

Development Management Committee

Members of the Development Management Committee:

Conservatives

Mr V Thomson
(Chairman)
Mrs L Neal
(Vice Chairman)
Mr D Bills
Mr J Easter
Mr R Elliott
Mrs F Ellis
Mr G Minshull

Liberal Democrats

Ms V Clifford-Jackson
Mr T Laidlaw

Please note that planning application **Item no.s 1-4** will be heard from **10am**

Planning application **Item no.s 5-8** will be heard from **1.30pm** onwards

Pool of Substitutes

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

Pre-Committee Members' Question Time

9.00 am Blomefield Room

Agenda

Date

Wednesday, 16 October 2019

Time

10.00 am

Place

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

Contact

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

Please arrive at the commencement of the meeting if you are intending to speak on items 1-4, and arrive at 1.30pm if you intend to speak on items 5-8.

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 7)

4. **Minutes of the Meeting of the Development Management Committee held on 18 September 2019;**
(attached – page 9)

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

(attached – page 16)

To consider the items as listed below:

Item No.	Planning Ref No.	Parish	Site Address	Page No.
1	2018/2699/F	DISS	22A St Nicholas Street Diss IP22 4LB	16
2	2019/0428/F	WYMONDHAM	Land at Industrial Site west of Stanleys Lane Wymondham Norfolk	36
3	2019/1013/F	GILLINGHAM	Land south of The Street Gillingham Norfolk	46
4	2019/1653/D	COLNEY	Land adj to Norfolk and Norwich University Hospital (off James Watson Road) Colney Lane Colney Norfolk NR4 7UY	59
5	2019/1354/F	COLNEY	Land west of The Old Hall, Watton Road, Colney	68
6.	2019/1542/F	BUNWELL	Land adj to 141 Bunwell Street Bunwell Norfolk	75
7.	2019/1552/F	WICKLEWOOD	Land adjacent to 69 High Street, Wicklewood, Norfolk	87
8.	2019/1599/F	BRANDON PARVA, COSTON, RUNHALL, WELBORNE	Land to the rear of Linden Cottage, Welborne Common, Welborne	96

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. **Quarterly Enforcement Report;** (attached – page 104)
8. **Planning Appeals (for information);** (attached – page 107)
9. **Date of next scheduled meeting – Wednesday, 13 November 2019**

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

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

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

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

2. PUBLIC SPEAKING: PLANNING APPLICATIONS

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

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

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

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

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

3. FILMING AT COUNCIL MEETINGS: GUIDANCE

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

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

HEALTH AND SAFETY INFORMATION

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

PLANNING APPLICATIONS AND OTHER DEVELOPMENT CONTROL MATTERS

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

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

Key to abbreviations used in Recommendations

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

DECLARATIONS OF INTEREST AT MEETINGS

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

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

Does the interest directly:

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

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

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

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

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

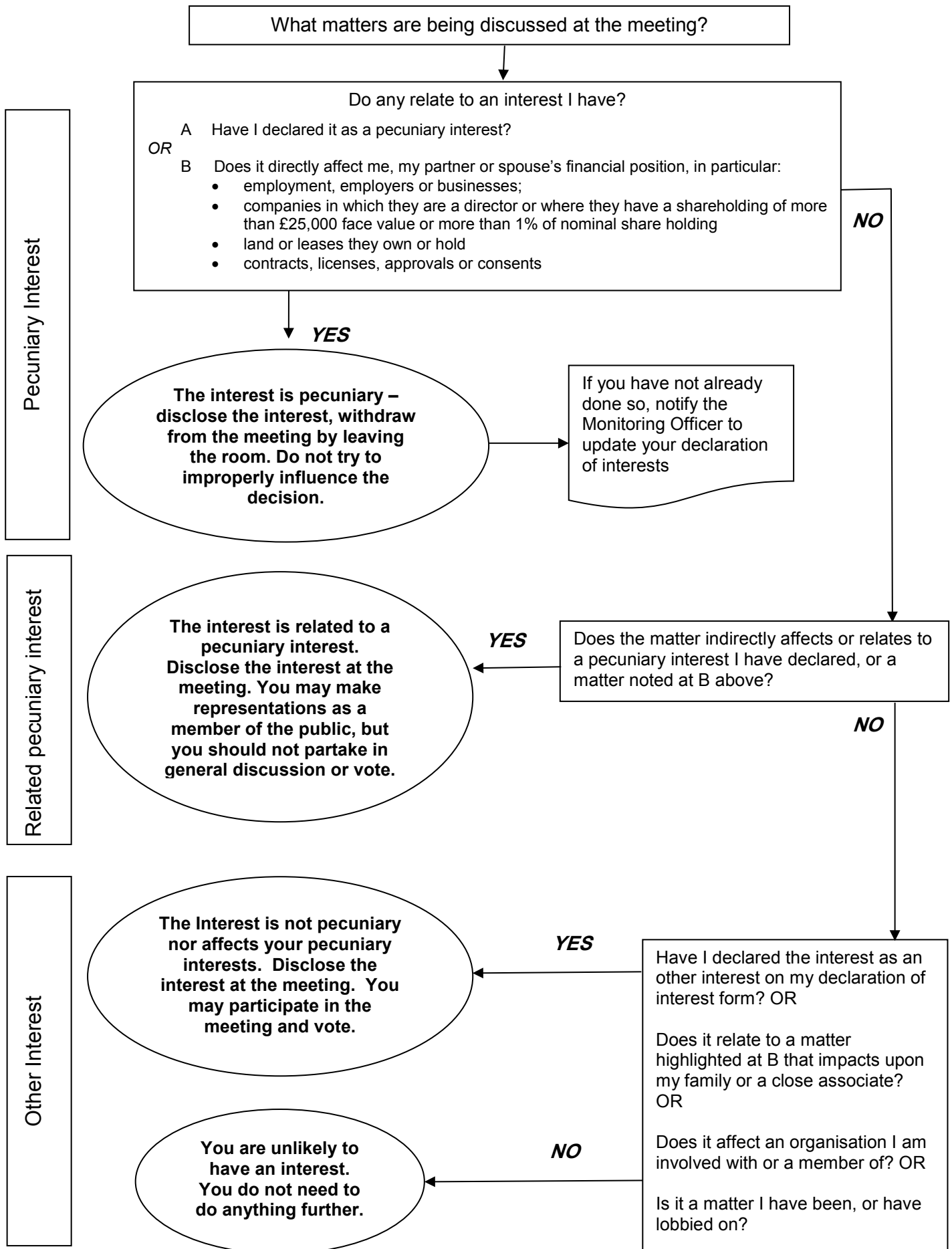
Is the interest not related to any of the above? If so, it is likely to be an other interest. You will need to declare the interest, but may participate in discussion and voting on the item.

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

FOR GUIDANCE REFER TO THE FLOWCHART OVERLEAF.

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

DECLARING INTERESTS FLOWCHART – QUESTIONS TO ASK YOURSELF





DEVELOPMENT MANAGEMENT COMMITTEE

Minutes of a meeting of the Development Management Committee of South Norfolk District Council held at South Norfolk House, Long Stratton, on Wednesday, 18 September 2019 at 10.00 am.

Committee Members Present: **Councillors:** V Thomson (Chairman), D Bills, V Clifford-Jackson, J Easter, F Ellis, L Neal and T Laidlaw

Apologies: **Councillors:** R Elliott and G Minshull

Substitute Members: **Councillors:** B Duffin for G Minshull and T Holden for R Elliott

Officers in Attendance: The Development Management Team Leader (C Raine), the Senior Planning Officer (G Beaumont), the Planning Officers (T Barker and S Everard) and the Senior Community Protection Officer (A Pridmore)

10 members of the public were also in attendance

458. DECLARATIONS OF INTEREST

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

Application	Parish	Councillor	Declaration
2019/1520/H (Item 4)	BAWBURGH	All	Local Planning Code of Practice Lobbied by Objector
2019/1629/CU (Item 5)	MULBARTON	All	Local Planning Code of Practice Lobbied by Parish Council

459. MINUTES

The minutes of the Development Management Committee meeting dated 21 August 2019 were confirmed as a correct record and signed by the Chairman.

460. PLANNING APPLICATIONS AND OTHER DEVELOPMENT CONTROL MATTERS

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

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

APPLICATION	PARISH	SPEAKER
2011/1666/F & 2011/1732/LB (Item 1)	WORTWELL	N Jackson – Agent for the Applicant
2018/1318/F (Item 2)	FLORDON	R Bishop – Objector T Tumov – Applicant
2019/1520/H (Item 4)	BAWBURGH	D Goodman – Parish Council T Sprong-Sleath – Objector
2019/1629/CU (Item 5)	MULBARTON	Cllr G Francis – Local Member

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

461. PLANNING APPEALS

The Committee noted the planning appeals.

(The meeting closed at 11.50am)

Chairman

Updates for DEVELOPMENT MANAGEMENT COMMITTEE 18th September 2019

Item	Updates	Page No
Item 1	<p>One further letter of objection</p> <p>Support the officer recommendation</p> <ul style="list-style-type: none"> - Have lived in Wortwell for 33 years and know the site and its history well both from regularly using nearby footpath and as the former District Councillor. - Barn is one of two listed barns that were bought by the applicant to convert into dwellings, one of which has been completed - The applicant removed cladding that had been added to protect the barn in the 1990s which unfortunately allowed strong winds to enter the barn during a winter storm resulting in its collapse - A timber frame using modern timbers was subsequently erected up to roof level - The applications to reconstruct the barn was considered in 2014 where it was deferred to determine whether the original roof timbers, particularly the queen posts, could be used to re-construct the roof - It is now clear that this is not feasible and that the structure would be entirely in modern timbers, with some originals inserted purely cosmetically - What is proposed therefore is tantamount to a new dwelling in the countryside and does not meet the requirements of Council policy - In addition, the building will be constructed in the functional flood plain (zone 3b) - If refused, enforcement action should be authorised to remove the existing timber frame 	13
Item 2	<p>One additional public representation has been received objecting to the application on the basis of:</p> <ul style="list-style-type: none"> - Dangers of large vehicle movement on the local road network - Noise pollution from operating of tunnel fans over a 24hr period causing continued disruption to village residents - Traffic noise from fork lift movement of pallets etc on the Mushroom Farm is a continual nuisance from early in the morning. <p>Additional information from the applicant has also been received following publication of the committee report. This includes additional landscaping information and a plan setting out the location of tunnels on the original site which would be subject to conditions.</p> <p>For information, Condition 15 requires verification testing prior to each tunnel being brought into use to</p>	28

	ensure that the specified noise attenuation measures achieve the required attenuation as set out within the noise impact assessment.	
Item 3	APPLICATION HAS BEEN WITHDRAWN	43
Item 4	None	50
Item 5	<p>One public representation has been received. This objects to the application on the basis of:</p> <ul style="list-style-type: none"> - Creating a commercial enterprise on a residential estate which was design of residential dwellings only. - Scale of proposal is more suitable on a site within a commercial area - Insufficient parking. Only 4 parking spaces however proposal is for 6 staff. No parking for customers. Will result in parking on Bromedale Avenue. 	55

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

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

Applications referred back to Committee

1. **Appl. No** : **2011/1666/F & 2011/1732/LB**
 Parish : **WORTWELL**
- Applicants Name : Mr T Gentleman
Site Address : Granary Barn Wortwell Hall Farm Low Road Wortwell
Proposal : Repair & re-erection of collapsed barn caused by storm damage
 and conversion to residential use
- Decision : Members voted unanimously for **Refusal**
- Refused
- 1 Contrary to DM2.10
 2 In Flood Zone 3b
 3 Fails to comply with DM1.3

Major Applications

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

Applicants Name : Mr T Tumov
 Site Address : Polytunnels At Tas Valley Mushrooms The Street Flordon Norfolk
 Proposal : Erection of 7 plastic covered growing tunnels

Decision : Members voted unanimously to authorise the Director of Place to **Approve**, subject to receipt of an updated landscaping scheme and a plan setting out further details of buildings within the blue line and the conditions set out below, and S106 legal agreement, if necessary.

Approved with conditions

- 1 Time Limit
- 2 In accordance with submitted plans
- 3 Foul Drainage
- 4 Surface Water Drainage
- 5 Drainage Management Plan
- 6 Removal of bund
- 7 Implement Landscaping Scheme
- 8 Landscape Management Plan
- 9 Biodiversity Enhancement Plan
- 10 Weather Cowl
- 11 Vibration mounts for external evaporator units
- 12 Attenuator on inlet axial fan
- 13 Acoustic Louvres
- 14 Noise from inlet fans
- 15 Verification Testing
- 16 Haul Road
- 17 Boiler Room
- 18 Growing Room
- 19 Compost handling building and Trayline building
- 20 Operational Hours
- 21 No air handling plant without consent
- 22 External Lighting

Other Applications

3. Appl. No : 2019/1275/CU
Parish : DISS

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

Decision : Item withdrawn by the Applicant prior to the committee meeting.

