walkways.
11. Given the distance, unattractive walking environment and lack of dedicated cycle routes, I consider it highly likely that future residents would be predisposed to rely on the private car to access necessary services and facilities. No details of public transport have been provided so I am unable to consider this further. Taking all of the above into account, I find that the proposed development would be both a functionally and physically isolated development in the countryside.
12. This isolated location would result in clear harm when considering the social and environmental dimensions of sustainable development. It would leave future

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occupants of the proposed dwellings largely reliant on private vehicles with limited travel choices. It would also undermine the Framework's aims to locate new dwellings in rural areas close to services and facilities as a means of reducing unnecessary travel by car with its associated carbon emissions as one measure to cumulatively limit the effects of climate change.

13. In considering any special circumstances that would justify the isolated location of the appeal scheme, I do not have substantive evidence before me to suggest that the examples of special circumstances listed in the Framework are met.
14. However, the list in the Framework is not exhaustive and the appellant has advanced a case that the proposal allows him, as a long term resident, to remain in the area in accommodation that is realistically affordable. I have not however, been provided with evidence to demonstrate that there is a shortage of affordable accommodation in the area or that the new dwelling would be relatively affordable to construct. Whilst I acknowledge the appellant would be a first buyer with support from Paragraph 50 of the Framework, I only give very limited weight to such personal circumstances in this instance given the lack of substantive evidence to support the case. Consequently, the personal circumstances advanced do not outweigh the isolated location of the proposed development.
15. The appellant also considers that the local planning policies allow infill sites outside of 'development plan areas' if there is no harmful impact on local character. The appellant has not however directed me to the relevant policy he is relying on in forming such a conclusion. Notwithstanding this, the policies I have been directed to by the Council, when read in their proper context, do not permit development in isolated location solely if there is no adverse impact on local character. The assessment of a dwelling in the countryside goes beyond this single issue. The Framework states that good design is indivisible from good planning so a design that integrates with the character of the surroundings is a pre requisite and not a benefit that would outweigh the identified harm from the isolated location of the dwelling in this instance. I therefore find no special circumstances have been advanced by the appellant that justify the siting of the dwelling in an isolated countryside location.
16. As an isolated dwelling outside of a settlement the appeal proposal presents a conflict with the development plan. More significantly in this case, the development is contrary to the Framework (Paragraph 55 in particular), which seeks to deliver development that minimises the above adverse impacts by siting development in locations that maximise opportunities for future residents to live in a sustainable way.

Other Matters

17. The appellant has drawn my attention to the approval of a mobile home adjacent to the appeal site in 2014, but the circumstances behind this approval are not before me so I am unable to give this much weight. In any event I have considered the appeal on its own merits.

Conclusion

18. In considering the potential benefits of the proposal, the new dwelling would contribute to the Council's five year housing land supply as required by Paragraph 47 of the Framework. A net increase of one dwelling would however, be a small contribution. I therefore give this benefit only moderate weight.

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19. In addition, the construction of the dwelling would derive some economic benefits but this would be for a limited time and could apply to new development anywhere. Furthermore, given the small scale of the development the contribution to the local economy from the spending power of future occupants is unlikely to be significant. In any event, such a contribution could be made by the occupants of a dwelling constructed closer to local facilities. I therefore give these benefits limited weight.
20. I have considered the benefits which would be derived from the appeal scheme but these carry limited weight. The proposed development would however be in an isolated location resulting in the inherently harmful social and environmental impacts I have identified above. This is contrary to national planning policy in the Framework to which I give considerable weight.
21. I therefore conclude that the benefits of the proposal are significantly and demonstrably outweighed by the harm I have identified. I therefore find that when taken as a whole, the proposal is not sustainable development for which the Framework carries a presumption in favour. For the reasons given above, and having regard to all other matters raised, the appeal is dismissed.

Graham Chamberlain

INSPECTOR

ITEM DEFERRED

- 2. Appl. No : 2018/2359/F**
Parish : ASHWELLTHORPE AND FUNDENHALL
- Applicants Name : Mr J Kudhail
 Site Address : Disabled Motoring UK Ashwellthorpe Hall The Street Ashwellthorpe Norfolk
 Proposal : Erection of seven retirement properties (following demolition of B1 offices) with private and shared amenity, parking & turning.
- Recommendation : Approval with conditions
- 1 Full - 5 Year Land Supply
 - 2 In accord with submitted drawings
 - 3 Provision of parking, service
 - 4 External materials to be agreed
 - 5 Surface Water
 - 6 New Water Efficiency
 - 7 Reporting of unexpected contamination
 - 8 Tree protection and method statement
 - 9 No PD for Classes ABCDE & G
 - 10 Archaeology investigation
 - 11 Ecology mitigation
 - 12 Bat mitigation statement
 - 13 No trees removed
 - 14 Full details of external lighting
 - 15 Slab level to be agreed
 - 16 Boundary treatment to be agreed
 - 17 Bin storage
- Subject to the completion of a s106 agreement to secure the seven units as accommodation suitable for older people only.

Reason for reporting to committee

The proposal would result in the loss of employment

- 1 Planning Policies
- 1.1 National Planning Policy Framework (NPPF)
 NPPF 02 : Achieving sustainable development
 NPPF 04 : Decision-making
 NPPF 05 : Delivering a sufficient supply of homes
 NPPF 06 : Building a strong, competitive economy
 NPPF 09: Promoting sustainable transport
 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 15 : Conserving and enhancing the natural environment
 NPPF 16 : Conserving and enhancing the historic environment
- 1.2 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 5 : The Economy
 Policy 6 : Access and Transportation
 Policy 9 : Strategy for growth in the Norwich Policy Area
 Policy 15 : Service Villages

- 1.3 South Norfolk Local Plan (SNLP)
 South Norfolk Local Plan Development Management Policies
 DM1.1 : Ensuring Development Management contributes to achieving sustainable development in South Norfolk
 DM1.3 : The sustainable location of new development
 DM2.1 : Employment and business development
 DM2.2 : Protection of employment sites
 DM3.8 : Design Principles applying to all development
 DM3.10 : Promotion of sustainable transport
 DM3.11 : Road safety and the free flow of traffic
 DM3.12 : Provision of vehicle parking
 DM3.13 : Amenity, noise, quality of life
 DM3.14 : Pollution, health and safety
 DM4.2 : Sustainable drainage and water management
 DM4.8 : Protection of Trees and Hedgerows
 DM4.10 : Heritage Assets

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

S16(2) and S66(1) Planning (Listed Buildings and Conservation Areas) Act 1990 provides that in considering whether to grant planning permission or listed building consent for development which affects a listed building or its setting, the local planning authority, or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

2. Planning History

- 2.1 None relevant

3. Consultations

- 3.1 Town / Parish Council

This proposed development is unlikely to provide any social, economic or environmental benefit to the village and the current office on the site is a viable and sought-after commercial property. It is unlikely that the proposal will provide any employment for local people except in the short term while destruction and construction take place. By keeping the current property as offices this would and could provide local employment.

There is no shop, doctor or dentist and a very limited bus service. Accessing these and local societies, clubs and the pub would require the use of private transport. This lack of local services has already led to several older residents leaving or planning to leave, to move into Wymondham or other towns where these are available.

There are currently 15 houses for sale, and with more than 40 new properties due to be built it is evident that there is little demand for retirement houses in the village. The new village hall will not be having a bowling green.

The demolition of the existing property and the use of new construction materials will have an adverse environmental effect. The developer has already cut down seven trees in the vicinity of the site close to open countryside and local wildlife and this would be adversely affected by construction.

Access to the site is up a long and narrow treelined private drive with poor visibility. There is insufficient room for two vehicles to pass except at a single property entrance and an increase in traffic will be problematical. The narrow drive is already difficult for delivery vehicles and lorries to use and construction vehicles will be a serious challenge. Entry and exit from this are onto the main road on a blind corner just after the 30 mph speed limit and evidence from the Parish Council's SAMS2 equipment shows that around 215 motorists every day are still driving at between 40-60 mph at this point as they enter the village. It would seem possible that older residents having to use a car might be at risk. The additional traffic generated on the private drive would also put the fabric of this under some strain.

The current site is a modern well-appointed office building and the occupiers are looking for an alternative cheaper site to rent. There is local interest in this property for its continued use as an office providing local employment and we have seen little effort made to market the property for either rent, lease or sale all of which are negotiable locally. The property was built with the assistance of Lottery Funding and its demolition would be the loss of an employment amenity to the village.

This proposed development is contrary to its historical nature as well as being unnecessary and unwanted in a village with no services to offer the expected target market.

3.2 District Councillor
Cllr Duffin

To be reported if appropriate

3.3 SNC Conservation
and Design

The proposal is to replace an existing single storey office block to the east of the grade II listed Ashwellthorpe Hall. The listed building was an original c1600 house, but was heavily remodelled and extended in a Tudor style in early and mid C19. The surrounding area contains a moat and wall from earlier manorial hall and is of archaeological interest. This site lies to the east of the moat and is of less archaeological interest, although still requiring some archaeological investigation.

There is extensive landscaping to the east and the existing modest 1990s office building sits relatively discretely and unobtrusively within the setting of the hall. The building is not however of any significant architectural interest and I have no objection to its demolition.

Existing development of detached houses discretely located within well landscaped spacious plots has already occurred to the south.

After pre-app discussion the new application is for a rectangular development of retirement style single storey units. The building will be relatively discrete within the landscaped setting of the hall. Also, the design approach references the design of coach house/stable courtyards. The existing coach house and stables are to the rear. However, large coach house/stables were often built in association with larger country houses of this size with large estates in the C19 when such estates reached their widest extent particularly for example when the house was connected with hunting.

The design approach for the building will not therefore appear incongruous within the wider setting of the hall, and I therefore have no objection.

Materials should be conditioned to ensure good quality materials considering that the building is within the setting of a significant listed building.

- 3.4 NCC Ecologist This planning application is supported by a Preliminary Ecological Appraisal report (Eco-Check Consultancy Ltd.; November 2018), which is broadly fit for purpose. We agree with the avoidance, mitigation and compensation measures outlined in section 8 of the Preliminary Ecological Appraisal report (Eco-Check Consultancy Ltd.; November 2018) to reduce the likelihood of impacts on ecological receptors. The building on the site was assessed as having negligible/ low potential to support roosting bats. We agree with the precautionary approach and that a bat mitigation method statement needs to be produced. Enhancement measures outlined in section 9 of the Preliminary Ecological Appraisal report (Eco-Check Consultancy Ltd.; November 2018) need to be incorporated into the site design including native species planting and at least two bird boxes and two bat boxes installed in suitable locations on the site. Therefore, the proposal is recommended, subject to conditions and a Grest Crested Newt informative.
- 3.5 Historic Environment Service The proposed development site lies adjacent to Ashwellthorpe Hall, a 17th century hall set within a medieval moated enclosure. It also lies close to another medieval moated enclosure to the southwest and previous archaeological investigations within the development site uncovered a post-medieval wall. Consequently, there is potential that heritage assets with archaeological interest (buried archaeological remains) will be present at the site and that their significance will be adversely affected by the proposed development.
- If planning permission is granted, we therefore ask that this be subject to a programme of archaeological mitigatory work in accordance with National Planning Policy Framework paragraphs 188 and 199. On this basis the proposal can be supported along with the imposition of conditions.
- 3.6 SNC Water Management Officer Whilst the site of the proposed building is not identified as being at risk from flooding, the access route is shown as being on a surface water flood flow path. The applicant should consider a broad approach to surface water flood management by avoidance, reduction, management and / or mitigation to ensure that access and egress from the building can be achieved and users remain safe without increasing flood risk elsewhere. A condition is recommended to address surface water flood risk.
- 3.7 NHSCCG No comments received
- 3.8 NCC Highways No objection subject to the imposition of a condition, with regards to car parking and turning provision.

- 3.9 Arboricultural Officer Whilst the layout is not perfect in arboricultural terms, I do not consider that the identified issues are sufficiently significant to be a reason for refusal.
- It will be necessary to have a Tree Protection Plan and a method statement for the protection of trees during demolition, which can be secured by condition.
- 3.10 SNC Housing Enabling & Strategy Manager I note that this application is for 7 bungalows, and the applicants intend it to be designated as accommodation aimed at retired people. South Norfolk has a shortage of accommodation suitable for older people. Norfolk County Council's strategy for improving access to and developing extra care housing in Norfolk, Living Well, includes a table showing need for a range of accommodation. The table shows:
- Need for 'sheltered housing' for sale in South Norfolk in 2015: 1,439
 - Need for 'sheltered housing' for sale in South Norfolk in 2036: 2,619
- Traditionally, sheltered housing has support available for residents, either on-site or linked to an alarm system. However, with advances in technology there is now less requirement for a dedicated alarm system. Support can therefore be available for anyone, anywhere. Consequently, I believe that the design of accommodation is more important.
- This application is for 2 and 3 bedroom bungalows. Such accommodation is appropriate, meeting the aspirations of older people for a bungalow large enough to accommodate visiting family members. Consequently, I believe that this application can contribute to addressing the unmet need, provided any planning permission granted ensures occupation by the target group.
- 3.11 Historic England To be reported
- 3.12 Other Representations 8 letters of objection from 6 properties have been received, the comments have been summarised as follows:
- The access road leads onto a very busy road on a bend with vehicles speeding into the village.
 - The access road is only single track, undulating, tree lined, unlit with no passing spaces and hidden accesses.
 - The traffic from the offices at present occurs in the morning and the evening only five days per week if change of use proceeds the traffic will be on the increase at various times of the day, evenings and also weekends.
 - Provision of visitor car parking has not been considered.
 - At the top there is no turning circle thus any large service or delivery lorries would be required to reverse out directly onto the main highway into oncoming traffic.
 - The proposed development would be on the curtilage of probably the most important grade 2 listed building in Ashwellthorpe which itself has a grade 1 listed church within 100 metres of its grounds, as well as Dawn Cottage and The Lodge. Whose settings would be adversely affected.
 - The proposed development would be taking away employment in a rural area where there is a need for local office space.

- Employment is supposed to be protected by policy.
- If the development went ahead there is very limited bus service, no village shop nor amenities.
- There is already a large development granted in the village and several infill properties being built or have been granted permission, so there is not a need for another housing development in Ashwellthorpe
- The proposal is outside the development boundary in open countryside.
- Ashwellthorpe is a linear village and this would be contrary to the prevailing pattern of development.
- The drive is prone to flooding
- The building was not advertised for sale.
- The proposed development exceeds the footprint of Ashwellthorpe Hall. It is not in keeping with the buildings in the near vicinity of the hall and backs on to the Halls curtilage.
- Ashwellthorpe has no street lighting and no public transport except the flexible so therefore residents would have to have cars or use taxis.
- Guidance states that a private drive is inappropriate for any more than 8 dwellings and the existing access is insufficient in width and footpath provision is not possible.
- There is a variety of wildlife on this site including bats which would be affected by this development.
- The proposed layout is extremely cramped and incongruous to its setting.
- There significant land supply in this location.
- The suggested reduction for cars for 'retirees' is irrelevant as its not proven to be the case and is based on large complexes in urban areas where alternatives are available.
- Mature trees on the site have already been cut down to the detriment of the area and wildlife
- Without screening Dawn Cottage (the closest property) will be overlooked with a commercial sized carpark and large vehicle turning area resulting in an increase in noise and pollution.
- To build it in a 'courtyard' style is not authentic and blurs the historic evolution of Ashwellthorpe Hall. This sort of pastiche should not be encouraged.
- The new buildings are of disproportionate height on the west aspect especially where the ground level rises steeply towards the bridge and the north aspect of Ashwellthorpe Hall. This is considerably higher than existing foliage.
- The B1 office building is in good condition and still in current use.
- The properties could potentially be sold to families with young adults whom also have their own vehicles thereby increasing both traffic volumes and overcrowding on the available site.
- The proposed communal bin store presents an adverse environmental impact upon Ashwellthorpe Hall and is insufficient in size to serve the development.
- Increased lighting will impact neighbours and the 'Norfolk Dark Skies'.
- The stipulated amenity area of the plan is extremely small and disproportionate to the number of dwellings, therefore residents would be disrespectful of the private land/curtilage of adjacent neighbours, creating the potential for trespass.

- Historic England, The Ancient Monuments Society and The Society for the Protection of Ancient Buildings have stated that Ashwellthorpe Hall, the associated Walling, the Moat, the Bridge (all built before 1948), and all of the immediate settings of the aforementioned are considered to be curtilage buildings and collectively add to the historic character of Ashwellthorpe Hall itself. They would be concerned about impact on its setting.
- Failure to provide sustainable development.
- A Committee site visit is requested.

4 Assessment

Principle

- 4.1 The application site lies outside the designated development boundary for Ashwellthorpe. However, it is closely related to it with the access to the site abutting the development boundary. Ashwellthorpe is defined as a Service Village where land is to be allocated for small scale housing subject to form and character considerations. Small-scale employment or service development appropriate to scale and needs of the village will also be encouraged.
- 4.2 Planning law (section 38(6) of the Planning and Compulsory Purchase Act 2004) requires that applications be determined in accordance with the Development Plan, unless material considerations indicate otherwise. Material considerations include the National Planning Policy Framework (NPPF).
- 4.3 In accordance with both the Council's adopted development plan and the NPPF, in cases where there are no overriding material considerations to the contrary, development proposals for housing that accord with the development plan should be approved without delay.
- 4.4 In this regard, consideration should be given to Policy DM1.3 which makes provision for development to be granted outside of Development Boundaries, such as this, where one of two criteria are met: either where specific development management policies allow; or, where there are overriding benefits in terms of economic, social and environmental dimensions of sustainable development, as set out in Policy DM1.1.
- 4.5 Where development proposals do not accord with the development plan consideration should be given to whether there are material considerations that otherwise indicate that development should be approved.
- 4.6 As the JCS housing requirement is less than 5 years old it should, in accordance with paragraph 73 of the revised NPPF, be the basis on which housing land supply is calculated. The 2017 Greater Norwich Area Housing Land Supply Assessment, published as Appendix A of the Joint Core Strategy Annual Monitoring Report, shows that against the JCS requirements there is 62.5 years supply in the Rural Policy Area (RPA).
- 4.7 Accordingly, with a demonstrated five year supply of deliverable housing sites against the JCS, the policies which are most important for determining applications are not out-of-date. It is however acknowledged that the JCS housing requirement for the South Norfolk Rural Policy Area is now several years old (the JCS was adopted in March 2011, with amendments in January 2014) and the evidence on which the requirement is based has now been superseded.
- 4.8 Also, it is notable that the JCS housing requirement will become 5 years old on 10th January 2019. Should, at this point, the JCS housing requirement be considered to need updating then housing land supply will begin to be calculated against the standard methodology for the calculation of housing need. A new housing land supply assessment

will be published in 2019 and will set out the Councils position in regards to this issue. As the outcome of the updated assessment is not currently known the potential change in the calculation of housing land supply should not be given significant weight at this time.