4. Appl. No : 2019/1520/H
Parish : BAWBURGH

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

Decision : Members voted 6-2 (with one abstention) for **Refusal** (contrary to officer recommendation, which was lost 3-6)

Refused

Reasons for overturning officer recommendation

- 1 Overlooking of adjoining neighbour
- 2 Loss of light and overshadowing
- 3 Oppressive and overbearing to adjoining neighbour

5. Appl. No : 2019/1629/CU
Parish : MULBARTON

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

Decision : Members voted unanimously for **Approval**

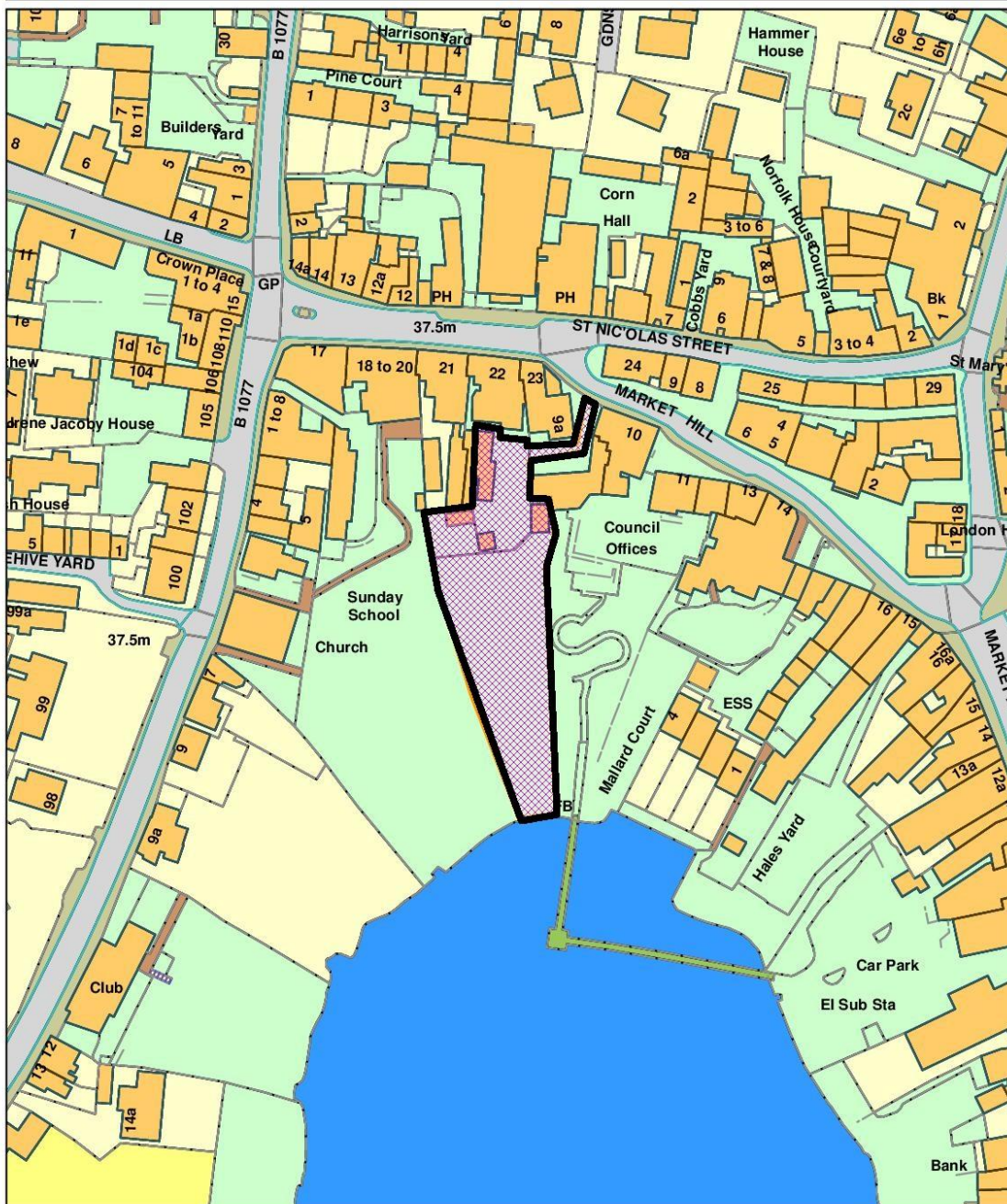
Approved with conditions

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

PLANNING APPLICATIONS AND OTHER DEVELOPMENT CONTROL MATTERS**Report of Director of Place****Applications referred back to Committee**

Application 1

2018/2699



1. Application No : 2018/2699/F
Parish : DISS

Applicant's Name: Mr & Mrs A Warnes
Site Address 22A St Nicholas Street Diss IP22 4LB
Proposal Demolition of existing garage/stores. Erection of 3 dwellings, single garage and associated hard-standing parking/turning area.

Reason for reporting to committee

The application was deferred at the Development Management Committee on 24th July 2019 to allow the agent/applicant to prepare a construction management plan and landscaping plan (including management and maintenance regimes) for consideration prior to determination of the application.

This followed a previous deferral on the 25th June 2019 to allow for site visit by Members to be undertaken. This occurred on the 10th July 2019.

The relevant papers relating to the above are attached Appendix A.

Both a construction management plan and landscaping plan (including management and maintenance regimes) have been submitted, in addition, the applicant has also provided details of how some of the spoil from on-site excavations will be re-distributed across the rear garden.

These details have been re-consulted on and comments received in respect of these will be included as part of the committee update sheet.

With regard to the construction management plan, the document sets out hours of operation, arrangements for the transportation of materials, plant and machinery, site clearance, site management and noise and vibration control. Having considered the contents of this, being mindful of the site constraints, it is considered that this provides sufficient clarity on how the development will be constructed and the level of disturbance/upheaval would not be unacceptable. Officers would wish to stress that it is inevitable that some disturbance would occur as a consequence of the development and that this not uncommon in most instances where a development is being constructed.

The construction management plan also highlights that some of the soil will be redistributed across the rear garden has been done in such a way that it continues with its sloped nature and laid to grass, and avoids introducing any tiered/decked arrangement which could be overly fussy in this location. The level change is also done in such a way as it avoids backfilling against any of the trees/vegetation on the eastern and western boundaries. It is considered that these works would not compromise the appearance of the site or immediate locality.

With regard to the landscape management plan, an updated block plan has been provided which highlights new native hedging to the eastern boundary with three Silver Birch trees interspersed. Planted with the garden laid to grass. It is considered that this will give an acceptable appearance to the site. With the exception of the small private amenity areas immediately adjacent to the properties, the landscaping will be managed and maintained as a communal garden via a management agreement which all owners will be signed up to and pay into. The submitted details are considered to give sufficient clarity on this issue.

In summary, officers are satisfied that the scheme continues to be acceptable in planning terms subject to the imposition of conditions as outlined in the committee report included as appendix A, and in terms of the information submitted in terms of construction management and landscaping, officers are satisfied that they do provide adequate details to safeguard highway safety and neighbour amenity when considering construction management and the appearance of the site and local amenity in terms of landscaping.

Contact Officer, Telephone Number Chris Raine 01508 533841
and E-mail: craine@s-norfolk.gov.uk

Appendix A

Development Management Committee

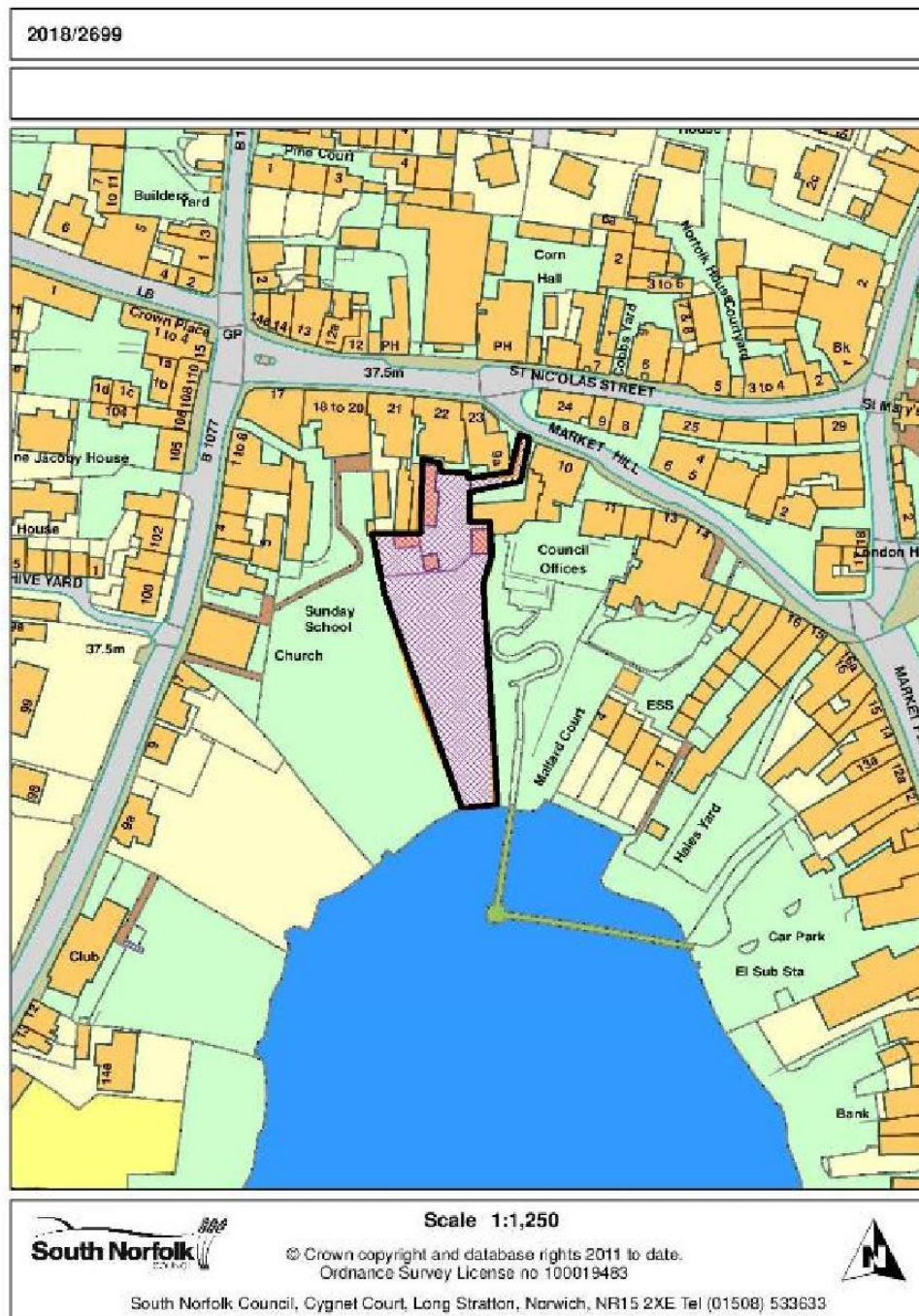
24 July 2019

Agenda Item No. _____

PLANNING APPLICATIONS AND OTHER DEVELOPMENT CONTROL MATTERS

Report of Director of Place

Applications Referred to Site Inspection



Development Management Committee

24 July 2019

"For the avoidance of doubt, outline planning permission was refused on a small part of the current application site for a chalet style bungalow in 2003 under 2003/0948 which given the duration of time since this decision coupled with the different policy framework (different Local Plan, pre NPPF) under which a decision was made, it was not considered to be "recent relevant planning history" as outlined in section 2 of the committee report."

In summary, officers are satisfied that the scheme continues to be acceptable in planning terms subject to the imposition of conditions as outlined in the committee report included as appendix B.

Contact Officer, Telephone
Number and E-mail:

Chris Raine 01508 533841
craine@s-norfolk.gov.uk

PLANNING APPLICATIONS AND OTHER DEVELOPMENT CONTROL MATTERS**Report of Director of Place****Other applications**

1. **Appl. No** : **2018/2699/F**
Parish : **DISS**

Applicants Name : Mr & Mrs A Warnes
Site Address : 22A St Nicholas Street Diss IP22 4LB
Proposal : Demolition of existing garage/stores. Erection of 3 dwellings, single garage and associated hard-standing parking/turning area.

Reason for reporting to committee

The Local Member has requested that the application be determined by the Development Management Committee for appropriate planning reasons as set out below in section 4.

Recommendation : Approve subject to conditions
 (Summary)

1 Proposal and site context

- 1.1 The application seeks full planning permission for the demolition of existing garage/stores to the rear of 22a St Nicholas Street which lies in the centre of Diss and the erection of a terrace of three, three storey dwellings with pitched roofs. Plot 1 is also accompanied by a pitched roof garage. The site is to be accessed via Market Hill to the north which is an existing relatively narrow access point. The scheme makes provision for 11 parking spaces including 2 within the garage which accompanies unit 1. The dwellings would be constructed using a mix of timber cladding and facing brickwork with pantile roof, with aluminium windows and doors and glass balconies.
- 1.2 The application site consists of garden land associated with an existing dwelling and lies behind a mix of residential properties and commercial premises located to the north, including the Diss Town Council Offices. To the east is the wildlife garden and to the south is the Mere. The site slopes significantly downwards from north to south with trees running down the eastern and western boundaries of the site towards the Mere edge.

2 Relevant planning history

- 2.1 No recent relevant planning history

3 Planning Policies

- 3.1 National Planning Policy Framework (NPPF)
 NPPF 02 : Achieving sustainable development
 NPPF 04 : Decision-making
 NPPF 05 : Delivering a sufficient supply of homes
 NPPF 07 : Ensuring the vitality of town centres
 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

- 3.2 Joint Core Strategy (JCS)
 Policy 1 : Addressing climate change and protecting environmental assets
 Policy 2 : Promoting good design
 Policy 3: Energy and water
 Policy 4 : Housing delivery
 Policy 13 : Main Towns
- 3.3 South Norfolk Local Plan (SNLP)
 South Norfolk Local Plan Development Management Policies
 DM1.3 : The sustainable location of new development
 DM3.6 : 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
 DM4.4 : Natural Environmental assets - designated and locally important open space
 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.

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."

4. Consultations

4.1 **Diss Town Council**

Object

- Massing - the scale of the buildings is far too large in an area designated as 'Important Local Open Space' with the proposed dwellings proposed to occupy 50% of the total area. The width of the dwellings is almost the full width of the site, so much so that there is little access for maintaining the remaining 'Important Local Open Space'. This over development of the site means that the eastern wall of one of the proposed dwellings comes very close to the boundary of the Heritage Wildlife gardens hemming them in and overlooking this new public amenity.
- To illustrate this point, when standing on the path leading to the boardwalk adjacent to the proposed development, the dwellings would tower around 42 feet (13m) above ground level at its highest point. The dwellings would dominate the wildlife gardens and boardwalk, shade the gardens and detract from the visitor experience.
- The design of the buildings and the modern materials proposed are not in keeping with a designated 'Important Local open Space', in the historic conservation area and overlooking the Mere and the Heritage Wildlife gardens.
- Access to the dwellings off Market Hill will directly affect 6/7 businesses. The tight right-angled bend, customer parking provision, delivery vehicles and of course pedestrians will make it a very busy private courtyard especially if there are an additional 9 or 10 vehicles coming and going from the proposed development. This very narrow access with several pinch points, will also be used by construction

traffic impacting on those using Market Hill as well as the traders' business in this courtyard. Add to this the reduced space available in the courtyard when bins are put out from the proposed dwellings for the weekly refuse collection and it creates an area that would see much more traffic, become less appealing to visitors and as a result have a detrimental effect on trade.

- There is no construction and access plan at this time - only a statement that a remote site will be used to break down deliveries to a size that can be taken through the restricted access. Nowhere is there any mention of how site spoil would be removed without causing serious disruption to traders in the vicinity of the courtyard and also on Market Hill/St Nicholas Street. With most of the sloping banking requiring removal, the amount of spoil is likely to be significant involving many lorry loads.
- Access for all emergency vehicles is totally inadequate through this very tight courtyard and this would be especially so in the case of fire.
- The dwellings would come right up to the boundary fence with the Heritage Wildlife Gardens completely overlooking and overshadowing them. The Wildlife gardens are an essential part of the regeneration of the Heritage Triangle and this proposed development would detract from visitor enjoyment and spoil of views of the Mere and the boardwalk. The Gardens were finalists in the 2018 Royal Town Planning Institute award for Planning Excellence in Heritage and Culture for place-making. This proposal works against all the values recognised by the award by reducing the 'openness' of the upper reaches and of the viewing decks of the new public garden.
- Should you be considering acceptance of the application under your delegated powers we would like you to refer the application to your Development Management (Planning) Committee for their consideration.
- Diss Town Council would welcome the opportunity to discuss a much more modest development that did not encroach so far down the slope towards the Mere, was built in a style compatible to the historic nature of buildings in the area and did not overlook and overshadow the Heritage Wildlife Garden area.