- 4.9 Reference has previously been made to the updated Strategic Housing Market Assessment (SHMA) was published for Central Norfolk (the Greater Norwich authorities plus, North Norfolk and Breckland) in June 2017. The SHMA assesses the Objectively Assessed Need for housing between 2015 and 2036 using the most recent evidence available.
- 4.10 The SHMA indicates that the Objectively Assessed Need (OAN) for housing in the South Norfolk RPA is significantly greater than the annual housing requirement under the adopted JCS: an annual requirement of 326 homes per annum in the SHMA compared to 132 homes per annum in the JCS. Moreover, when measured against the SHMA assessment of OAN the housing land supply in the South Norfolk RPA falls from 62.5 years supply under the JCS to 4.38 year housing land supply, a potential shortfall of 232 units, against the SHMA.
- 4.11 Whilst the guidance to which the Central Norfolk SHMA accords has now been superseded, it is considered, nevertheless, that the SHMA remains an intellectually credible assessment of housing need and a material planning consideration. Assessments such as the SHMA will continue to form the basis of local plans submitted ahead of January 2019, including some within the Central Norfolk Housing Market Area.
- 4.12 Recent appeal decisions have applied differing approaches to the use of the evidence in the SHMA. To date these appeals have been by written representation and, as acknowledged in some of the decisions themselves, this type of appeal is not the appropriate place to undertake a detailed housing land supply assessment and robustly test the approach. The Councils' approach has been examined at Inquiry through the appeal at Race Course Plantations, Plumstead Road East.; however, the decision on this is still awaited.
- 4.13 Taking account of the above, the following assessment seeks to establish the benefits of the scheme and any harm that would be caused in the context of the relevant development plan policies and the NPPF, with reference to the three dimensions of sustainable development (economic role, social role and environmental role). These three headings form a convenient basis for structuring the assessment of the proposal against development plan policies.

Economic

- 4.14 There would be an economic benefit from the construction of dwellings in this location, during construction and from future occupants supporting local services and facilities once constructed and occupied.

Loss of employment

- 4.15 Policies DM2.1 and DM2.2 of the SNLP seek to protect employment and proposals for the loss of employment will only be permitted where alternative employment uses have been fully explored or there would be overriding economic, environmental and community benefit.
- 4.16 The proposal is for the loss of the current employment site (previously B1 offices) and the redevelopment of the site as seven single storey units, suitable for retirement accommodation. The applicant has submitted a statement setting out that this is not a commercial location where a small commercial office would be expected. They state:

The office building belonged to the previous owners of Ashwellthorpe Hall, a national disabled drivers' association and charity. Overheads became too high to carry on with this use and there was a decline in both membership of the organisation and clients for the holidays. The organisation therefore sold the Hall, retaining the adjacent piece of land, where the offices were subsequently built, opening in 1998.

Disabled Motoring UK has continued to reduce in membership, as disability rights and information become more readily available through modern technology. The office building became too big for the reduced organisation and it was sold this year. Commercial agents have advised that they find this type of rural office building is normally only of interest for residential redevelopment. The building changed hands rapidly in order to avoid the charity falling into liquidation through lack of operational funds. The organisation remains in the building on an informal lease agreement until the redevelopment of the site is determined. There are currently around 8 employees, most of whom will relocate to a more sustainable business location in a rented office.

According to Government standards for calculating office densities, based on a floor area of approx. 230sqm the site could employ between 20-28 members of staff. The car park currently has capacity for 10 cars with insufficient turning and manoeuvring for any delivery vehicles etc. Therefore, the site could need significant investment to make it suitable for unspecified office uses, which could generate considerable additional traffic movements.

- 4.17 Representations received, and the Parish Council have questioned some of the information contained within the applicants submitted statement and set out that the offices are needed and could be re-used for an alternative employment use for which there is interest. Policy DM2.2 requires that the loss of employment will only be permitted where alternative employment uses have been fully explored or there would be overriding economic, environmental and community benefit. Therefore, it is accepted that there has been no marketing on the unit, and the Council are recommending approval on the scheme on the basis of the overriding benefit of providing accommodation suitable for older people, as set out below.
- 4.18 The Councils Housing Enabling and Strategy manager has set out a need for accommodation suitable for older people. Policy 4 of the JCS set outs that new development should contribute to a mix of housing to provide balanced communities. It is considered that this development could contribute to this need, if the permission was tied via a section 106 agreement to meet this need. The applicants have agreed to entering into a section 106 agreement and this benefit is considered overriding in terms of the loss of employment in this location. The proposal is therefore considered to accord with Policies 4 of the JCS and DM2.2 of the SNLP.

Social

- 4.19 There are social benefits in providing dwellings in this location, especially as accommodation suitable for older people.

Impact on Heritage

- 4.20 The site is located to the east of the Grade II Listed Ashwellthorpe Hall and its associated Grade II Listed structures (garden walls to east and west and gazebo to west). The Lodge is also Grade II Listed to the south of the site (separated by Dawn Cottage) and the Grade I Listed Church of All Saints lies to the south-west, as well as the Grade II Listed Hall Farm and the War Memorial. Policies 16 of the NPPF, DM4.10 of the SNLP and S16(2) and S66(1) Planning (Listed Buildings and Conservation Areas) Act 1990 seek to protect the significance of heritage assets and their settings.

- 4.21 Concerns have been raised that the proposals will affect the setting of these Listed Buildings. The Senior Conservation and Design officer has assessed the proposal in this regard and given that the proposed development is single storey and will be relatively discrete within the landscaped setting of the hall, the closest Listed Building; and that the design approach references the design of coach house/stable courtyards. The design approach for the building will not therefore appear incongruous within the wider setting of the hall, subject to conditions with regards to materials the proposal is not considered to have an impact on the setting of this listed building.
- 4.22 The proposal largely lies outside the setting of other Listed Buildings, with Dawn Cottage intervening in the setting of the Lodge and several properties in the setting of the Church. Given the design of the proposal, subordinate to Ashwellthorpe Hall, then the proposal is unlikely to significantly affect the settings of Listed Buildings. A concern has also been raised about the proposed bin store affecting the setting of the hall, this is considered sufficiently distanced and screened and the details of which are conditioned to ensure the setting of the hall is protected. Finally, a concern was raised that the development is 'pastiche'. Officers have tried to agree a design approach with the applicant which would suit its historic setting and given its single storey then it is considered to have a very modest impact, similar to the existing building. The increased scale, largely screening itself is not considered to have such a significant impact to warrant refusal in this instance. In addition, there is public benefit from the provision of seven units for older accommodation and this is considered to outweigh any harm to the setting of adjacent listed buildings, as set out in Policy 16 of the NPPF.
- 4.23 The proposals are therefore considered in accordance with Policies 16 of the NPPF, DM4.10 of the SNLP and S16(2) and S66(1) Planning (Listed Buildings and Conservation Areas) Act.

Design and impact on the character of the area

- 4.24 Policy 12 of the NPPF, Joint Core Strategy (JCS) Policy 2, and DM Policy 3.8 of the South Norfolk Local Plan (SNLP) seek to promote good design, protect the character of an area and the street scene. The proposal is located along a long straight, fairly narrow access private road, the existing building is not visible from the public highway and the proposed new development would not be visible either.
- 4.25 Representations received have raised concerns about overdevelopment of the site and the scale and design of the proposals. At single storey and in a courtyard style development, this is a design approach which is considered acceptable, will create a dense form of development, similar to the design of coach house/stable courtyards. Given the proposed end user then not only is the design approach considered acceptable but the form and density also. A concern has been raised about the height of the proposals. It is noted that the grounds levels in this location raise to the rear (north) of the site, it would be envisaged that the grounds levels would be lowered to accommodate a sympathetic development. A slab level condition is proposed to check this.
- 4.26 The proposal therefore would not impact the character of the area or street scene in accordance with Policies 1 of the JCS and DM3.8 of the SNLP.

Amenity

- 4.27 Policy DM3.13 seeks to protect the amenity of neighbouring properties and future occupants from new development. There are neighbouring properties to the east and south of the development site, however, these are a good distance from site and the access to prevent any impact on their amenities from noise or overlooking. The proposals are single storey and subject to the removal of permitted development rights, to be secured via a suitably worded condition, then overlooking is unlikely to occur. Neighbours have

raised concerns with regards to light pollution in this location and therefore a condition is proposed to control external lighting.

- 4.28 The proposed units are located in a courtyard style development and will have some private amenity space and some shared amenity space also. The rear gardens for the individual proposed units, although small, are considered sufficient to serve the proposed development, given the end user (to be secured via a section 106 agreement) as well as the additional benefit of having access to the shared spaces also.
- 4.29 The hall has raised concerns about trespass given shared amenity areas about their land and this being confusing for future occupants. A boundary treatments condition is proposed; however, high close boarded fencing would not be supported due to the setting of the Listed Building. However, a suitable boundary treatment could be used to identify and demarcate areas of amenity/ownership. In addition, the granting of planning permission would not override civil matters such as trespass and this could be regulated in the usual way.
- 4.30 Neighbours have also raised that the existing user only operates five days per week therefore the use of the access seven days a week for residential will disturb neighbours and that Dawn Cottage would be disturbed by car parking and turning adjacent to it. There is no condition for opening hours on the original consent (1997/1085) and therefore any future user could operate longer hours and seven days a week, with more people coming and going and cause the same amount of noise and disturbance as the proposal.
- 4.31 For these reasons the proposal is considered acceptable in amenity terms and in accordance with Policy DM3.13 of the SNLP.

Highways and access

- 4.32 DM Policy 3.11 requires new development to not negatively impact highway safety and DM Policy 3.12 relates to the provision of appropriate access and car parking. The Highways Authority raises no objections to the proposal on the grounds of highway safety and it is considered that there is sufficient access and car parking within the site to meet the needs of this development.
- 4.33 Concerns have been raised with regards to traffic being generated from the proposed seven units, the width of access, hidden access points and visibility. It is important to note that currently the office building is under used and a new user could generate significantly more vehicle movements, which are likely to equate to the movements from the proposed seven units. In addition, concerns have been raised with regards to the width of the access. This is a long, fairly straight access and approaching vehicles would be visible. Again, the existing offices could generate similar traffic movements and therefore the width of access is not a reason to refuse planning permission in this instance. Representations also reference the requirement to have no more than 8 dwellings served off a private drive. This is a guide for new developments and this fails to recognise the potential traffic generation of these B1 offices, which are considered comparable to the additional seven units.
- 4.34 I note there are concerns with regards to construction traffic, this will be for a short period of time, while construction works are taking place and are not considered overriding in terms of the refusal of planning permission. Finally, concerns have been raised about vehicles speeding into the village over the speed limit. This is not a material planning consideration but a police enforcement matter and cannot be taken into consideration in the determination of this application.

- 4.35 The representations have queried the car parking provision. There are 14 spaces available which is the Highway Authority Guidance requirement, as set out in Policy DM3.12 for seven two bed units. The proposal therefore meets the highways authority requirements in this regard. I note the concerns with regards to visitor spaces etc but as the proposal meets the standards then it is considered acceptable in this regard.
- 4.36 The proposals are therefore considered in accordance with Policies DM3.11 and DM3.12 of the SNLP.

Small and medium sized sites

- 4.37 Paragraph 68 of the NPPF states that small and medium sized sites can make an important contribution to meeting the housing requirement of an area. The Council has taken a proactive approach to this through the allocation of a range of small and medium sized sites and through defining Development Boundaries for over 80 settlements to facilitate suitable windfall development. Point (c) of NPPF para 68 states that local planning authorities should '*support the development of windfall sites through their policies and decisions – giving great weight to the benefits of using suitable sites within existing settlements for homes*'. Although this is a material consideration in the determination of the application, it can only be afforded limited weight, given the previous supply of housing on small sites within the district.

Environmental

Accessibility

- 4.38 A number of concerns have been raised with regards to the lack of services and facilities within Ashwellthorpe to serve the new development. It is noted that services and facilities, including bus service in this area, is limited. It has also been stated that the site is outside the development boundary but the access is adjacent to it. Ashwellthorpe is also defined as a service village, where modest growth is supported.
- 4.39 Recent appeal decisions have noted that dwellings are not isolated in the context of paragraph 79 of the NPPF if there is development nearby and paragraph 103 recognises that opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in decision making. Therefore, as the proposal is adjacent to other dwellings and has some prospect of accessing a limited amount of services and facilities then in this instance the proposal is considered acceptable.

Ecology

- 4.40 Policy 15 of the NPPF seeks to protect and enhance biodiversity. The applicants have submitted a Preliminary Ecological Appraisal report, which recommends mitigation and compensation measures which would be appropriate to the development proposed; this is to be the subject of an appropriately worded condition. Our ecologists have reviewed this information and are satisfied that the proposal would be acceptable subject to imposition of this condition and to secure two bird and two bat boxes, a bat mitigation method statement and to prevent the further removal of trees without checking for bats. For these reasons the proposal is considered in accordance with Policy 15 of the NPPF.

Flood Risk and Drainage

- 4.41 Policy 14 of the NPPF seeks to avoid flood risk to people and property. Surface water flood risk is noted to the south of the development site and across the access, which has been referred to in the representations. However, the water management officer is satisfied that the site is outside of this area and considers the proposals acceptable subject to a

condition. The proposals are therefore considered in accordance with Policy 14 of the NPPF.

Trees

- 4.42 Policy DM4.8 seeks to protect significant trees and hedgerows. The applicant has submitted an arboricultural report, which shows a number of significant category B trees, whose canopy's and RPA's could have been impacted by the proposed development. These category B trees have subsequently been cut down. The trees were not protected and therefore there is no enforcement issue. An update to the arboricultural report has been provided to reflect the current onsite situation. The Landscape Architect has reviewed the submitted information and is satisfied that the proposed development can be accommodated in this location without impact to significant trees, subject to the imposition of conditions, which are recommended. The proposal is therefore considered in accordance with Policy DM4.8 of the SNLP.
- 4.43 Some concerns have been raised with regards to the removal of trees and this impacting the setting of the Listed Building and making the proposed development more prominent in the setting of Ashwellthorpe Hall and therefore also having an impact. Given the remaining tree coverage with conditions for the retention of those significant trees remaining then it is considered that there is adequate screening to protect the setting of the adjacent Listed Building. In addition, the design of the proposal is such that it would be appropriate in the setting of the adjacent Listed Building and is therefore considered in accordance with Policies 16 of the NPPF, DM4.8 and DM4.10 of the SNLP and S16(2) and S66(1) Planning (Listed Buildings and Conservation Areas) Act.

Brownfield land

- 4.44 The application can be considered to be previously developed land (brownfield land). In line with the NPPF, I have considered the benefits of the efficient use of land, but consider that in this case, this does not outweigh the other material considerations.

Other matters

Bins

- 4.45 Policy DM4.3 requires sufficient facilities are available for the storage of recycling and waste. Representations raise concerns about suitable bin storage provision. These concerns are noted and a condition is recommended to check and approve details of bin storage prior to first occupation of any of the dwellings.
- 4.46 Under Section 143 of the Localism Act the council is required to consider the impact on local finances. This can be a material consideration but in the instance of this application the other material planning considerations detailed above are of greater significance.
- 4.47 This application is liable for Community Infrastructure Levy (CIL).

5 Conclusion

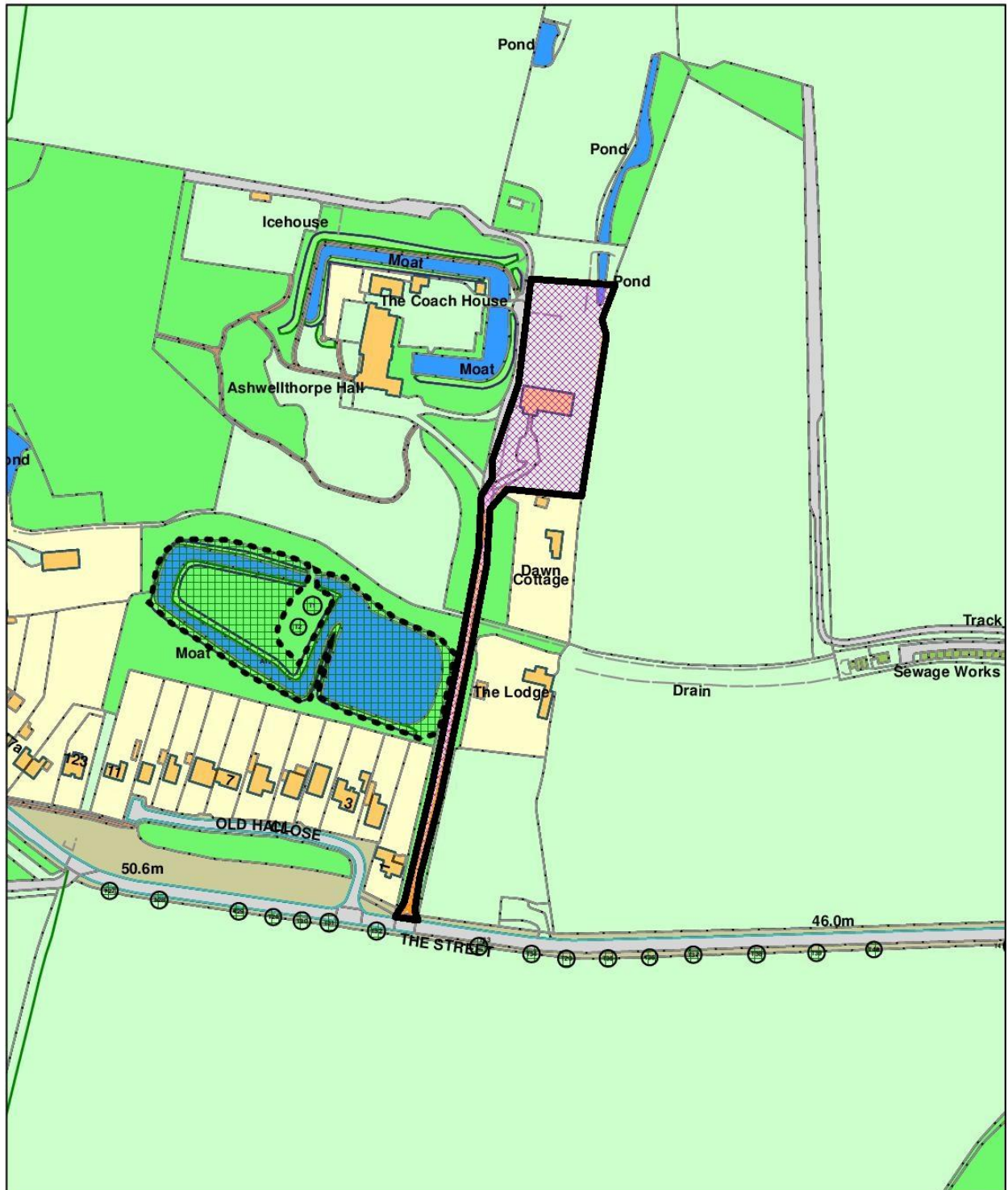
- 5.1 The proposal is considered in accordance with relevant policies within the Development Plan and NPPF. The proposal will result in the loss of employment but this is seen to be outweighed by the provision of accommodation for older people which is to be secured via a section 106 agreement. The proposal is therefore considered acceptable and recommended for approval.