**4.2 District Councillor
Cllr Minshull**

Given the public interest that this has on a designated green space I feel that if the officers are minded to approve then this should go to committee.

4.3 NCC Highways

No objection subject to condition

Whilst the proposal will add additional vehicle movements within the yard area between the site and the St Nicholas Street, this area is private and not public highway.

4.4 Senior Conservation and Design Officer

Original plans

The application is to the rear of properties that front onto St Nicholas Street and form a continuous tight back of the pavement street frontage, and will therefore have no impact on the St Nicholas streetscene within the townscape of the conservation area.

At the rear however is the Mere and the property will be very visible in views across the Mere. The Mere is a key feature of the historic settlement of Diss around which the town grew. In the conservation area appraisal (P7) refers to the important views of the town across the Mere from the publicly accessible areas to the south: "The panoramic view from

the park, over the Mere to the church tower beyond, is unparalleled in the district, but from the main streets, the Mere is rarely visible, except an occasional glimpse through a gap or archway."

The most impact of the development will therefore be views of the rear including longer distance views from the park and at the south end of the Mere (as shown on the streetscape map on p32.) At present the sharp rise in levels has created a view of a pleasant collection of various building forms around the Mere, featuring a number of gables, although in the immediate area to the north of the site the existing buildings have relatively plain flat backs and rear sloping roof pitches.

The recent creation of the boardwalk and steps at the rear of the town council office has also created access to the rear and views of the rear of the properties along St Nicholas Street at closer quarters from the public garden/space. The development site, although identified within the green space associated with the Mere, is however not well maintained and appears untidy and 'scruffy' in appearance. Enhancement of the site would be desirable, although these closer views, particularly from the adjacent garden area to the east and the boardwalk, need to also be taken into account.

Although development is at the rear of a plot and not a streetscene, the proposal needs to be viewed and considered as being in a very sensitive location and setting within the conservation area. Although No 22a is not listed, a number of properties along St Nicholas Street are listed, and the setting of these buildings in terms of views of their rear, which is of significance in this case because of their contribution to the views looking across the Mere.

Because of the significance of the Mere and views across and around it, to the character and appearance of the conservation area, and the recently created public access, it would be beneficial to either have a photomontage of the rear of the site showing the building's scale and form within the context and/or a cross section showing relative building heights. The application's design and access statement refers to 3D drawings – but only one has been submitted – of the front (north facing) elevations.

There has been some pre-application discussion regarding the building's potential form and character. It was generally agreed that a building with broken massing comprising of a rhythm of thin gables and graduated setbacks in sympathetic materials that would assist in alleviating bulk and fitting the building within the transition between the Mere, landscaping and the rear of elevations of buildings on St Nicholas Street. This would create a building of interest but one that could still be relatively subtle and blend in.

Contemporary design materials are an option if the building remains well designed but 'low key' in views, considering that it needs to fit in with an existing backdrop of buildings that are quite varied in design and materials, but each individual building has a limited palette of materials. It would be better to have a limited palette of materials for this design rather than variety within the form of the building itself, so that the building is read as one coherent form. Being low down within the view amongst landscaping materials should I suggest be darker/more natural. Dark metal cladding combined with dark timber may be suitable, but render at lower levels will draw attention.

The present design breaks the building into three, but with quite wide gables at the side, and a plain link section with a flat roof between. Rather than creating an interesting rhythm, this will make the building appear larger and bulkier with the large flat roof section and giving more prominence and emphasis to the gable forms rather than being a rhythmic element of the main shape of the building. The elevation is very varied in appearance in terms of form and materials, and does not appear coherently designed.

Whereas previous discussions evolved around a simpler design with dark metal clad frame providing a frame with timber weatherboarding and internal balconies and space, the present design in contrast has a much more varied appearance in terms of materials with rendered balconies projecting out at lower levels, which are more brutalist in style. I am therefore concerned that the present design has a relatively incoherent form, and one which would appear quite bulky and 'fussy' with quite a number of changes in form, massing and articulation across the rear elevation and the use of different contemporary design details and materials. This will draw unnecessary attention to the building.

This may be more evident if a cross section (which includes existing buildings) or photomontage are submitted. If contemporary materials are used it is important that the design is coherent, crisp with minimal and simple uncluttered use of materials and architectural detailing in a 'clean' design. In this location the exterior appearance and impact is paramount to the design, and any use of the building needs to fit around blending the appearance of the building into the existing context. This may lead to a more unusual and bespoke internal plan arrangement, but can lead to a more interesting building.

I am concerned that the present design will be over large and bulky, with 'fussy' articulation and over complicated elevation of contemporary materials facing south and prominent in views from the Mere and surrounding publicly accessible areas. It will detract from and harm the character and appearance of the conservation area and the setting of listed buildings to the north, potentially including the church tower, which is the main focal point within the backdrop and arrangement of buildings when seen in views across the Mere from the South.

Amended plans

No objection

4.5 **SNC Water Management Officer**

To be reported if appropriate.

4.6 **Historic Environment Service**

No objection subject to condition

4.7 **Other Representations**

Original scheme

18 objections received a summary of these are as follows:

- Out of character with the locality
- Development is not in keeping with the heritage of the area (Conservation Area and Listed Buildings)
- Does not offer any complimentary features to the conservation setting that has been preserved and enhanced by the efforts of the newly developed garden and Mere walkway.
- Goes against the work undertaken by the Heritage Triangle
- External materials (steel and glass is totally out of character)
- Green space will be compromised
- This designated Important local open space (DM4.6) will be compromised
- Cramped and overdevelopment
- Disturbance and adverse impact on existing businesses
- Adverse ecological impacts
- Access concerns relating to construction machinery and vehicles, conflict with pedestrians

- Congestion caused from additional parking
- Will restrict access
- Fire safety, ability to evacuate existing dwellings will be affected
- Dwellings are too high
- Scale of development is excessive
- Not enough detail as to its appearance
- Overshadowing of neighbouring properties
- Spoil the view/outlook from across the Mere
- No reference to environmentally friendly elements within the scheme
- Overlook neighbouring properties
- Overlook users of the wildlife garden
- Previous application for a bungalow in 2003 was refused
- Adverse impact upon the community garden and boardwalk, in particular overly dominate the outlook from the community garden adverse impact on Tudor House/Dragons yard which is busy with 4 shops and a further business trading which often has children prams etc. more traffic would have an adverse impact on this.
- Vibration from construction works could destabilise adjacent buildings

Diss Heritage Triangle Trust

Object

Access to the site

All access is through Dragon House Yard, which is a narrow privately owned shopping yard with shops on both sides. The yard forms a tight 90 degree bend due to the layout of the existing buildings and this development will create significant additional vehicle traffic through a popular pedestrian shopping area.

Size and scope

The proposed development is excessive in size and the design is such that when viewed from the south or the east, the building form a monolithic lump that will completely overwhelm the wildlife garden. It should be noted that the site is designated in the local plan as "an important local open space" and together with the wildlife garden, forms a contiguous area of green space around the northern and western perimeter of the Mere. This development would significantly reduce this green space and eliminate the site from being "an important local open space" as the building extends almost half way down the site. Please refer to the enclosed satellite map of the Mere clearly showing the existing contiguous green space.

When viewed from the wildlife garden, the eastern "slab" of the building will tower over the existing upper and lower viewing decks of the wildlife garden and will significantly reduce natural sunlight reaching the viewing decks and the upper part of the garden – which is where the mown grass areas are located that currently allow families to sit on the grass and enjoy the views. Please see attachment A over which the existing wildlife garden has been superimposed – this clearly shows the disparity between the proposed development and the existing levels of the upper and lower viewing decks, and mown grass levels.

Further, the eastern side of the building incorporates a flight of steps down towards the Mere, these steps appear to be within 0.5m of the boundary which negates any ability to create screening with hedgerows or planting between the building and the wildlife garden. I note that the applicant has recently released sketch views to the local press that show the development surrounded with trees and a lush, tall green hedge between the development and the wildlife garden. Firstly the hedge (and most of the trees) do not exist, and secondly, there is no room for a hedge with the current plans. The applicant has not submitted any planting plan whatsoever so these sketches can only be regarded as conjecture, rather than proposed.

The HTT is not against development on this site, however, the existing proposals would significantly damage the wildlife garden and its amenity value for residents and visitors to Diss. The HTT has a responsibility to ensure that the goals of the wildlife garden and the vitality of the Heritage Triangle overall are maintained and therefore objects to this application

Amended plans

7 objections received which confirm that the revised scheme has not addressed previous concerns (see below for a summary of these)

Diss Heritage Triangle Trust (HTT)

In the original letter, the key reasons for objection were firstly, access to the site, and secondly, the size and scope of the proposed buildings. The new proposals do not address the access to the site whatsoever, and with regard to the size and scope, the revised application is only very slightly smaller than the original, and still significantly overpowers both the plot itself, and the wildlife garden situation immediately to the east of the plot. So with regard to the access to the site, all the comments in the original objection still stand.

With regard to the size and scope of the application, the new application reduces the overall footprint very slightly by moving the balconies back into the building, and the overall height is very slightly reduced. However, the width of the building is unaltered, and the impression as viewed from the wildlife garden is substantially unchanged. It will tower over the garden, reducing natural light onto the garden. Further the incorporation of a new east facing 2nd floor window with new roof structure that juts out above the concrete flights of

steps will actually mean the new design overlooks the wildlife garden to a greater extent than the original proposals.

Again the developer has taken the liberty of showing a green "hedge" along the eastern boundary of the plot, alongside the concrete flight of steps. As the steps remain hard up against the boundary, this green hedge will not exist and it is disingenuous of the developer to show something that is clearly not possible. Furthermore, the original comments around a planting plan for the lower part of the plot remain, again no submission has been received regarding this so it is unknown what the developer plans are for this significant section of the plot.

Again, I would state that HTT is not against development on this site, however, the existing proposals would significantly damage the wildlife garden and its amenity value for residents and visitors to Diss.

I would suggest a proposal with just 2 dwellings, situated further away from the wildlife garden boundary, together with more detail regarding the planting plans for the lower part of the lot may be more suitable. A development that enhances the wildlife garden would be welcomed, indeed the HTT would welcome working with the developer on the lower part of the plot to enhance its value to both wildlife and the Diss community.

5 Assessment

Key considerations

The key considerations are

- Principle
- Important Local Open Spaces (DM4.4)

- Impact upon the character and appearance of the area, including heritage assets (Conservation Area and Listed Buildings)
- Amenity
- Highway safety
- Trees
- Ecology

Principle

- 5.1 Planning law requires that applications must be determined in accordance with the Development Plan, unless material considerations indicate otherwise. The National Planning Policy Framework (NPPF) is a material consideration in determining planning decisions.
- 5.2 The site is inside the development boundary and as such criterion a) and b) of Policy DM1.3 apply.
- 5.3 Criterion a) is met by virtue of the site being within the development boundary and b) requires that the proposal is of a scale proportionate to the level of growth planned in the village and the role and function of the settlement. By virtue of it being a relatively small number of dwellings within one of the Districts main towns the proposal is considered to fulfil the requirements of criterion b).
- 5.4 On the basis of the above DM1.3 is met by the proposal and the principle of new development is acceptable.

Important Local Open Spaces (DM4.4)

- 5.5 It is evident that the site lies upon the bank of the Mere and as such Policy DM4.4 of the SNLP is applicable, and in particular the following part which states that:

b) At the Important Local Open Spaces identified in paragraphs 4.32 - 4.44 and on Maps 4.4 (1) - (6) and on the Proposal Map, development will only be permitted where it retains the open character and appearance of the site, where it respects the contribution which the identified open site or open frontage makes to the form and character of the Settlement and where there is no significant adverse impact on the setting of any existing building. New development impacting on these designated sites will be required to contribute positive improvement of these natural environmental assets where opportunities arise.
- 5.6 With regard to the Mere and its banks the supporting text to the policy states:

"The presence of the Mere dictated the pattern of the town and while the gardens and yards that form its boundaries on the three sides opposite the park, have deteriorated over time, the open leafy character survives."
- 5.7 Therefore any development of the application site will need to retain the open character and appearance of the site and the contribution it makes to the character and appearance of this part of Diss.
- 5.8 The scheme has evolved and been revised, to reduce the bulk of the building, its footprint and introduced revisions to the roof design, arrangement of fenestration and external facing materials to create a scheme that is now considered to site effectively on the bank of the Mere. The location of the proposed dwellings is such that lies in relatively close proximity to the other buildings to the north and as such a significant amount of the garden which forms the bank to the Mere is retained. In light of the above it is considered that the scheme does satisfy the relevant requirement of Policy DM4.4 of the SNLP in retaining the open character and appearance of the site and contributes towards retaining space around

the Mere. It is necessary to remove permitted development rights to ensure that no structures are placed on the site which would bring development closer to the Mere edge. Likewise, due to the visibility of the building, permitted development rights for any alterations to the existing building will also be removed. This can be achieved via planning condition.

Impact upon the character and appearance of the area, including heritage assets (Conservation Area and Listed Buildings)

- 5.9 In terms of the wider character and appearance of the site, it offers an important backdrop to the Mere which is presently characterised by a mix of traditional buildings which offer an interesting and attractive view across the Mere. Furthermore, the site forms part of the Conservation Area and has listed buildings within close proximity. With this in mind the scheme has to have due regard to the requirements of Policy DM4.10 of the SNLP which requires development to preserve listed buildings and their settings and the character and appearance of a Conservation Area. Likewise, the requirements of S16(2) and S66(1) Planning (Listed Buildings and Conservation Areas) Act 1990 and S72 Listed Buildings Act 1990 as referred to above in section 3 are applicable.
- 5.10 As highlighted above, the scheme has been revised insofar as the overall bulk and footprint of the dwellings have been reduced and the design and palette of external facing materials changed. The applicant has provided some visualisations to show how the scheme would integrate into its surroundings. It is considered that these offer an effective means of understanding its relationship with its surroundings.
- 5.11 It is considered that the scheme is sympathetic to the character and appearance of the Conservation Area, and what is a prominent and important view across the Mere and also preserves the setting of adjacent listed buildings.