Contact Officer, Telephone Number Rebecca Collins 01508 533794
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2018/2359

Appendix 1

Not Set



Scale 1:2,500

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

3. Appl. No : 2018/1905/F
Parish : HADDISCOE

Applicants Name : Mr John Norfolk
 Site Address : The Crown Inn The Street Haddiscoe NR14 6AA
 Proposal : Conversion of the existing public house into three dwellings

Recommendation : Approval with conditions
 1 Full Planning permission time limit
 2 In accord with submitted drawings
 3 Window and door details to be agreed
 4 Demolition
 5 New Access over ditch/watercourse
 6 Visibility splay, approved plan
 7 Provision of parking, service
 8 No structures to open onto highway
 9 Protection of Highway Boundary
 10 Highway Improvements - Offsite
 11 Highway Improvements - Offsite
 12 Minimum width private drive
 13 Reporting of unexpected contamination

4. Appl. No : 2018/1906/LB
Parish : HADDISCOE

Applicants Name : Mr John Norfolk
 Site Address : The Crown Inn The Street Haddiscoe NR14 6AA
 Proposal : Conversion of the existing public house into three dwellings

Recommendation : Approval with conditions
 1 Listed Building Time Limit
 2 In accord with submitted drawings
 3 Window and door details to be agreed
 4 Demolition

Reason for reporting to committee

The proposal would result in the loss of employment

1 Planning Policies

- 1.1 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 15 : Conserving and enhancing the natural environment
 NPPF 16 : Conserving and enhancing the historic environment

- 1.2 Joint Core Strategy (JCS)
 - Policy 1 : Addressing climate change and protecting environmental assets
 - Policy 2 : Promoting good design
 - Policy 3: Energy and water
- 1.3 South Norfolk Local Plan Development Management Policies
 - DM1.3 : The sustainable location of new development
 - DM3.8 : Design Principles applying to all development
 - DM3.10 : Promotion of sustainable transport
 - DM3.11 : Road safety and the free flow of traffic
 - DM3.12 : Provision of vehicle parking
 - DM3.13 : Amenity, noise, quality of life
 - DM4.8 : Protection of Trees and Hedgerows
 - DM4.10 : Heritage Assets

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

S16(2) and S66(1) Planning (Listed Buildings and Conservation Areas) Act 1990 provides that in considering whether to grant planning permission or listed building consent for development which affects a listed building or its setting, the local planning authority, or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

2. Planning History

2.1	2015/2108	New signage.	Approved
2.2	2015/2131	New signage and external lighting.	Approved
2.3	2017/2906	Conversion of the existing public house into three dwellings and two semi-detached dwellings including means of access	Refused
2.4	2017/2907	Conversion of the existing public house into three dwellings and two semi-detached dwellings including means of access	Refused
2.5	2018/0195	T5 Ash - Fell Poor condition suspected Ash die back- significantly overhangs site	
2.6	2008/0841	Retention of air conditioning units on the side of the buildings, re-site air conditioning unit from the front elevation to the side and installation of screening	Approved
2.7	2008/0840	Retention of air conditioning units on the side of the buildings, re-site air conditioning unit from the front elevation to the side and installation of screening	Approved
2.8	2008/0037	Retention of free standing Coca-Cola vending machine	Refused
2.9	2008/0136	Retention of air conditioning units on the side of the building, re-site air conditioning from the front elevation to the side and installation of screening	Refused

2.10	2008/0135	Retention of air conditioning units on the side of the building, re-site air conditioning from the front elevation to the side and installation of screening	Refused
2.11	2007/2731	Alterations to existing signage, hanging baskets and lighting arrangements	Approved
2.12	2007/2730	Alterations to existing signage	Approved
2.13	2007/1790	Extension to existing patio area on front elevation, including alterations and extensions to existing W.I. railings	Approved
2.14	2007/1789	Extension to existing patio area on front elevation, including alterations and extensions to existing W.I. railings	Approved
2.15	2007/1316	Extension to existing external patio area on front elevation including removal of existing railings and providing new picket fence	Refused
3.	<u>Consultations</u>		
3.1	Haddiscoe Parish Council	No comments received	
3.2	District Councillor Cllr W Kemp	To be reported, if appropriate.	
3.3	NCC Highways	No objection subject to conditions	
3.4	SNC Water Management Officer	Object	
3.5	SNC Community Services - Environmental Quality Team	No objection subject to conditions	
3.6	Broads Authority	No comments received	
3.7	Environment Agency	Holding objection	
3.8	Other Representations	6 objections received, a summary of the concerns raised is as follows: <ul style="list-style-type: none"> • Insufficient parking for residents, tradesman and visitors • Loss of light from parked vehicles • Public House is listed and to convert to 3 would be intrusive and more than necessary • Highway safety concerns • Concern about impact on flora and fauna, and in particular the trees • Should remain a pub • Flooding and drainage concerns • Overdeveloped • Adjacent to a sensitive area (National Park and marshes) • Noise related concerns 	

- Scheme does not identify cable routes
- Little change from previous refusal
- No details of how foul would be dealt with

4 Assessment

Background

- 4.1 The site consists of a vacant public house and its associated curtilage which is a Grade II Listed Building. The site is accessed via the street which lies immediately adjacent.
- 4.2 The applications seek planning permission and listed building consent to convert the existing public house into three residential dwellings, including demolition works. By way of background, a detached dwelling with detached garage within the curtilage of the public house was also originally proposed, however, this has been deleted from the scheme due to flood risk related concerns.

Principle

- 4.3 Policy DM 3.16 is directly applicable to the conversion of a public house to a residential dwelling. This sets out the following requirements:

1) The change of use of existing community facilities will only be permitted where it can be demonstrated that:

*a) Adequate other facilities exist within a reasonable distance to meet local needs; or
b) No reasonable prospect of continued viable use which can be demonstrated through:*

*i) Six months of marketing for the permitted and similar uses, using an appropriate agent;
ii) Confirmation that it has been offered on a range of terms agreed to be reasonable on the advice of an independent qualified assessor; and
iii) Regard to future plans for the area including community led plans.*

- 4.4 It is evident that there is another public house in the village, in close proximity to the site, and therefore criterion a) is met, and therefore it is considered that the requirements of Policy DM3.16 are met.

Heritage Impact

- 4.5 As the public house is a listed building, regard should be had for S66 (1) Planning (Listed Buildings and Conservation Areas) Act 1990 and Policies DM4.10 of the Local Plan and 16 of the NPPF.
- 4.6 With regard to the conversion of the listed public house, the scheme has been revised to include more sympathetic doors and windows than those presently in the building and the Senior Conservation and Design Officer has assessed the revised scheme and confirmed that the scheme would enhance the existing heritage asset, primarily through the removal of unsympathetic uPVC windows.
- 4.7 With this in mind the conversion element satisfies the requirements of Policy DM4.10 and S66 (1).

Character and appearance of the area

- 4.8 The scheme involves the removal of modern additions to the building, with no extensions proposed and the replacement of uPVC fittings with more sympathetic ones and as such the scheme dwelling is considered to have no adverse impact upon the street scene.

- 4.9 Consideration has been given as to whether it is appropriate to remove permitted development rights. It is evident that the listed status of the building and its curtilage is such that any works would require planning permission and/or listed building consent and as such this would offer the Council control of any additions/alterations such that it is not necessary to remove permitted development rights.

- 4.10 For this reason the scheme is considered in accordance with the requirements of Policy DM3.8 of the SNLP, Policy 2 of the Joint Core Strategy and parts 12 and 16 of the NPPF.

Neighbour amenity

- 4.11 The proposed conversion would not lead to any significant overlooking of any neighbouring properties and the overall bulk of the building will not increase as part of the proposed development. The requirements of Policy DM3.13 are therefore considered to be met.

Highway safety

- 4.12 The Highway Authority has no objection in principle, but requested a number of revisions to make the scheme acceptable. An amended plan has been submitted and the Highway Authority has confirmed that the scheme is acceptable subject to conditions and therefore the requirements of Policies DM3.11 and DM3.12 are considered to be met.

Flood risk

- 4.13 The site is within flood zone 3. An FRA has been submitted as well as a sequential and exceptions test document. As highlighted above, due to concerns regarding the ability of the new build dwelling to pass the requirements of the sequential test, this element has been deleted from the scheme.
- 4.14 Therefore, with regard to the change of use element of the scheme, it is evident that the sequential and exception tests do not need to be applied to changes of use, therefore these are not triggered for the conversion of the public house.

Trees

- 4.15 A tree survey and protection plan has been submitted which ensures most of the trees are to be retained. It is evident from the tree survey and site visit that those that are to be lost are not good examples, which are essential to retain. A condition regarding the implementation of the tree protection plan is recommended to protect the remaining trees. For this reason the requirements of Policy DM4.8 are considered to be met.

Sustainable development

- 4.16 Paragraph 49 requires housing applications to be considered in the context of the presumption in favour of sustainable development. The proposed development is considered to represent a sustainable development, having due regard to the three tests set out in the NPPF and for the reasons outlined above.
- 4.17 Under Section 143 of the Localism Act the council is required to consider the impact on local finances. This can be a material consideration but in the instance of this application the other material planning considerations detailed above are of greater significance.
- 4.18 The planning application is not liable for Community Infrastructure Levy (CIL)

5. Conclusion

5.1 2018/1905/F

The planning permission is considered to comply with relevant policies and material consideration contained within the development plan and NPPF is therefore recommended for approval subject to conditions.

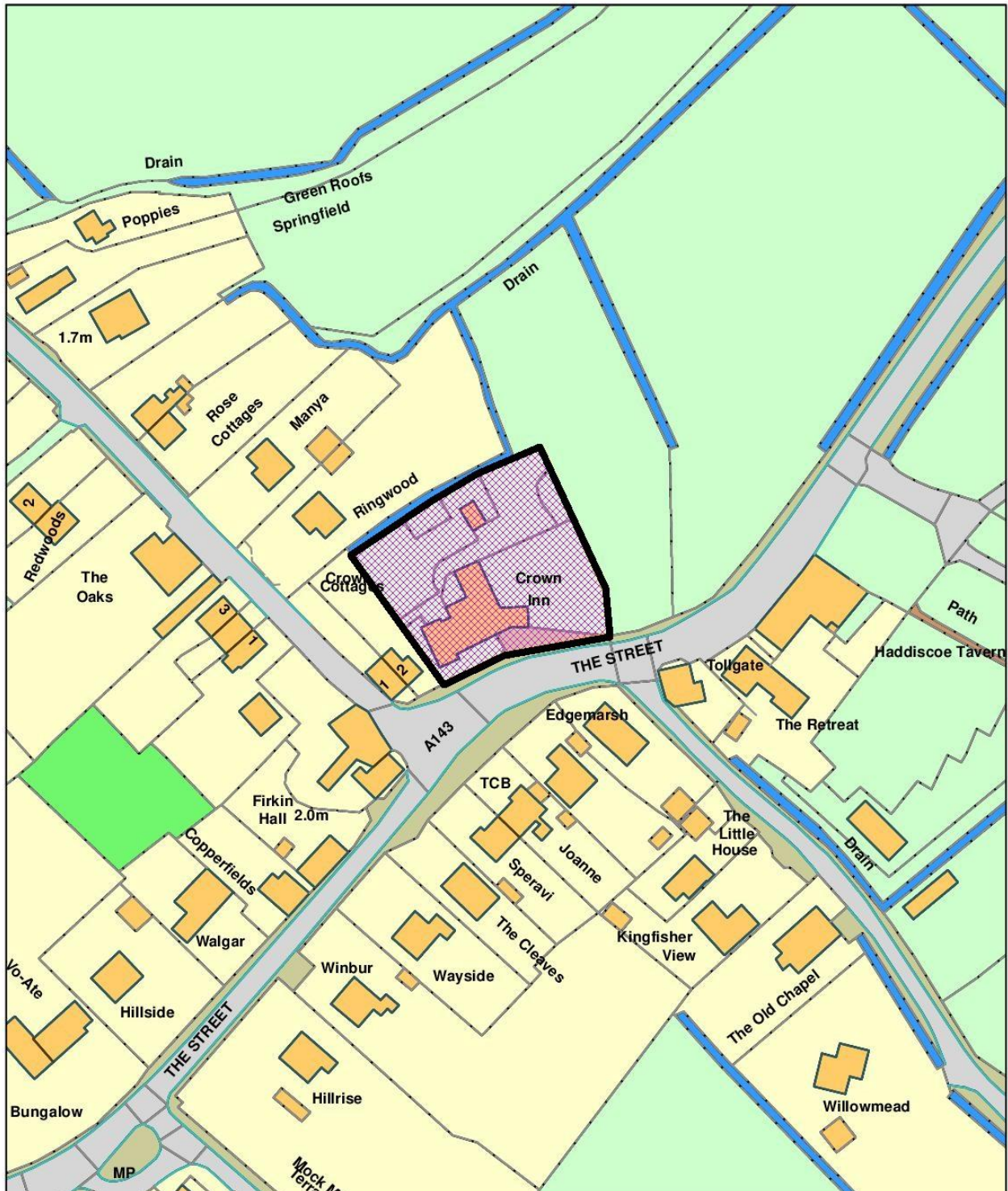
5.2 2018/1906/LB

The proposal is considered to enhance the existing building and is therefore recommended for approval subject to conditions.

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2018/1905 and 2018/1906

Appendix 1



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

5. Appl. No : 2018/2476/RVC
Parish : COSTESSEY

Applicants Name : Teddy Clark Ltd
 Site Address : 95 Grove Avenue Costessey Norfolk NR5 0HZ
 Proposal : Variation of condition 2 from planning consent 2018/0930 -
 Alterations including changes to internal layout, front elevation, and
 increase size of living units.

Recommendation : Approval with Conditions
 1 Time limit (relate back to original planning permission)
 2 In accord with submitted drawings
 3 External materials to be agreed
 4 Slab levels to be agreed
 5 Surface water
 6 No generators, air handling plant
 7 Provision of parking, service
 8 Restrict Use Class to C2
 9 Link self-contained units

Reason for reporting to committee

The Local Member has requested that the application be determined by the Development Management Committee for the reasons set out in Section 3 of this report.

1 Planning Policies

1.1 National Planning Policy Framework (NPPF) 2018

NPPF 11 : Making effective use of land

NPPF 12 : Achieving well-designed places

1.2 Joint Core Strategy (JCS)

Policy 1 : Addressing climate change and protecting environmental assets

Policy 2 : Promoting good design

1.3 South Norfolk Local Plan (SNLP) Development Management Policies

DM3.8 : Design Principles applying to all development

DM3.13 : Amenity, noise, quality of life

2. Planning History

2.1	2018/0930	Demolition of existing dwelling house and erection of new residential care home including 3 self-contained units	Approved
2.2	2018/2016	Variation of condition 2 of permission 2018/0930 (Demolition of existing dwelling house and erection of new residential care home including 3 self-contained units) - revised design to include covered store/boiler room and COSHH cupboard	Approved

3. Consultations

- 3.1 Town Council Recommend refusal on the following grounds:
- Overdevelopment of site; too dominant in the street scene; two or three times the size of the original footprint and much larger than the adjacent dwellings; design unsightly and overbearing; commercial business out of keeping with the residential area; overshadowing and overlooking of neighbour's property which would take their light and remove their privacy; traffic - on a bus route and a school access route; water supply and surface water drainage issues given the large size of the proposed property; neighbours' comments were noted.
- Condition 2 is to build according to the approved plans, which have now been totally altered. The new boiler room joins the previously separate buildings to form a courtyard. There seems to be a trend of putting in an application and, when approved, deciding the building needs to be larger and the rooms bigger. Having established a large house on a site, an even larger and out of proportion building is passed which might have been rejected in the first place. Surely it must have been obvious to the applicants that their architect had omitted a boiler room and that the size of the residential units was not large enough?
- 3.2 District Councillor
Cllr Bell To Development Management Committee for the reasons referred to by the Town Council.
- Cllr Amis To be reported if appropriate.
- 3.3 NCC Highways No objections.
- 3.4 SNC Water
Management Officer To be reported if appropriate.
- 3.5 Other
Representations Two letters of objection have been received, their comments are summarised as follows:
- Overlooking of garden and into dressing room and kitchen and dining room;
 - Noise from occupants and any lighting resulting in disturbance to neighbours and wildlife;
 - Increase in traffic;
 - The size of the property appears grossly oversized for the plot and inappropriate for the area.
 - Out of character for a comparatively small site in a residential environment;
 - A single-storey care home building is acceptable, but three living units in addition is, over development of this site;
 - A quite large area would be required for vehicular access (ambulances, deliveries etc) then there would be visitors requiring parking away from that of staff in order to avoid congestion/blocking; and
 - Access/exit off and onto a relatively narrow road.

4 Assessment

Background

- 4.1 This application follows planning permission 2018/0930, which was granted in July 2018 to demolish the existing bungalow and to replace it with a new residential care home and three self-contained units; and, application ref. 2018/2016 which granted consent to vary the original planning permission by providing a covered link between the care home and self-contained units that will provide space for a COSHH cupboard and boiler room. This assessment does not seek to re-assess the previous applications or the principle of development, only the variation proposed by the current application.
- 4.2 The current application seeks to reposition the three rooflights in the front elevation, to alter the appearance of the front door, to adjust the internal layout and to increase the depth of the self-contained units at the rear by 1.5 metres.

Character of the area

- 4.3 It is considered that the repositioning of three rooflights in the front elevation, the alteration to the appearance of the front door and adjustments to the internal layout are, in their own right, relatively modest changes and are capable of being non-material amendments, which do not affect the character or appearance of the development. Instead, the key matter to be considered is whether the 1.5 metre increase in the depth of the self-units is acceptable. The increase in depth will not be visible within the wider area and therefore will not impact the character of the area or the street scene and is therefore considered in accordance with Policy DM3.8.

Amenity

- 4.4 The type of accommodation being provided remains the same and by virtue of the position of these units on the plot and in relation to the neighbouring dwellings on either side, it is considered that and will not have a significant impact on residential amenity beyond the scheme that already benefits from planning permission and is therefore considered in accordance with Policy DM3.13.
- 4.5 While noting the concerns that have been raised by the Town Council and neighbouring properties, which largely relate to matters that were considered as part of the original planning permission, the proposal is a variation of condition which represents an acceptable form of development that complies with Policy 2 of the JCS and Policies DM3.8 and DM3.13 of the SNLP.

Highways and access

- 4.6 It is not considered that the proposed increase in size of 1.5 metres would generate any significantly additional traffic movements than that already generated by what was previously permitted, and the highways authority has raised no objections to this proposal. The proposal is therefore considered in accordance with Policies DM3.11 and DM3.12 which aim to protect highway safety and provide sufficient access and car parking.
- 4.7 This application is not liable for the Community Infrastructure Levy as there is no charge for C2 uses.
- 4.8 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 Conclusion