Amenity

- 5.12 In terms of the relationship between the proposed development and neighbouring residential dwellings when noting the degree of separation, the scale of the development but taking into account the level changes means that light or outlook levels would not be significantly compromised. In terms of overlooking of neighbouring residential dwellings, it is considered that the positioning of the openings within the proposed dwellings relative to the neighbours is such that no significant overlooking would occur. It is also acknowledged that the wildlife garden to the east of the site, and it is appropriate to have regard to the potential impacts upon this in amenity terms. It is felt that it is not inappropriate to have openings looking out onto what is a public space. In terms of the impact on outlook from the wildlife garden, including the viewing platforms, it is not felt that the scale of the development (the eastern elevation of the development) when also noting the retention of a degree of space from the site boundary and the ability to retain and enhance vegetation on the boundary, is such that it would be so overly dominant so as to justify refusal.

Highway safety

- 5.13 The Highway Authority (NCC) has been consulted and confirmed that they have no objection in terms of highway safety or the level of parking provision offered. It is apparent that significant objection has been expressed at the nature of the access and associated traffic as set out in the representation section of the report. It is considered that three residential dwellings would not necessarily lead to significant volumes of traffic associated with it, furthermore, the location of the site within the town and the relatively narrow nature of the access and limited visibility will mean that vehicle speeds are likely to be very low. With this in mind it is not considered that the development would lead to significant levels of conflict between pedestrians and occupants and visitors to the proposed development.

Trees

- 5.14 A preliminary arboricultural impact assessment has been submitted and it is evident that in assessing the position of the proposed development relative to the trees that these can be kept without their health being significantly compromised. Likewise, it is considered that the remaining amenity space will still be useable in association with the three dwellings so as to avoid the need for any trees to be removed post development. It is necessary to establish a scheme of tree protection measures for the site whilst construction works are undertaken, it is considered that it is appropriate to agree these via a suitable worded planning condition.
- 5.15 A condition requiring the retention of all trees and hedging on the site is also considered appropriate given the value they add to the appearance of the site.

Ecology

- 5.16 An ecological impact assessment has been submitted and it found that that no bat roosts were identified at the buildings to be removed and their demolition is therefore not considered to have any impact upon roosting bats. Reasonable Avoidance Measures are also recommended to prevent potential negative impacts to bats, nesting birds, reptiles, common toad and hedgehog.
- 5.17 Recommendations have also been provided within this report which, if implemented, will enhance the site for local wildlife post development eg suitably designed landscaping scheme, including enhanced site boundaries. It is noted that a landscaping scheme is not presently provided, however, it is considered appropriate to agree this and associated management plan as part of a suitably worded condition.

Other issues

- 5.18 Concern has been expressed at the difficulties associated with constructing this development given the nature of the access, sloping nature of the site and close proximity of other buildings. In light of these factors it is considered appropriate to require a construction management plan to agree the parameters around the build project.
- 5.19 Associated with this, concern has been raised about vibration etc and the impacts this may have on neighbouring buildings. This matter would typically be dealt with through the provisions of the Party Wall Act.
- 5.20 Reference has been made to the impact upon an existing fire escape at no. 21. The buildings proposed as part of this scheme do not appear to directly impede no 21 when considering the current arrangement on-site and as such this could not reasonably be used as a reason for refusal.
- 5.21 The condition relating to archaeology as requested by HES is a reasonable one and will be included on any approval.
- 5.22 It is evident that a private amenity space has been provided to accompany 22a, and given the nature of the accommodation at 22a and the town centre location this is considered an acceptable arrangement.
- 5.23 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.

- 5.24 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.

- 5.25 This application is liable for Community Infrastructure Levy (CIL)

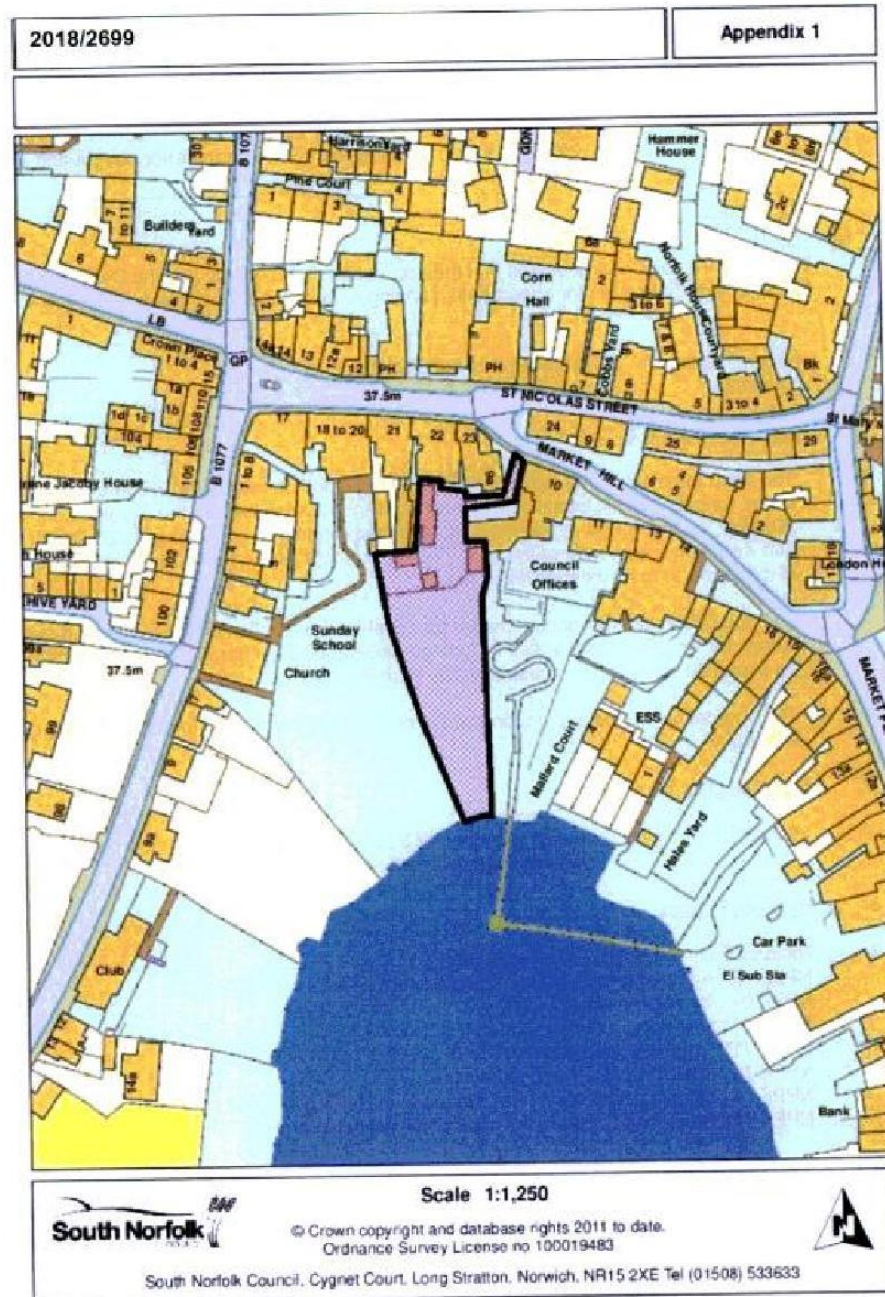
Conclusion

It is considered that the revised scheme has addressed the initial concerns that officers had and the scheme now complies with the requirements of the relevant policies identified above. On this basis, the scheme is recommended for approval subject to the imposition of conditions.

Recommendation : Approve subject to conditions

- 1 Full Planning permission time limit
- 2 In accordance with amendments
- 3 Reporting of unexpected contamination
- 4 Archaeological work to be agreed
- 5 New Water Efficiency
- 6 Foul drainage to main sewer
- 7 Surface Water
- 8 Slab level to be agreed
- 9 Landscaping scheme to submitted
- 10 Retention trees and hedges
- 11 External materials to be agreed
- 12 No PD for Classes ABCDE & G
- 13 No PD for fences, walls etc
- 14 Construction management plan tba
- 15 Provision of parking
- 16 Ecology

Contact Officer, Telephone Number Chris Raine 01508 533841
and E-mail: craine@s-norfolk.gov.uk



Updates for DEVELOPMENT MANAGEMENT COMMITTEE
25th June 2019

Item	Updates	Page No
Item 1 –	<p>For the avoidance of doubt, outline planning permission was refused on a small part of the current application site for a chalet style bungalow in 2003 under 2003/0948 which given the duration of time since this decision coupled with the different policy framework (different Local Plan, pre NPPF) under which a decision was made, it was not considered to be “recent relevant planning history” as outlined in section 2 of the committee report.</p> <p>The agent has submitted an indicative drainage strategy that suggests the use of attenuation crates that would allow for the storage of water and infiltration of this into the ground without the need to have an outfall to the Mere. The agent has confirmed that they accept that the final details would need to be finalised following further detailed assessment including undertaking percolation tests and as such suggested condition 7 is still necessary. It would appear that any outfall to the Mere would require the consent of the Environment Agency and Diss Town Council and it is understood that neither consent is presently in place.</p> <p>Officer observation: It is still considered reasonable to deal with a detailed scheme via planning condition. Officers would also need to draw the agent’s attention to the need to consider an archaeological implications given the comments of Historic Environment Services.</p>	16
Item 2 -	No updates	28
Item 3 –	No updates	34
Item 4 – 2019/1055	<p>Comments received from Sport England:</p> <p>Sport England accepts that this facility does not play a significant role in the delivery of sport at this location and its loss will not impact on any other sports facility at this site. Football is best delivered through the new 3G pitch at Ketts Park and the additional car parking will assist the operation of the leisure centre.</p> <p>Having assessed the application, Sport England is satisfied that the proposed development broadly meets exception E3 of our playing fields policy, in that:</p>	41

Development Management Committee

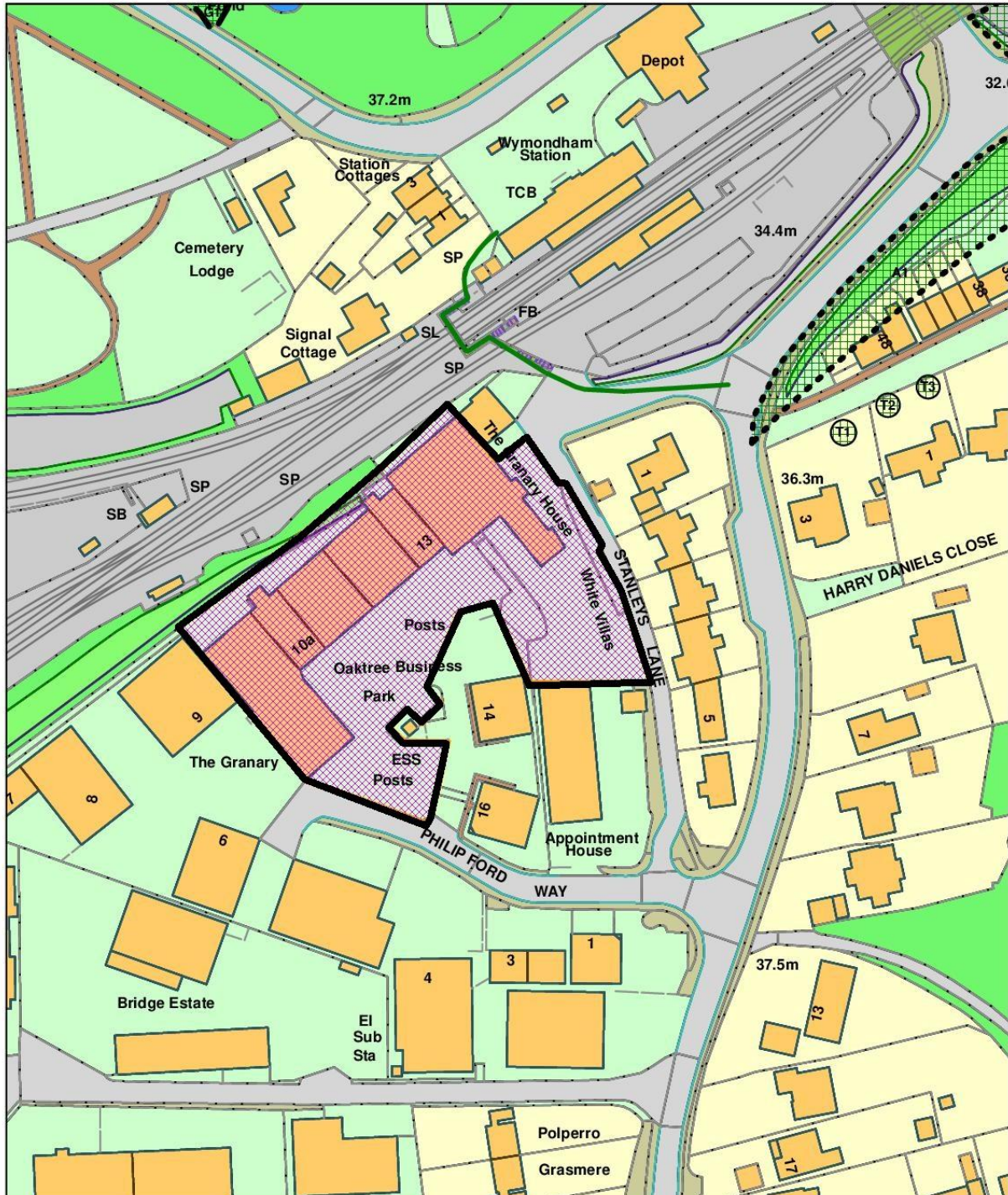
24 July 2019

	<p>'The proposed development affects only land incapable of forming part of a playing pitch and does not:</p> <ul style="list-style-type: none">• reduce the size of any playing pitch• result in the inability to use any playing pitch (including the maintenance of adequate safety margins and run-off areas);• reduce the sporting capacity of the playing field to accommodate playing pitches or the capability to rotate or reposition playing pitches to maintain their quality; or• prejudice the use of any remaining areas of playing field on the site.' <p>It does result in the loss of a small poor quality facility, but this is not considered sufficient to justify objection to this application.</p> <p>This being the case, Sport England does not wish to raise an objection to this application.</p>	
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Major Applications

Application 2

2019/0428



2. Application No : 2019/0428/F
Parish : WYMONDHAM

Applicant's Name: Mr Ragan
 Site Address Land at Industrial Site west of Stanleys Lane Wymondham Norfolk
 Proposal Full planning permission for demolition of commercial building and replacement with 4 blocks of flats (total 21 dwelling units), demolition of Unit 13 and part Unit 12 and construction of an industrial unit (B2/B8). Outline planning permission for demolition of existing commercial units and erection of four industrial units (B2/B8) and 1 office unit (B1).