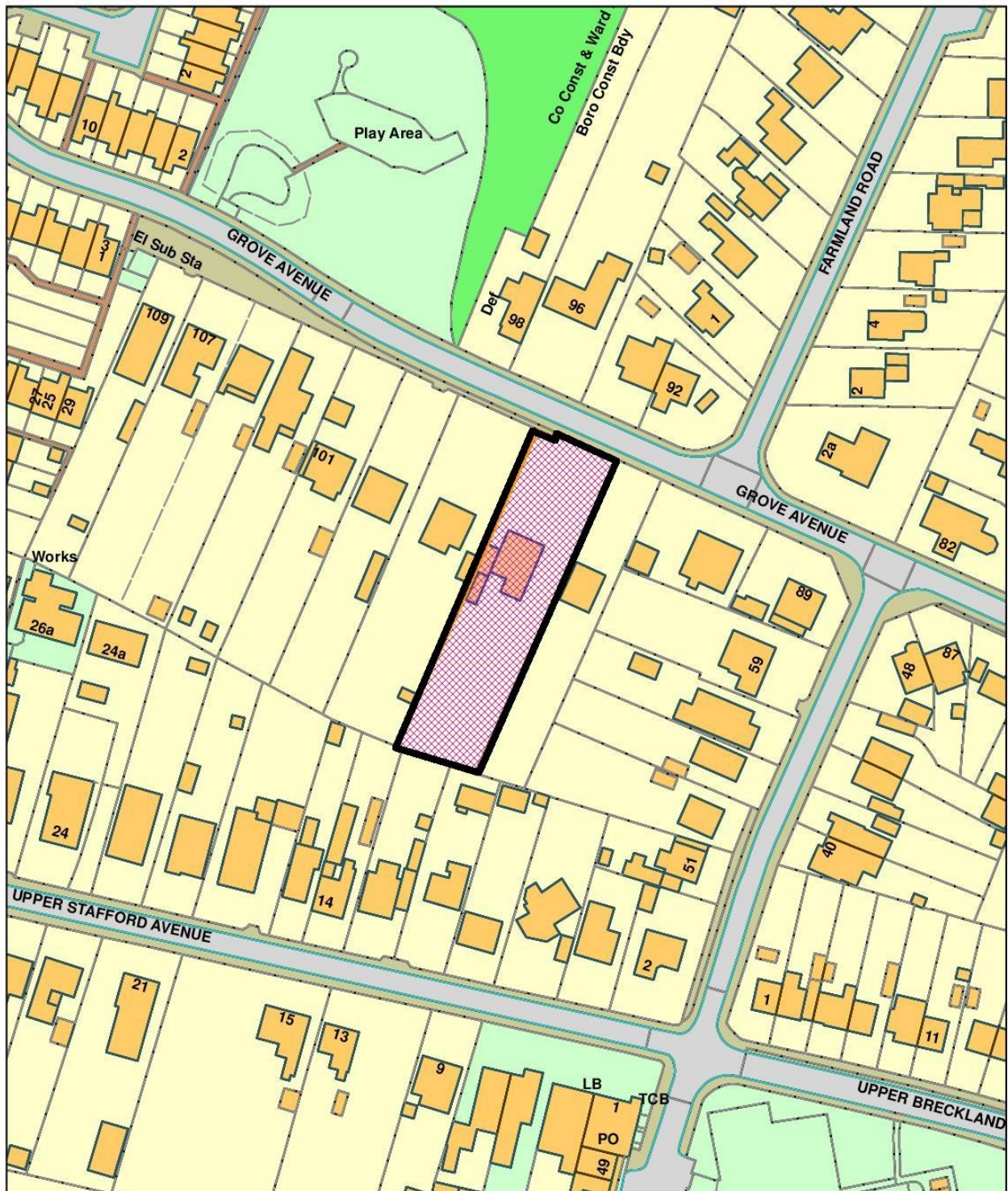
- 5.1 The proposed variations to this application are considered to represent an acceptable form of development and subject to all previous conditions being carried forward and/or updated, the officer recommendation is that the application is approved.

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2018/2476

Appendix 1

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

Application Submitted by South Norfolk Council

- 6. Appl. No : 2018/2710/CU**
Parish : LONG STRATTON
- Applicants Name : South Norfolk Council
 Site Address : Public Toilet Block Swan Lane Long Stratton Norfolk
 Proposal : Change of use from public toilet to A1/A3/A5 use class with retained provision of unisex toilet
- Recommendation : Approval with conditions
 1 Full Planning permission time limit
 2 In accord with submitted drawings
 3 External materials and windows to be agreed
 4 No Generators/Air Handling Plant
 5 Fume extraction details
 6 Waste storage

Reason for reporting to committee

The applicant is South Norfolk Council.

- 1 Planning Policies
- 1.1 National Planning Policy Framework (NPPF)
 NPPF 02 : Achieving sustainable development
 NPPF 04 : Decision-making
 NPPF 06 : Building a strong, competitive economy
 NPPF 07 : Ensuring the vitality of town centres
 NPPF 09: Promoting sustainable transport
 NPPF 12 : Achieving well-designed places
 NPPF 16 : Conserving and enhancing the historic environment
- 1.2 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
 Policy 6 : Access and Transportation
 Policy 7 : Supporting Communities
 Policy 9 : Strategy for growth in the Norwich Policy Area
 Policy 13 : Main Towns
- 1.3 South Norfolk Local Plan (SNLP)
 South Norfolk Local Plan Development Management Policies
 DM1.1 : Ensuring Development Management contributes to achieving sustainable development in South Norfolk
 DM1.3 : The sustainable location of new development
 DM2.4 : Location of main town centre uses
 DM3.6 : Improving the level of community facilities
 DM3.8 : Design Principles applying to all development
 DM3.10 : Promotion of sustainable transport
 DM3.11 : Road safety and the free flow of traffic
 DM3.12 : Provision of vehicle parking
 DM3.13 : Amenity, noise, quality of life
 DM4.3 : Facilities for the collection of recycling and waste
 DM4.10 : Heritage Assets

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

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.

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

2. Planning History

2.1 None relevant

3. Consultations

- 3.1 Long Stratton Town / Parish Council Object on the following grounds:
- Deficiencies in social facilities: With the current plan there is 1 toilet provided. This is insufficient for the size of Long Stratton as it currently stands. There is an application for an additional 1800 dwellings which will also increase the need for public facilities. Long Stratton toilets are the only public facility on the A140 corridor between Diss and Norwich and to reduce the facilities will impact coach's, that regularly transport those of an older generation amongst other demographics, that use the toilet block. This will also impact families with younger children on school runs as well as users of local facilities such as Subway with no other conveniences.
 - Highways/ access: the carpark is regularly full and is not sufficient for its current demand. With the new development this will also place additional need on an infrastructure that requires improvement. By creating 2 new units in place of the toilet block; this will increase the demand of the carpark and potentially the highway. There is also concern that the road crossing facilities to the units is not sufficient with Swan Lane being a busy road.
 - Social need: There is no need for additional food outlets with 7 businesses offering take away and eat in. There is also no additional need for a retail unit offering convenience food stores with 3 convenience type outlets in Long Stratton. However, there is a social need for more than 1 public toilet.
 - There are a number of empty retail units in Stratton that have remained empty for a period of time that would be more suitable for a business venture.
 - If the toilet provision were to be removed from Long Stratton, and the need was to represent itself for public loos the cost would be high and may be deemed impossible to achieve
 - In addition to central government abolishing business rates for public toilets, Long Stratton Council would like to reopen a conversation surrounding adoption of the loos subject to terms and conditions.

Fornsett Parish Council	<p>Object to this application, given the planned development in Long Stratton and this is a well used facility, this seems very short sighted. One toilet for, what is to be a town, of this size is simply not acceptable. The toilets are not only used by residents, shoppers and visitors to Long Stratton but also regularly by coaches as one of the few toilet facilities on the A140 between Diss and Norwich. In the event that the one toilet were to break down, there would be no public toilet provision at all.</p> <p>The change of use to retail units seems unrealistic, given that there are existing retail units currently standing empty.</p> <p>The public toilets should be considered an essential public service.</p>
Great Moulton Parish Council	<p>The closure and redevelopment of the toilet block leaving just one disabled toilet will not leave sufficient toilets for people visiting Long Stratton. Public travelling from local villages often need to use the public toilets, they are used by all age groups.</p> <p>Good facilities mean that more people are likely to come to use the amenities with in the town.</p> <p>Long Stratton is growing quickly with plans for more housing, hence more public facilities should be required not less.</p>
3.2 District Councillor Cllr Fulcher	Can be delegated.
3.3 NCC Highways	No objections.
3.4 SNC Community Services - Environmental Quality Team	No objections subject to conditions with regards to generators and air handling; extraction details and waste storage.
3.5 Other Representations	<p>16 letters of objection have been received stating:</p> <ul style="list-style-type: none"> • There are existing empty shops which could be used. • These are the only public loos in the area and are well used. • Only one toilet is inadequate provision, there should be at least two. • These toilets are well used and should be expanded to meet new housing needs not decreased. • Long Stratton will be without toilets whilst work is going on, on the unit. • What happens if this one toilet becomes out of order? • South Norfolk are supposed to provide facilities for residents. • I assume you will be advising the Co-op that they will now have to install a new toilet block in their Long Stratton store to meet hygiene regulations? • The existing toilets need updating and modernising not removing. • The site is not suited to a retail outlet/shop etc; given its location sandwiched between areas of moving traffic. • How are the surrounding shops, dentists, opticians, pubs and cafés going to feel when people want to use their loos? • What do we pay our taxes for if we can't even rely on having toilet facilities.

- Removing the toilets would be negate all the positive action being taken to grow Long Stratton as an up and coming thriving location
- Two electric vehicle charging points have just been installed in the Co Op Car park further encouraging people in to the town/ village which is excellent for our environment.
- Coach parties have been known to use these toilets.

4 Assessment

Principle

- 4.1 The application site is located within the Town Centre Boundary for Long Stratton, just outside the Conservation Area. Policy DM2.1 supports the creation of business opportunities and Policies 7 of the NPPF and DM2.1 of the SNLP seeks to promote town centres and encourage town centre uses in these locations.
- 4.2 The application proposes to convert the existing public toilets in Long Stratton to two units falling within the following use classes - A1/A3/A5. As these are uses which are all considered main town centre uses, the proposals are supported in principle.
- 4.3 Policy DM3.16 of the SNLP prevents the loss of community facilities. It states that a change of use of a community facility will only be permitted if adequate facilities exist locally or there is no reasonable prospect of continued viable use. With regards to Policy DM3.6 it should be noted that the application seeks to retain one toilet and therefore will not be a complete change of use.
- 4.4 The Council has been encouraging and supporting local Town and Parish Councils to assume local management of public toilet facilities. With regards to Long Stratton toilets, unfortunately the Council was unable to agree the transfer of these toilets to Long Stratton Parish Council but has sought to retain public toilet facilities in Long Stratton through finding a well-balanced, alternative social value based use for the building. This has led to the submission of this current application, which provides a good balance of retaining a public toilet as well as creating additional viable units within the town centre.
- 4.5 The representations received highlight concerns with regards to the loss of the toilets and the reduction to only one toilet. These concerns are noted but it is considered that the proposed use would actually sustain a public toilet in better condition and depending on the adjacent users could make it available for greater periods than the existing facility. Given the proposal includes the retention of one toilet, which is a more viable solution to the long-term survival of toilets in this location, then the proposal is considered to accord with Policy DM3.16 of the SNLP local plan.
- 4.6 Representations also state that there is a growing need for toilets in this location due to planned growth. It is hoped that the growth in this area will bring with it opportunities for new services and facilities which offer additional relevant facilities also.

Design

- 4.7 The existing unit is buff brick with UPVC windows and doors and surrounded by hardstanding/car parking. This site falls outside of but adjacent to the Long Stratton Conservation Area and to the east there are several Listed Buildings. Policy 16 of the NPPF and sections 16(2), 66(1) and 72 Planning (Listed Buildings and Conservation Areas) Act 1990 aim to protect the significance of heritage assets and their settings.

- 4.8 The proposal to convert the building includes exterior render/painting, which will improve the outlook of the building, adjacent to the Conservation Area. The change in fenestration to give the appearance of shop units will have a neutral impact on the character of the building itself but will improve the street scene and provide additional surveillance in this area and probably later into the evening, depending on the end user.
- 4.9 A bin store is proposed to the rear/south of the building, this is to be fenced, which again is considered to have a neutral impact on the character of the area. The provision of suitable facilities for the collection of recycling and waste is supported by policy DM4.3 of the SNLP local plan and the proposal is considered in accordance with this policy also.
- 4.10 Given the minimal changes to the existing building, which are likely to improve the external appearance of this existing building, then the proposal will not negatively impact the character or appearance of the Conservation Area or the settings of nearby Listed Buildings and would not be out of character with the surrounding area or the street scene.

Amenity

- 4.11 Policy DM3.13 seeks to protect the amenity of neighbouring properties. Depending on the end user then the proposal, if A3 or A5 has the potential to create noise and fumes which could impact amenity. There are residential properties opposite the application site and other residential properties in the wider area. Environmental Quality have commented on the application and raise no objections subject to conditions with regards generators and air handling; extraction details; and waste storage. These conditions are considered suitable to protect the amenity of nearby neighbouring properties from noise and fumes.
- 4.12 Given the distance of the proposal from neighbouring properties and its town centre location, adjacent to roads and car parking, then it is unlikely to have a significant additional impact on the amenity of neighbours from the proposed change of use in terms of noise, disturbance or overlooking and is therefore considered in accordance with Policy DM3.13 of the SNLP.

Access and Highways

- 4.13 Policies 9 of the NPPF, 6 of the JCS and DM3.10, DM3.11 and DM3.12 of the SNLP seek to promote sustainable travel; locate services and facilities in accessible locations; and provide sufficient access and car parking. The proposal is located in the town centre, close to other services and facilities with public transport nodes also. There is car parking surrounding the existing building and therefore the proposed uses would be accessible and sufficient car parking is available in accordance with these policies.

Other matters

- 4.14 Concerns have been raised about the lack of toilets provided by subway. This is not a material planning consideration to this application and the Local Planning Authority cannot insist toilets are installed in nearby premise. This may be covered by other alternative legislation however. In addition, during office opening hours, the Council does have toilets, which are publicly available for use.
- 4.15 It is also important to note that the Council has no statutory duty to provide toilets.

- 4.16 The Parish Council has written in objecting to the planning application and stating that they would like to reopen a conversation surrounding adoption of the loos. This is not a material planning consideration to the determination of this planning application. It has been stated by officers that the proposal complies with all relevant policies and material planning considerations, which would not prevent members from granting planning permission as well as discussions regarding the future of the toilets continuing.
- 4.17 Under Section 143 of the Localism Act the council is required to consider the impact on local finances. This can be a material consideration but in the instance of this application the other material planning considerations detailed above are of greater significance.
- 4.18 This application is not liable for Community Infrastructure Levy (CIL).

5 Conclusion

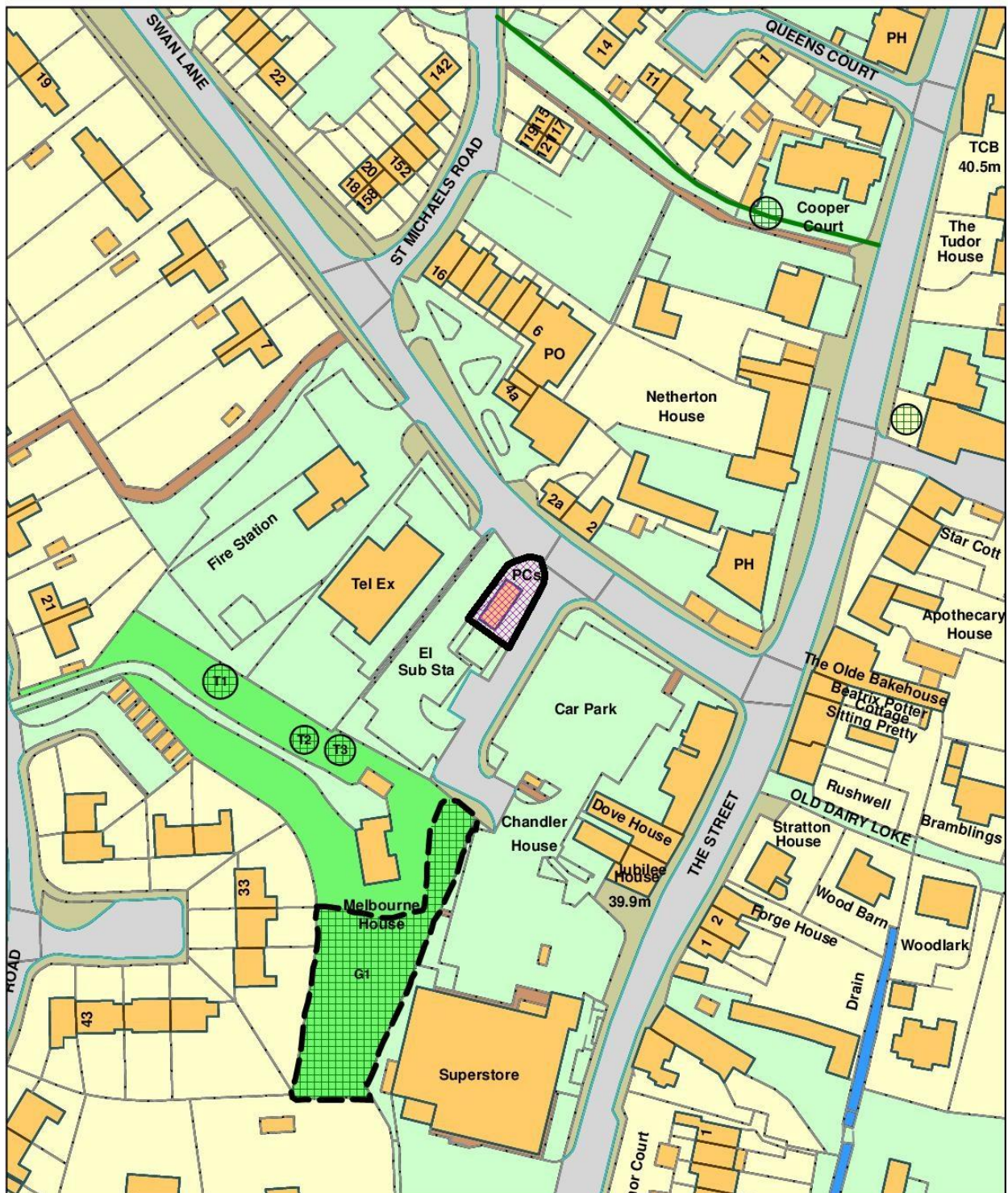
- 5.1 The proposal is considered acceptable in principle, given the sites town centre location and it would provide a remaining facility with improved maintenance and the potential for extended opening. The proposal is a more viable option for this unit and, subject to conditions would not impact the amenity of nearby neighbouring properties. The proposal is therefore recommended for approval, subject to conditions.

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2018/2710

Appendix 1

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

AGENDA ITEM 7**Planning Appeals****Appeals received from 23 November 2018 to 19 December 2018**

Ref	Parish / Site	Appellant	Proposal	Decision Maker	Final Decision
2018/1467	Caistor St Edmund 3 Hall Cottages Caistor Lane Caistor St Edmund NR14 8QT	Mr David Spurgeon	Detached Two Bay Garage and Storage	Delegated	Refusal

Planning Appeals**Appeals decisions from 23 November 2018 to 19 December 2018**

Ref	Parish / Site	Appellant	Proposal	Decision Maker	Final Decision	Appeal Decision
2017/0822	Mulbarton Land North Of East Carleton Road Mulbarton Norfolk	Mr Tony Harrod	Residential development for four dwellings with associated access	Delegated	Refusal	Appeal dismissed
2017/1766	Stoke Holy Cross Land To The North Of 14 Norwich Road Stoke Holy Cross Norfolk	Mr Trevor O'Neill	Outline planning permission (with all matters reserved) for one detached dwelling with garage and gardens.	Delegated	Refusal	Appeal dismissed

Planning Appeals

Appeals decisions from 23 November 2018 to 19 December 2018

2018/0199	Costessey Land To The Rear Of 45-49 Stafford Avenue Costessey Norfolk NR5 0QF	Mr Damian Le-may	Erection of single storey dwelling	Development Management Committee	Refusal	Appeal dismissed
2018/1025	Hingham The Barn White Lodge Farm Hardingham Road Hingham Norfolk NR9 4LY	Mr Joe Berry-Glynn	Proposed revisions to alteration and extension of Planning Consent reference: app/L2630/D/17/3187436	Delegated	Refusal	Appeal dismissed
2018/0073	Poringland Land To The Rear Of 6 Old Mill Road Poringland Norfolk	Mr Jonathan Gannon	Erection of a single storey detached dwelling.	Delegated	Refusal	Appeal Allowed
2018/0251	Tasburgh Land North Of Sweetlands Low Road Tasburgh Norfolk	Trustees Of J Mulcahy	Construction of detached dwelling and garage	Delegated	Refusal	Appeal dismissed