Reason for reporting to committee

The Local Member has requested that the application be determined by the Development Management Committee for appropriate planning reasons as set out below in section 4.

Recommendation summary:

Delegated authority to the Director of Place to approve subject to a S106 Agreement to secure affordable housing and (subject to viability) an open space contribution.

1 Proposal and site context

- 1.1 The site is an existing employment site consisting of six industrial units and The Granary building located on the western side of the site accessed from Philip Ford Way and one building sub-divided into several individual units served from Stanleys Lane. This site is adjacent to the Norwich to Ely railway and almost adjacent to Wymondham Station.
- 1.2 To the west of the site is the Philip Ford Way industrial estate and Oak Tree Business Park, whilst there are residential properties to the east of the site on the opposite side of Stanleys Lane (which front on Silfield Road). Stanleys Lane itself is a narrow lane accessed from Silfield Road with no footways, although there a direct pedestrian link to the site is provided through the footbridge over the railway which forms part of Wymondham Station
- 1.3 The application is to demolish the existing commercial units and create a mixed use development with four blocks of flats to the east of the site fronting Stanleys Lane with new commercial units to the west of the site accessed through the industrial estate to the rear. There will be 21 flats in total, six of which will be affordable units in the southernmost block. Each of the remaining blocks will consist of five flats for open market. 30 parking spaces will be provided for the flats with improvements to Stanleys Lane between the site and Silfield Road to included the provision of a 1.2 metre wide footway and new parking restrictions to prevent inappropriate parking.

2. Relevant planning history

- 2.1 2000/0486 Retention of roof alteration replacing slates with galvanised steel sheets Approved

3 Planning Policies

- 3.1 National Planning Policy Framework (NPPF)
 NPPF 02 : Achieving sustainable development
 NPPF 04 : Decision-making
 NPPF 06 : Building a strong, competitive economy
 NPPF 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

3.2 Joint Core Strategy (JCS)

Policy 1 : Addressing climate change and protecting environmental assets
Policy 2 : Promoting good design
Policy 3: Energy and water
Policy 4 : Housing delivery
Policy 5 : The Economy
Policy 6 : Access and Transportation
Policy 13 : Main Towns
Policy 20 : Implementation

3.3 South Norfolk Local Plan Development Management Policies

DM1.1 : Ensuring Development Management contributes to achieving sustainable development in South Norfolk
DM1.2 : Requirement for infrastructure through planning obligations
DM1.3 : The sustainable location of new development
DM1.4 : Environmental Quality and local distinctiveness
DM2.1 : Employment and business development
DM2.2 : Protection of employment sites
DM3.1 : Meeting Housing requirements and needs
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
DM4.3 : Facilities for the collection of recycling and waste
DM4.9 : Incorporating landscape into design
DM4.10 : Heritage Assets

3.4 Wymondham Area Action Plan

3.5 Supplementary Planning Documents (SPD)

3.6 South Norfolk Place Making Guide 2012

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."

4. Consultations

4.1 Town Council

Comments on previous plans

Refuse

- Overdevelopment of site
- Site contamination
- Insufficient parking
- Traffic; free and safe flow of traffic
- Noise pollution

Comments on amended plans

Refuse

- Same reasons as previous
- Loss of amenity / overlooking re neighbouring residential dwellings

4.2 District Councillor
Cllr Suzanne Nuri:

To Committee

- Overdevelopment
- Loss of land dedicated to industrial / commercial use
- Inadequate parking facilities for proposed residents

4.3 Anglian Water Services Ltd

Conditional support

4.4 Network Rail

Conditional support

4.5 NCC Highways

Comments on original plans

Concerns over parking provision and layout

Comments on amended plans

Conditional support

4.6 NCC Lead Local Flood Authority

Comments on original plans

Object due to inadequate flood risk assessment and drainage strategy

Comments on amended plans

Conditional support

4.7 NCC Planning Obligations Co Ordinator

Conditional support

4.8 NCC Ecologist

Comments on original plans

Conditional support

- The report is supported by an ecological impact assessment and fit for purpose

Comments on amended plans

- Conditional support

4.9 NCC Public Rights of Way Officer

Footpath FP12 but not affected; this footpath must be kept free of obstruction at all times

4.10 SNC Senior Conservation and Design Officer

No objection to general approach; some suggestions to the layout which have since been incorporated into the design

4.11 SNC Community Services - Environmental Quality Team

Conditional support

4.12 SNC Environmental Waste Strategy

No comments received

4.13 SNC Housing Enabling & Strategy Manager

No objection

4.14 SNC Landscape Architect

Comments on original plans

No fundamental objection but general arrangement of the external areas is poor in terms of the location and size of bin stores, parking arrangement, poor amenity space and overall frontage dominated by hard materials and parking

Comments on amended plans

The revised site arrangement is much less problematical and has addressed many of my previous comments. The proposed planting scheme is satisfactory given the situation.

4.15 Norfolk And Waveney Local Medical Council

No comments received

4.16 NHSCCG

No comments received

4.17 NHS England

No comments received

4.18 The Ramblers

No comments received

4.19 Wymondham Medical Centre

No comments received

4.20 Other Representations

4 letters of objection to previous plans

- road access is poor as Stanleys Lane is a single lane
- lack of adequate parking
- existing parking problems from railway passengers and poodle parlour
- lead to parking on forecourts of other businesses to their detriment
- the site is several feet higher than Stanleys Lane and our property so concerned about overshadowing
- concerned about overlooking from new buildings
- rubbish bins are proposed too close to existing properties
- concern about headlights from cars
- concern about position of cycle store close to existing property as this will be used for smoking by residents leading to a fire hazard

4 letters of objection to amended plans

- does not address previous concerns about traffic and parking
- ridiculously little visitor parking
- cannot be assumed that the all passengers parking on Stanleys Lane work 9 to 5 and therefore these spaces will be available in the evening
- continued concerns about overlooking and loss of light
- repeat concerns about cycle shelter

5. Assessment**Key considerations**

- 5.1 The main issues for determination are the principle of development, the design of the development, access and parking provision, the impact on neighbouring properties and residential amenity of future occupants of the proposed flats and drainage.

Principle

- 5.2 The site is within the development boundary for Wymondham and therefore the principle of residential and employment development is acceptable in principle under policy DM1.3. As the residential development is proposed on the site of existing commercial units, policy DM2.2 applies. This states that the Council will safeguard land and buildings in or last used for an employment use and sets out criteria for where is a loss of employment land or buildings.
- 5.3 The scheme involves a small net loss of floor space for employment use, which has been raised as a concern by the Town Council. However this is mitigated as much of this floor space is obsolete and the scheme will enable the replacement of this stock with new units that are more versatile and of a higher quality and unlock other employment development on Oak Tree Business Park which cannot come forward whilst the existing structures are in place. Given the net loss is so minor it is considered that this is outweighed by the enhancement to the quality and type of commercial floor space that can enable economic growth in the area.

- 5.4 As a consequence it is contended that the proposal to develop part of the site with residential development accords with Policy DM2.2 and Policy DM2.1 which supports employment and business development on existing employment areas subject to adequate protection of neighbouring occupiers and other policies of the Local Plan.

Design

- 5.5 The design of the residential buildings is based on traditional 'goods shed' style. This is considered an acceptable approach by the Council's Senior Conservation and Design Officer as it fits in contextually within the wider context of the nearby railway station complex and provides a suitable transition to the new industrial buildings to the west.
- 5.6 Some concerns were raised about the layout in terms of the amenity space, siting of refuse storage and the placing of the buildings on the site. Amendments to the scheme have included re-orientating one of the buildings so that it sits perpendicular to the other blocks thereby better enclosing the main area of parking and amenity space and better defining the development. In addition the refuse storage areas have been broken up and moved to the rear of the site. Amenity space is provided for each of the blocks and reduces the dominance of parking and hard surfacing on the setting of the development.
- 5.7 The Senior Conservation and Design Officer is now satisfied that the development will meet the requirements of the South Norfolk Place Making Guide and therefore accords with Policy 2 of the Joint Core Strategy and policy DM3.8 of the Local Plan.

Access and Parking

- 5.8 The residential element of the scheme will be accessed from Stanley's Lane using the existing Stanley's Lane frontage. As a consequence no commercial development on the site will be accessed from Stanleys Lane with the new commercial units being accessed entirely through the Philip Ford Way Industrial Estate. This will result in a more satisfactory access for commercial traffic given the limitations on Stanleys Lane.
- 5.9 Concerns have been raised about the level of parking for the residential units. The scheme proposes 30 parking spaces for the 21 flats. As a result there is at least one parking space per flat with some of the two bedroom units having the benefit of a second parking space. As a general requirement, Norfolk County Council's parking standards require one parking space for one bedroom units and two parking spaces for two or three bedroom units. However, the parking standards document also notes that the accessibility of the site will also be considered in terms of accessibility by walking, cycling and public transport. Given this site is immediately adjacent to the railway station and within reasonable walking distance from the town centre of Wymondham it is considered that the proposal (not having a second parking space for every two bedroom flat) is acceptable. Norfolk County Council's Highways Officer raises no objection to the level of parking provided.
- 5.10 In regard to the layout of the access and parking, the revised layout has resulted in a more coherent parking layout with separated accesses. This is considered a much better layout both in terms of highway safety and the physical appearance of the site.
- 5.11 The Highway Authority have raised no concerns about the access, parking or turning space for the commercial element of the scheme.
- 5.12 The development is therefore considered to accord with policy DM3.10, DM3.11 and DM3.12.

Residential Amenity

- 5.13 Concerns have been raised about overlooking of properties along Stanley's Lane. There are no windows on the elevations that directly front these properties as any windows in these elevations are high level or obscure glazed. There is some possibility of overlooking from the south-east elevation of block 3 and the north elevation of block 4 however this is at such an angle and some distance from any potentially affected property as to not be of sufficient harm to warrant refusal. Concerns have also been raised about overshadowing as the site is higher than Stanleys Lane and residential properties to the east, however the proposal is to reduce the ground level of the site to that of Stanleys Lane. Given the distance and height of the buildings it is not considered that there will be an unacceptable impact.
- 5.14 The new residential units would be adjacent both to the new commercial units and the railway line. Consideration therefore needs to be given to whether either of these uses would result in unacceptable living conditions for future occupants of the flats. An Acoustic Report has been submitted which identifies noise as a material issue and contains a number of mitigation measures. The Council's Environmental Protection officer has considered the report and raises no objection subject to conditions including a restriction on the hours of use of the replacement commercial units.
- 5.15 It is therefore considered that the proposed development accords with policy DM3.13 of the Local Plan.

Drainage

- 5.16 The site is within Flood Risk Zone 1 and therefore not at risk of fluvial flooding. There is no identified surface water flood risk on the site although Stanleys Lane itself is at risk.
- 5.17 Considering how surface water drainage will be accommodated is constrained by the existing nature of the site as it is accepted that infiltration testing cannot be undertaken until further contamination investigation is undertaken to eliminate the potential risk of contaminant mobilisation. Should the results of this further investigation reveal acceptable ground conditions, the applicant has stated that infiltration testing will be conducted at this point.
- 5.18 In the view of the above constraint, the applicant has proposed two possible drainage strategies. The first option is a shallow infiltration based system, should site conditions allow, thus meeting the highest tier of the drainage hierarchy as set out within the NPPF and PPG. However, should onsite conditions demonstrate shallow infiltration is not feasible, a second option is proposed whereby surface water runoff will be attenuated onsite prior to being discharged to an Anglian Water surface water sewer at a reduced rate. The Lead Local Flood Authority have no objection to this approach subject to a condition requiring full details of the final scheme.
- 5.19 In regard to foul water drainage, Anglian Water have advised that the sewerage system and Wymondham Water Recycling Centre has available capacity to accommodate foul water from the proposed development.
- 5.20 It is therefore considered that the development accords with policy DM4.2 of the Local Plan.

Other Issues

- 5.21 The provision of six affordable units out of the 21 units proposed equates to 28.5% of the units. This complies with the affordable housing need identified in the Strategic Housing Market Assessment which supersedes the 33% requirement set out in Policy 4 of the Joint Core Strategy. The affordable housing provision is therefore considered to accord with policy.
- 5.22 The development could be considered to affect the setting of the listed Wymondham Station and the adjoining conservation area. However for the reasons set out in the assessment of the design of the scheme, it is considered that the scheme will preserve and enhance the setting of these heritage assets. The scheme is therefore considered to accord with Policy DM4.10 and also it is considered that the Council has met its requirements in assessing the scheme under the requirements of the Planning (Listed Buildings and Conservation Areas) Act.
- 5.23 Concerns have been raised about contamination of the site. A Land Contamination Report was submitted with the application. This does not raise any major concerns but recommends further investigation works. A condition is proposed requiring this.
- 5.24 The development consists of more than 10 dwellings and as such is required to provide at least 10% of the scheme's expected energy requirements via 'decentralised and renewable or low-carbon energy' as set out in Policy 3 of the Joint Core Strategy. This is to be provided through the biomass boiler.
- 5.25 Whilst some amenity space is provided on the site, this does not accord with the open space requirements as set out in the Open Space SPD. Given the constraints of the site, it is not possible to provide fully compliant open space on the site and therefore a contribution will be sought to enhancing provision off-site subject to viability.
- 5.26 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.
- 5.27 This application is liable for Community Infrastructure Levy (CIL).

Conclusion

- 5.28 The proposed development is considered an acceptable scheme as it will retain and enhance employment provision, whilst the residential element of the scheme is considered to be of an acceptable design in the context of the site with adequate parking provided in the context of the proximity of the railway station, whilst there would not be an unacceptable impact on nearby residential properties. The development is therefore considered to accord with Policies DM2.1, DM2.2, DM3.8, DM3.11, DM3.12 and DM3.13.

Recommendation : Delegated authority to approve with conditions

Full planning permission for residential element of scheme

- 1 Full Planning permission time limit
- 2 Flats in accord with submitted drawings
- 3 Provision of parking area
- 4 Highway Improvements - Offsite
- 5 Traffic Regulation Orders
- 6 Surface water drainage scheme
- 7 Construction Management Scheme
- 8 Noise attenuation (residential units)
- 9 Air source heat pumps
- 10 Full details of external lighting
- 11 Contaminated land - submit scheme
- 12 Implement of approved remediation
- 13 Reporting of unexpected contamination
- 14 Details of demolition
- 15 Implementation of landscaping
- 16 Renewable energy
- 17 Water efficiency
- 18 Fire hydrants
- 19 Ecological mitigation

Outline planning permission for commercial element of scheme

- 20 Outline Permission Time Limit
- 21 Reserved matters to be submitted
- 22 Limited Hours of Use
- 23 Noise attenuation (commercial units)

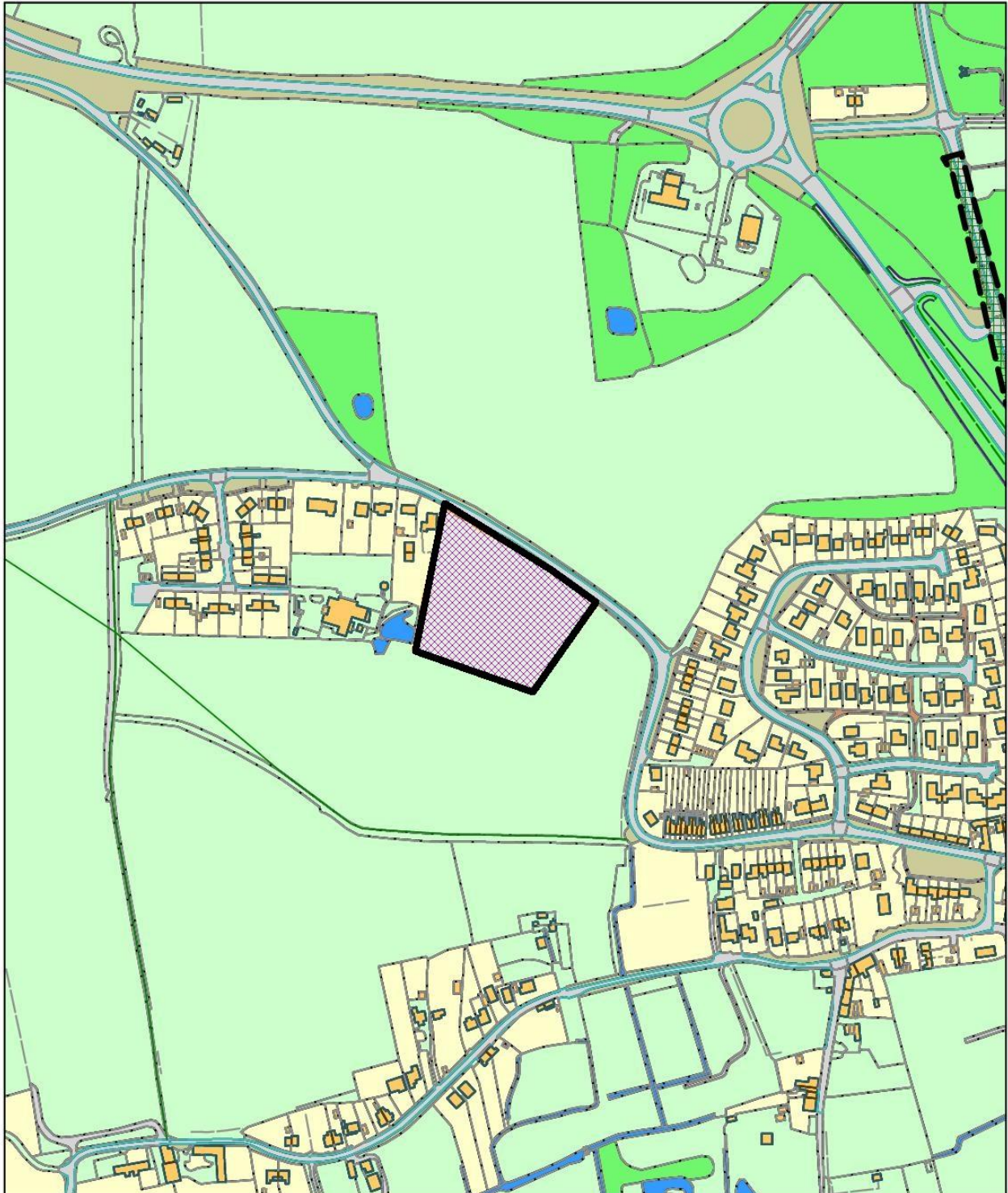
Subject to S106 agreement to secure affordable housing and open space contribution (open space contribution subject to viability).

Contact Officer, Telephone Number Tim Barker 01508 533848
and E-mail: tbarker@s-norfolk.gov.uk

2019/1013

Application 3

Land South of the Street, Gillingham



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

3. Application No: 2019/1013/F
Parish: GILLINGHAM

Applicant's Name: Mr Chris Smith
 Site Address: Land south of The Street Gillingham Norfolk
 Proposal: Residential development of 22 dwellings, together with associated public open space, access roads, garaging and car parking.

Reason for reporting to committee

The Local Member has requested that the application be determined by the Development Management Committee for appropriate planning reasons as set out below in section 4.

Recommendation summary: Delegated Authority to the Director of place to approve subject to a S106 agreement for affordable housing and open space.

1 Proposal and site context

- 1.1 This application seeks consent for the erection of 22 dwellings of which 7 will be affordable, together with associated public open space, access roads, garaging and car parking.
- 1.2 The site is located at land south of The Street, Gillingham. The site comprises of a broadly rectangular-shaped parcel of a larger agricultural field, extending to an area of approximately 1.24 ha giving a density of 18 dwellings per hectare (dph), with 22 dwellings proposed.
- 1.3 To the north is The Street with an existing ditch and deciduous field hedge with the existing pedestrian footway adjacent to the highway of The Street. To the south and east open countryside; and to the west existing residential properties and the grounds of the Primary school. The site is mostly relatively flat but falls to both the south and east, towards the valley floor of the River Waveney.

2. Relevant planning history

- 2.1 None

3 Planning Policies

3.1 National Planning Policy Framework (NPPF)

NPPF 02: Achieving sustainable development
 NPPF 04: Decision-making
 NPPF 05: Delivering a sufficient supply of homes
 NPPF 09: Promoting sustainable transport
 NPPF 12: Achieving well-designed places
 NPPF 14: Meeting the challenge of climate change, flooding and coastal change
 NPPF 15: Conserving and enhancing the natural environment

3.2 Joint Core Strategy (JCS)

Policy 1: Addressing climate change and protecting environmental assets
 Policy 2: Promoting good design
 Policy 3: Energy and water
 Policy 4: Housing delivery
 Policy 6: Access and Transportation
 Policy 13: Main Towns
 Policy 15: Service Villages
 Policy 20: Implementation

3.3 South Norfolk Local Plan Development Management Policies

DM1.1: Ensuring Development Management contributes to achieving sustainable development in South Norfolk
 DM1.3: The sustainable location of new development
 DM1.4: Environmental Quality and local distinctiveness
 DM3.8: Design Principles applying to all development
 DM3.10: 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
 DM3.15: Outdoor play facilities/recreational space
 DM4.2: Sustainable drainage and water management
 DM4.4: Natural Environmental assets - designated and locally important open space
 DM4.3: Facilities for the collection of recycling and waste
 DM3.8: Design Principles applying to all development
 DM4.9: Incorporating landscape into design

3.4 Site Specific Allocations and Policies

GIL 1: Land south of The Street

3.5 Supplementary Planning Documents (SPD)

South Norfolk Place Making Guide 2012

4. Consultations

4.1 Parish Council

Original proposal

Refuse:

- Infrastructure - The road known as The Street is a village road along which cars are regularly parked (even during the day), this makes the road congested and the constant flow of traffic (to and from the market town of Beccles) is mostly on one side which regularly causes potholes and wear on the tarmac.
- Increased traffic and possibly heavy plant movements will make this extremely difficult and dangerous for the narrow street. There are no main roads accessing the proposed site from either end.
- There is a blind bend at No.80 The Street. Buses and cars swing out to avoid the cars parked just around this corner, further traffic will only increase the chances of an accident, of which there have been numerous near misses recently and also a car badly damaged even though it was not on the road, due to excessive speeds which drivers use between the two halves of the village (The Boundaries and 108 The Street).
- When an accident occurs on the A143/A146 main roads, causing a blockage, the traffic is immediately rerouted through Gillingham which brings even more traffic on the narrow village road causing grid lock.
- The paths on The Street are very narrow with no room to widen them and are on one side only when opposite no. 80 is reached. These paths are regularly used by mothers with pushchairs and young children, they already complain about the narrowness of the paths and the fact that cars race past so that they feel vulnerable. The path is alongside the proposed field, the hedge is unkempt, and this increases the risk as people try and avoid the brambles.
- A new road will also be another obstacle for young children to cross on the way to and from school.

- A footpath that runs along the side of the field would also be at risk.
- Possibility of a path being provided from the new estate to the school is doubtful, as there is a pond and feeder ditch behind the school.
- The school has not been consulted on any aspect of the impact of the proposal

4.2 District Councillor
James Knight:

To be determined by committee:

- The major development has attracted some local concerns.
- In addition to representations made directly to me as district member, I can see that there are large number of objections on the planning file, mostly citing traffic concerns (particularly relating to the bend on The Street). There are also potential issues raised relating to local infrastructure - including water supply and sewerage capacity - as well as availability of school places, though I would expect those matters to be capable of resolution if the development is otherwise policy-compliant and acceptable in planning terms.
- Whilst I understand that the land is allocated for residential use, the development proposed is for considerably more units than previously envisaged and, given the strength of local feeling, I believe that the application ought to be considered by committee, so that the local community can be confident that their concerns are heard.

4.3 SNC Landscape Architect

The proposal has retained the frontage trees and as much of the existing hedgerow as possible. Generally, the trees' identified Root Protection Areas are avoided. Provided all the arboriculturalist's recommendations are followed, the layout will be acceptable in arboricultural terms.

GIL1 requires an "*Appropriate landscaping belt along the southern boundary to preserve the rural aspect from the Waveney valley*". Whilst accepting that – provided planning permission is granted - the detail landscape proposals will be forthcoming under a condition, the submitted Landscape Strategy slightly contradicts itself by annotating 3m and 5m planted buffers but illustrating a narrower hedge boundary. A think planted boundary will be preferable with the areas along the southern boundary maintained as a single entity, ideally as part of the POS.

If planning permission is approved, conditions will need to cover (I can assist with wording if required):

- tree protection
- landscape details
- long-term management plan for POS and boundaries planting

4.4 Anglian Water Services Ltd

No objections

- The foul drainage from this development is in the catchment of Beccles-Marsh Lane Water Recycling Centre that will have available capacity for these flows

4.5 SNC Conservation and Design

No objections

4.6 Environment Agency

No objection

- Although part of the site falls within flood zone 3a, the applicant has sequentially sited all proposed development within Flood Zone 1.
- We are satisfied that the flood risk assessment, prepared by Ingent Consulting Engineers, referenced 1808-201 and dated May 2019, provides you with the information necessary to make an informed decision.

4.7 NCC Ecologist

No objections subject to conditions

4.8 SNC Environmental Waste Strategy

No comments received

4.9 Historic Environment Service

No objections

- There are no known archaeological implications

4.10 SNC Housing Enabling & Strategy Manager

Original proposal

No objections

- 7 affordable homes are included, complying with Policy 4 of the Greater Norwich Joint Core Strategy. 3 of these homes are for affordable home ownership, reflecting paragraph 64 of the National Planning Policy Framework, which expresses an expectation that at least 10% of total dwellings should be for affordable home ownership.
- The proposal creates a good mix of affordable homes, providing homes to meet a range of needs. The internal floorspace and layouts are acceptable.

Amended proposal

- The number of affordable and the tenure mix remains unchanged, complying with policy

4.11 NCC Lead Local Flood Authority

No comments to make

4.12 Natural England

No objection

- Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites.

4.13 NCC Highways

Original Proposal

- Require amended plans/information in respect of the internal roads and off-site highway works

Amended Proposal

- No objections subject to conditions

4.14 NCC Planning Obligations Co Ordinator

- It is expected that funding for additional school places required at Primary School level would be through CIL as this is covered on the District Council's Regulation 123 list.
- Provision of 1 fire hydrant
- New development will have an impact on the library service and mitigation will be required to develop the service
- We would be seeking £150 per house as a contribution towards the signage and improvement on the local circular walk and on angles way access improvements. This would be a contribution towards the repair / replacement of steps and installation of circular signage on the walk.

4.15 NHSCCG

No comments received

4.16 NHS England

No comments received

4.17 Norfolk And Waveney Local Medical Council

No comments received

4.18 Architectural liaison officer

- Thank you for seeking our consultation on this development, unfortunately it falls below the threshold of houses of which Norfolk Constabulary would usually make comment.
- Having said that we have reviewed the planning layout provided on the portal and see no major issues for concern.
- However, we would advise the access gate for agricultural use be lockable.

4.19 NCC Minerals and Waste

Thank you for consulting Norfolk County Council in its capacity as the Mineral Planning Authority regarding the above application. The site is shown as partially underlain by a Mineral Safeguarding Area (Sand and Gravel). However, having reviewed the Phase 2 Geo-technical report submitted as part of the application, intrusive site investigations have proved a deposit of clay underlying the vast majority of the site. Therefore, it would be exempt from the requirements of Policy CS16-safeguarding of the adopted Norfolk Minerals and Waste Core Strategy, as clay is not a safeguarded mineral resource within the Norfolk Minerals and Waste Local Plan.

4.20 Other Representations

Original proposal

44 letters of objections including the Chair of Beccles Society

- Existing traffic is a major problem along the street
- Something needs to be done regarding the parking or the corner widened outside 80 The Street
- Road safety issues
- Little space in the street
- Two dangerous corners
- This development would be a complete disaster for the village
- Lots of near misses on the bend
- This road cannot take any more traffic
- Large vehicles moving to and from the site will cause massive disruption
- Pedestrian safety concerns

- Junction with A146 is already an accident blackspot
- Limited footpaths/lighting
- Question the traffic reports findings
- Have double decker buses, articulated lorries all trying to manoeuvre themselves down the street which is normally full of parked cars.
- Access gate for agricultural access, would be more appropriate existing access off The Street
- Water pressure
- Existing sewage system is heavily used now and totally inadequate to take the waste from the proposed 22 dwellings
- Site is either in or half in the flood risk areas
- Rain water on this land drains slowly the development will cause the rain to drain quicker to the lower area
- Local school at capacity, located within existing housing with inadequate access's
- Children's safety concerns with added traffic
- Local dentists/doctors full
- Many villagers walk their dogs on this field
- Power line relocation
- Set a precedent for further planning submissions
- Green belt land
- Inadequate infrastructure to deal with increased population
- Allocated for small-scale housing of approximately 10 dwellings due to flooding, foul wastewater problems, drainage issues and road safety
- Does not conform with approved South Norfolk Local Plan allocation
- Always properties for sale in Gillingham
- No mains gas
- Loss of the countryside, will ruin the aesthetics and beauty of the area
- Does not reflect the form and character of the area
- Contrary to Policy 15
- The draft Greater Norwich Local Plan accepts the designation and the limit on dwelling numbers
- Owner has submitted for 4.5-hectare site as part of the GNLP with an estimated 50 dwellings
- Impact on biodiversity and wildlife - in particular protected species Great Crested newts, bats, Owls
- Should be developing brownfield sites
- Impact on air/light pollution
- Loss of peace
- Overlooking and loss of privacy
- Plots 1, 2, 3 and 4 will overlook patioed seating area and master bedroom
- The Human Right Act, in particular protocol 1, article 1, states that a person has the right to peaceful enjoyment of all of their possessions, including their homes and other land (Equality and Human rights commission 2014).
- Design of the dwellings does not respond to the existing, surrounding dwellings
- Development material mentions a shop? but only a hairdressing

Amended Proposal

10 letters of objection

- None of the concerns of local residents have been addressed
- Do not reduced the number of dwellings
- Social housing clumped together
- Acknowledge the consideration applied to Plots 2 and 3, however believe the issues with Plots 1 and 4 still exist

5 Assessment

Key considerations

- 5.1 The main issues to be considered are: the principle of development, provision of affordable housing, highway safety, impact on the character and appearance of the area of the area, residential amenity, trees, ecology and flood risk/drainage

Principle

- 5.2 Policy 15 of the Joint Core Strategy identifies Gillingham as a service village in which allocations of 10 to 20 dwellings have been provided for the period between 2008 and 2026.
- 5.3 The site is within the development boundary for the village of Gillingham and it is allocated in South Norfolk Local Plan Site Specific Allocations and Policies for residential development. Therefore, the principle of the proposal is acceptable.
- 5.4 Policy GIL1 Land south of the Street is set out in full below:
- 5.5 The site comprises of land between the main built-up area of the village and an area of housing around the village school. The site is around 1 hectare in size and is allocated for housing and associated infrastructure. This allocation could accommodate approximately 10 dwellings
- 5.6 The developer of the site is required to provide the following:
1. Vehicular access from The Street, with pedestrian and cycle access to the school
 2. Appropriate landscaping belt along the southern boundary to preserve the rural aspect from the Waveney valley
 3. Wastewater infrastructure capacity must be confirmed prior to development taking place
 4. Norfolk Minerals and Waste Core Strategy Policy CS16 applies, as this site is underlain by safeguarded mineral resources
- 5.7 The proposed development is required to accord with requirements 1 to 4 of Policy GIL 1 as set out above.
- 5.8 The principle of the residential development of the site is acceptable subject to compliance with Policy GIL 1 in so far as its requirements together with other development plan policies. As set out in the landscape, design and layout and residential amenity sections below it is considered that the 1.24ha site can accommodate 22 dwellings (rather than the approximately 10 dwellings set out in the policy) and respect the form, character and context of the site.

Layout/design

- 5.9 Planning policy promotes a high standard of design at all levels. In particular Policy 2 of the Joint Core Strategy and DM3.8 of the Development Management Policies Document set out the design principles promoted by the Council. Good design is considered to be a key component of sustainable development and is therefore integral to successful development.
- 5.10 The site is located with good connections to the village along an existing footpath which will also be linked with a footpath through the public open space to the east of the site. Buses will be available to Beccles, Norwich and Lowestoft. There is a good mix of house types and housing mix is acceptable.

- 5.11 The red brick, white gault brick, render and weatherboarding are all found in local area and fit in with the local vernacular character. There are existing C19 houses in the village which are red brick with white gault brick detailing. Although this detailing provides a strong aspect of the distinctive character there is still some variation in character across the site, which gives a more varied/rural feel to development. The rendered houses could be all render. The east side of the site and public open space is accessible to all properties. The layout, arrangement of buildings and spaces are all coherently planned.
- 5.12 The development is relatively small, and the roads are not overly long or straight. The public and private areas are clearly defined and distinguishable. Parking is now well integrated and easily accessed from dwellings. Storage can be with property curtilages.
- 5.13 The affordable housing is well organised and detailed and will front towards open space to the east and open countryside. Cars are parked to the front, but this will be a cul-de-sac adjacent to public space, so more of a frontage parking court in terms of character. The affordable houses are also well detailed with the white gault brick surrounds and chimney stacks, so they are not distinguishable from the private housing in terms of detailing. They are similar in character to small C19 labourer cottages.
- 5.14 The scheme is considered acceptable in terms of its design, scale, layout and relationship to the surrounding area. On this basis, it is considered that the scheme would accord with Policy 2 of JCS, Section 12 of NPPF, DM1.4, DM3.8 and DM4.3 of the Development Management Policies document

Public Open space

- 5.15 Public open space is to be provided on site in accordance with Policy DM3.15 and the Supplementary Planning document Guidelines for Recreational Provision in new residential Developments where 15 dwellings or more triggers the requirement of both on site play space and older children and adult recreational space.
- 5.16 The open space has been provided to the eastern part of the site, in a position that is easily accessible for all residents of the development whilst also allowing a green open space adjacent to the open countryside to the east. This public open space will provide on-site play equipment, the details of which and its management will be subject to a S106 agreement.
- 5.17 The proposal is considered to comply with the requirements of Policy 1 of JCS, DM3.15 and DM4.9 of the Development Management Policies document.

Affordable Housing

- 5.18 JCS Policy 4 sets out the requirements for the provision of affordable housing.
- 5.19 The proposal includes 7 affordable homes, complying with Policy 4 of the Greater Norwich Joint Core Strategy. Three of these homes are for affordable home ownership, reflecting paragraph 64 of the National Planning Policy Framework, which expresses an expectation that at least 10% of total dwellings should be for affordable home ownership. The proposal creates a good mix of affordable homes, providing homes to meet a range of needs. The internal floorspace and layouts are acceptable.
- 5.20 In regard to the general mix of housing, in addition to the affordable dwellings the development proposes a mix of two, three, four and five bedroom dwellings for the open market. It is considered that this mix of dwellings meets the requirements of Policy DM3.1 of the Development Management Policies document.

Access and highways

- 5.21 Policy DM3.11 of the South Norfolk Local Plan states that planning permission will not be granted for development which would endanger highway safety or the satisfactory functioning of the highway network
- 5.22 Following the original submission additional information and amended plans have been provided in respect of both the internal estate road and off-site highway works at the request of the NCC Highway officer.
- 5.23 The proposed development is to be accessed off The Street and the estate road is proposed to be permeable, whilst the layout is considered acceptable by the Highway Officer, the Highway Authority do not adopt permeable paving and therefore the internal roads will be privately owned.
- 5.24 In line with the requirements of GIL1 the Highway Authority have sought a number of off-site highway improvements to improve pedestrian access and access to public transport. A scheme has now been agreed which will be secured with appropriate conditions. Subject to this, the Highway Authority raises no objections to the proposal.
- 5.25 In view of the above, the proposal therefore accords with Policy DM3.11 and DM3.12 of the Development Management Policies document.
- 5.26 Whilst the concerns of the Parish Council and local residents regarding the existing highway issues; parking; highway safety; nature of the existing road network etc. as set above, I do not consider the application should be refused on the grounds raised, particularly in the absence of an objection from NCC Highways, and in having due regard to paragraph 109 of the NPPF which states development should only be prevented or refused on highway grounds if there would be an unacceptable impact or the residual cumulative impacts on the road network would be severe.

Landscaping, Impact on the character of the area

- 5.27 Policy DM4.9 looks for a high quality of landscape design, implementation and management as an integral part of new development and advises that the Council will promote the retention and conservation of significant trees, woodlands and traditional orchards. Policy DM4.8 promotes the retention and conservation of trees and hedgerows.
- 5.28 With regard to the immediate site area, the proposal is to retain the frontage trees along The Street as far as possible within the design. Consultation with the landscape Architect has highlighted that the trees' identified Root Protection Areas are avoided and therefore, subject to the recommendations being followed, the proposal is acceptable in Arboricultural terms. To ensure this, a condition relating to tree protection measures has been included in the listed of recommended conditions.
- 5.29 With regard to the wider landscape policy GIL 1 requires an "*Appropriate landscaping belt along the southern boundary to preserve the rural aspect from the Waveney valley*". It is considered that this is deliverable within the proposed layout and therefore conditions requiring detailed proposals to be submitted and future management and maintenance is included in the list of recommended conditions in line with the Landscape Architect's recommendations.

Ecology

- 5.30 Policy 1 of the JCS requires the development to both have regard to and protect the biodiversity and ecological interests of the site and contribute to providing a multi-functional green infrastructure network. Policy DM4.4 looks for new development sites to safeguard

the ecological interests of the site and to contribute to ecological and Biodiversity enhancements

- 5.31 A preliminary Ecological Appraisal has been provided and assessed by the NCC Ecologist who has confirmed that they agree with the assessment and mitigation proposals. They raise no objections to the proposal subject to the imposition of appropriate conditions. Natural England also considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites. As such the proposal accords with DM4.4 of the Development Management Policies document and Section 15 of the NPPF.

Impact on Residential Amenity

- 5.32 Policy DM3.13 directs that development should not be approved if it would have a significant adverse impact on nearby resident's amenities or the amenities of new occupiers
- 5.33 Concerns have been raised by neighbouring residents about the impact on their amenities of their development as set out above. Whilst it is inevitably the case that there will be a significant change to the present situation presently enjoyed by the existing dwellings, the scheme has been designed to minimise the impact the new dwellings will have. The dwellings have been sited and orientated to minimise overlooking and to avoid the construction of dwellings within close proximity to the boundaries of existing properties. Concerns were raised with the applicant regarding the impact of the original submitted scheme in respect of potential overlooking to the properties located to the west of the site. Plot 1, Plot 2 and Plot 3 are all now bungalows. Plot 4 is a two storey 4 bedroomed house. It is considered that the single storey properties, together with appropriate boundary treatment and the removal of permitted development rights for the addition of first floor windows. The positioning of Plot 4 in relation to the existing neighbours would not give rise to a situation so detrimental to their amenities via overlooking/loss of privacy as to warrant refusal on this ground.
- 5.34 Whilst the concerns raised by local residents in respect of the impact of the proposal in respect of disturbance, pollution and overbearing impact for example are fully appreciated, given the layout proposed the distance from the immediate neighbours it is not considered that the proposed development would result in any significant harm to the amenities of existing or proposed properties and accords with DM3.13 of the Development Management Policies document.

Drainage

- 5.35 Policy 1 of JCS and Policy DM4.2 require development to minimise the possibilities of flooding and pollution.
- 5.36 Although part of the site falls within flood zone 3a, the applicant has sequentially sited all proposed development within Flood Zone 1. A Flood Risk Assessment (FRA) has been submitted to support this application.

Surface Water Drainage

- 5.37 The report recommends that all on-site surface water will be collected and conveyed via perforated pipes within the sub-base of the permeable paving designed to accommodate up to the 1 in 100year + 40% climate change with an off-line attenuation basin ultimately discharging to an existing surface water sewer at a restricted rate of 3 l/s. Man-holes will control flow within the perforated pipe network by means of orifice plate control devices. That exceedance flows will be directed away from buildings with Finished Floor Level set 150mm above ground level. The existing drainage regime at present is surface water run-off into the adjacent drainage ditch that is sited at the lowest point of the site. Permeable

paving, attenuation pond and out-fall, all to be privately maintained. The sustainable drainage strategy for the site is considered acceptable subject to the appropriate conditions.

Flood Risk

- 5.38 A Flood Risk Assessment (FRA) prepared by Evans, Rivers and Coastal and has been included within the FRA referenced above.
- 5.39 The key points of the FRA are the Environment Agency's Fluvial and Tidal flood map indicates the site lies in flood zones 1, 2 and 3. The basic approach to climate change has been adopted whereby the current 1 in 1000+CC flood level for the Broads can be used to represent the climate change (35% & 65%) 1 in 100year flood level. The design flood level (1 in 100yr + 35% & 65%) is 3.21m AOD. The topographical survey indicates that the dwellings are located in flood zone 1. Safe dry refuge will be available at all times. Safe access and egress will be available in a northerly direction as the site entrance level will be above 3.21m AOD. Owners are encouraged to sign up to Flood Warnings Direct and develop a Family Flood Plan and Flood Kit. The site is at very low risk of flooding from surface water.
- 5.40 Although the proposal does not fall under the Environment Agency's threshold for comment, they have advised that they would have no objection.

Foul Water drainage

- 5.41 In respect of the foul water drainage Anglian Water has raised no objections and confirmed that the foul drainage from this development is in the catchment of Beccles-Marsh Lane Water Recycling Centre that will have available capacity for these flows
- 5.42 Whilst the concerns raised in respect of the sewerage capacity, flood risk and surface water drainage are fully appreciated it is considered that in view of the above with suitable compliance conditions, that the development accords with Policy 1 of the JCS and Policy DM4.2 of the SNLP.

Other Issues

Planning Obligations:

- 5.43 It is noted the comments raised in respect of primary school capacity and it is accepted that funding for additional school places at Primary School level would be required through CIL as this is covered on the District Council's Regulation 123 list.
- 5.44 The proposal is required to provide 1 fire hydrant which is proposed to be a condition of any consent.
- 5.45 New development will have an impact on the library service and mitigation will be required to develop the service
- 5.46 Norfolk County Council require as part of the legal agreement a £150 per house contribution towards the signage and improvement on the local circular walk and on angles way access improvements. This would be a contribution towards the repair / replacement of steps and installation of circular signage on the walk.
- 5.47 The Highways Authority required a footway link to footpath 80, however a direct link would cross private land. The present proposal requires the developer to provide improvements to the existing highway, including footpaths, which connect to footpath 80. Although this is via highway footpaths it still creates good connectivity. Equally, given the size of the development, the addition of a requirement in excess of this, when taking into account the other obligations, would be unreasonable to require.

Minerals and Waste:

- 5.48 Norfolk County Council minerals and waste team was consulted due to the site falling within the C16 policy area of minerals safeguarding. The results of the geo-technical survey indicate that a layer of clay underlies much of the site which is not a safeguarded mineral resource. As such there is no impact on the proposed development.
- 5.49 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.
- 5.50 This application is liable for Community Infrastructure Levy (CIL)

Conclusion

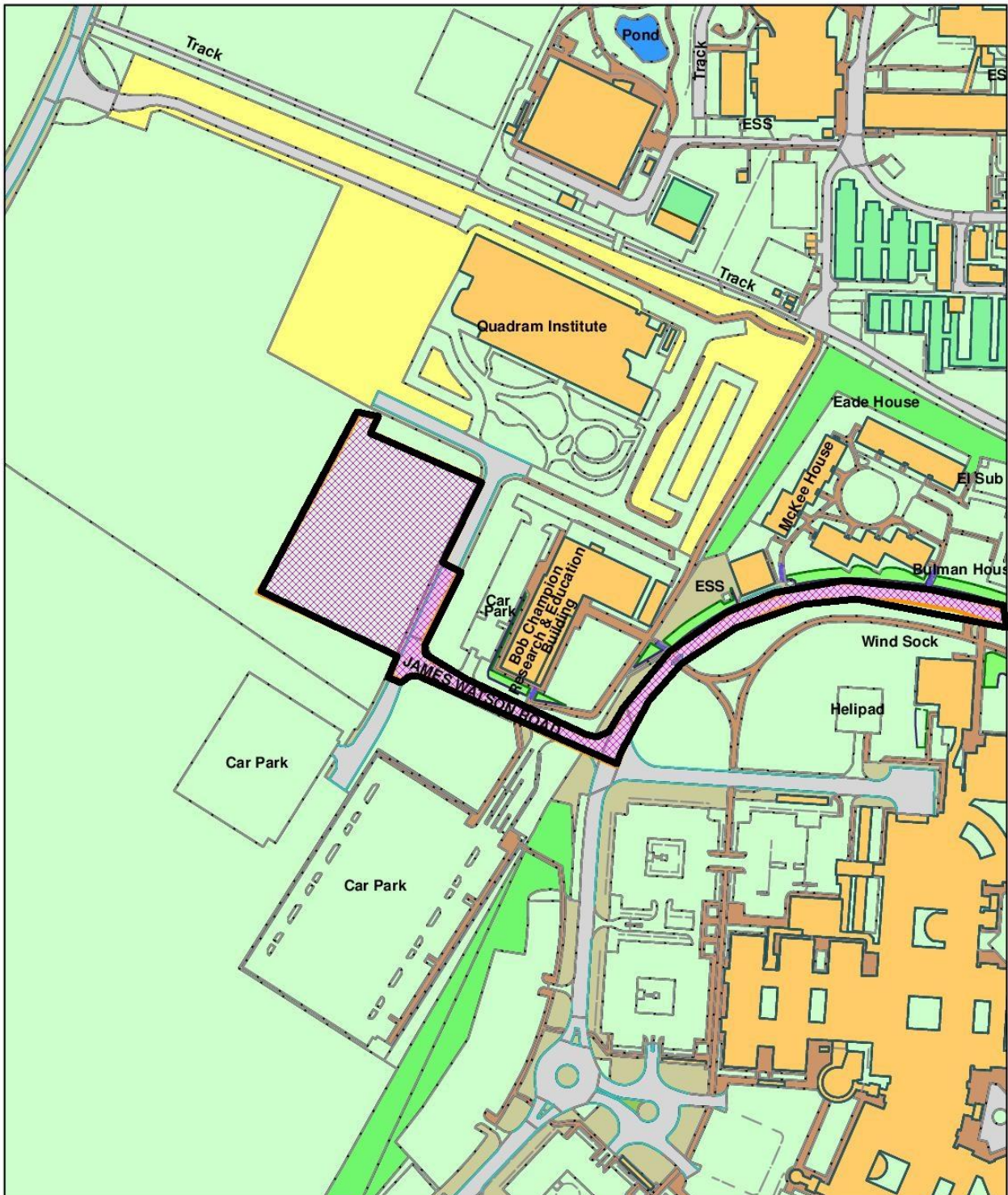
- 5.51 The principle of development is acceptable given that the site is within the development boundary and an allocation within the Local Plan and the scheme is considered to represent a sustainable form of development. It is considered that the application has demonstrated that the site can accommodate the 22 dwellings proposed and is acceptable in terms of design and layout. Furthermore, the development will not harm the character and appearance of the area or the amenities of neighbouring properties. It is considered that the requirements of Policies 1, 2, 4 and 15 of the Joint Core Strategy, Policy GIL1 of the Site-Specific Allocations and Policies Document and Policies DM1.3, DM1.4, DM3.1, DM3.8, DM3.11, DM3.13 and DM4.9 of the Development Management Policies Document have all been met.

Recommendation: Delegated Authority to the Director of place to approve subject to a S106 agreement for affordable housing and open space.

- 1 Full Planning permission time limit
- 2 In accordance with amendments
- 3 No first-floor windows plots 2 and 3
- 4 No PD for Classes ABCD and E
- 5 Air Source Heat Pumps
- 6 Landscaping scheme to submitted
- 7 Tree protection
- 8 Retention trees and hedges
- 9 Boundary treatment to be agreed
- 10 Drainage strategy
- 11 Foul drainage to main sewer
- 12 Renewable Energy
- 13 New Water Efficiency
- 14 Fire Hydrants
- 15 Gas Protection Measures and Verification
- 16 Construction management plan
- 17 Reporting of unexpected contamination
- 18 Mitigation as per submitted PEA report
- 19 Habitat Management Plan to be submitted
- 20 Visibility splay, approved plan
- 21 Provision of parking, turning
- 22 Construction Traffic Management
- 23 Highway Improvements - Offsite
- 24 Highway Improvements completed
- 25 Materials to be agreed

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2019/1653



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

4. Application No : 2019/1653/D
Parish : COLNEY

Applicant's Name: Big Sky Developments & Bullen Developments Ltd
 Site Address: Land adj to Norfolk and Norwich University Hospital (off James Watson Road) Colney Lane Colney Norfolk NR4 7UY
 Proposal: Reserved Matters application for appearance, landscaping, layout and scale following outline permission 2012/1880 (in respect of this phase only) - Proposed Research and Development Centre, associated car parking, internal access road, site infrastructure and landscaping.

Reason for reporting to committee

The applicant is Big Sky Developments Limited in which South Norfolk Council has an interest

Recommendation summary:

Approval with Conditions

1 Proposal and site context

- 1.1 The application site comprises of a parcel of undeveloped land within the Norwich Research Park South (NRP). The site is accessed from James Watson Road and is bounded by the Quadram Institute to the north and by the Bob Champion building to the east. To the west and south is undeveloped land also forming part of the consented NRP South. Nearby and to the south are two temporary surface car parks which currently serve the Quadram Institute and visitors to the hospital.
- 1.2 Outline permission 2012/1880 was granted under application 2012/1880 for to 60,387 sqm of class B1(b) floorspace, 29,849 sqm of class C2/D1 and 8930sqm of ancillary and complementary uses. It included phasing, building heights, land use, plot ratios, landscaping and ecology, bus and vehicular routes and pedestrian and cycle routes. Development of the wider NRP South has proceeded substantially in accordance with these.
- 1.3 This application now seeks reserved matters approval for a two storey building to accommodate a research and development centre, car parking, internal access road, site infrastructure and landscaping.
- 1.4 Planning permission has been granted under application 2019/0823 for a 350 space surface car park on land immediately to the south of this application site. This is required to maintain the parking that will be displaced from the existing surface car park which is accessed from James Watson Road during construction of a multi storey car park (MSCP), most recently approved under application 2019/0793. This temporary car park will be required only until the opening of the MSCP after which time the land would revert to a development site.

2. Relevant planning history

- | | | | |
|-----|-----------|---|----------|
| 2.1 | 2012/1269 | 350 space temporary surface car park | Approved |
| 2.2 | 2012/1880 | Proposed offices, laboratories and academic space for principally research and development activities, buildings for health and health related uses and buildings for further ancillary uses. Associated car parking, access, infrastructure, internal access roads and strategic landscaping | Approved |

2.3	2013/0554	Proposed reserved matters application to approved 2012/1880/O - Proposed Norwich Medical Research building, associated car parking and internal access roads, site infrastructure and on-site landscaping	Approved
2.4	2016/2382	Reserved matters following 2012/1880/O - Construction of a four storey car park, internal access roads, two roundabouts and associated road works on Hethersett Lane.	Approved
2.5	2017/1197	Reserved Matters for multi-storey car park, internal access roads, landscaping and associated infrastructure on Hethersett Lane for access, appearance, landscaping, layout and scale, together with the discharge of conditions 4, 5, 19 and 21 relating to outline consent from 2012/1880	Approved
2.6	2017/1198	Construction of a 350 space surface level temporary car park with associated access.	Approved
2.7	2017/2380	Reserved Matters application following 2012/1880/O - (Proposed offices, laboratories and academic space for principally research and development activities, buildings for health and health related uses and buildings for further ancillary uses. Associated car parking, access, infrastructure, internal access roads and strategic landscaping) - Electrical substation	Approved
2.8	2019/0793	Reserved matters application for 800 space multi storey car park , internal access road and landscaping relating to outline consent 2012/1880	Approved
2.9	2019/0823	Construction of a 350 space surface level temporary car park with associated access	Approved

3 Planning Policies

3.1 National Planning Policy Framework (NPPF)

NPPF 06 : Building a strong, competitive economy

NPPF 09: Promoting sustainable transport

NPPF 12 : Achieving well-designed places

NPPF 14 : Meeting the challenge of climate change, flooding and coastal change

NPPF 15 : Conserving and enhancing the natural environment

NPPF 16 : Conserving and enhancing the historic environment

3.2 Joint Core Strategy (JCS)

Policy 1 : Addressing climate change and protecting environmental assets

Policy 2 : Promoting good design

Policy 3: Energy and water

Policy 5 : The Economy

Policy 6 : Access and Transportation

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

3.3 South Norfolk Local Plan Development Management Policies

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

DM1.3 : The sustainable location of new development

DM2.1 : Employment and business 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

DM3.14 : Pollution, health and safety

DM4.2 : Sustainable drainage and water management

DM4.3 : Facilities for the collection of recycling and waste

DM4.9 : Incorporating landscape into design

DM4.10: Heritage assets

3.4 Site Specific Allocations and Policies

COL 1 : Land adjacent to Norwich Research Park

3.5 Supplementary Planning Documents (SPD)

South Norfolk Place Making Guide 2012

Norwich Research park Public Realm Strategy Document for planning – approved by discharge of condition under ref: 2014/2098

4. Consultations

4.1 Parish Councils

Colney Parish Council – to be reported

Hethersett Parish Council - no comments

Cringleford Parish Council – no objection but concerns regarding limited parking

4.2 District Councillors Councillor Elmer:

To be reported if appropriate

Councillor Kemp:

To be reported if appropriate

4.3 Anglian Water Services Ltd

No comments

4.4 SNC Conservation and Design

Well designed in scale and proportion. Simpler design appropriate in relation to larger adjacent buildings. Active frontage and landscaping creating pleasant street environment.

4.5 NCC Highways

To be reported

4.6 NCC Lead Local Flood Authority

No comments

4.7 Police Architectural Liaison

Encourage implementation of security measures within Secured By Design

4.8 Historic Environment Service

To be reported

4.9 Environment Agency

No comments

4.10 Natural England

No objection

4.11 National Planning Casework Unit

No comments

4.12 Historic England

No comments

4.13 Norwich City Council

No comments

SNC Community Services – Environmental Quality Team

No objections

4.14 SNC Landscape Architect

My main issue with this proposal is that the site it occupies is indicated as Public Greenspace in the approved Public Realm Strategy for the NRP (2014/2098). Whilst paragraph 4.40 of the submitted Planning Statement makes reference, there appears to be no detailed consideration of how this application accords with this.

Whilst it might be acceptable to depart from the PRS in this instance, I am concerned that this departure from the PRS vision will set a precedent and that the overall NRP scheme will be compromised as a result. Without a clear plan of what will definitely developed as Public Greenspace, my worry is that this important element will be overlooked, and the subsequent schemes will not be designed with a clear understanding of the spaces they will need to relate to.

4.15 Other Representations

New Anglia LEP - support this project as this is a key location in the Economic Development Plan.

5 Assessment

Principle

- 5.1 Outline permission 2012/1880 established the principle of this development and access was also approved at this stage. The proposal is now assessed against the parameters plans of the outline permission in the sections below

Key considerations

- 5.2 The key considerations in respect of this application are siting and design, highways and travel planning, landscaping, flood risk and drainage, heritage assets and ecology.

Siting and design

- 5.3 The proposal comprises of 1969 square metres of laboratory, office and ancillary floorspace within a two storey building which would be sited on the northern part of the application site. It is of a contemporary flat roofed design and with an external finish comprising principally of light render and glazed curtain walling. This proposal has been assessed by the Council's Senior Design & Conservation Officer who considers that the building is well designed in terms of scale and proportions. In addition, the simple contemporary design is considered appropriate in relation to the designs of the larger Quadram Institute and Bob Champion building located nearby.
- 5.4 In terms of siting, the proposed building provides an active frontage to the street with the entrance area also providing an active frontage to the corner and southern part of the site. Together with the proposed landscaping, it is considered that this proposal would benefit the existing street scene.
- 5.5 This proposal also remains within parameters approved at outline in respect of plot density and maximum building heights. Therefore, it is considered that this proposal is acceptable in respect of siting and appearance and would result in a high quality design which would relate well to existing development, in accordance with policy DM3.8 of the SNLP.

Highways

- 5.6 The development now proposed would be accessed from a single entrance off James Watson Road. Planning permission has now also been granted for a temporary surface car park immediately to the south of this site and, for the period that it is in use, it would also be accessed from the same point on James Watson Road. It is considered that any potential conflict between users of the car park and construction activity on this site would be effectively managed through a construction traffic management plan to be agreed in detail with the Highway Authority and a condition is recommended in this respect. Under existing permissions, use of the temporary surface car park would cease upon the opening of the MSCP which is expected prior to the occupation of this proposal and so the access arrangement would continue to comply with the outline consent.
- 5.7 An earlier reserved matters application (2019/0793) has approved a 800 space multi storey car park close to this application site to provide centralised parking for the NRP South and the hospital and this provision is based on the overall floor space approved under the outline consent. As a result, limited parking is proposed within this application site and this

includes disabled spaces and electric vehicle charging points. Cycle racks close to the building are also proposed. Although Cringleford Parish Council have expressed concern at the amount of parking indicated, it is considered that parking provision in respect of this application and across the wider site remains in accordance with the outline consent and complies with policy DM3.12 of the SNLP.

Landscaping and public realm

- 5.8 Integral to the outline planning permission was a masterplan and public realm strategy which established an over-arching high level conceptual guide for future Masterplan development progression. It aimed to provide a basic template for creating public space situated between individual Masterplan plots in an attempt to create an environment with a constant aesthetic and united vision. The Public Realm Spaces were regarded in the submitted document as part of the developer's masterplan infrastructure and being key to the success of the masterplan. Public realm environment elements includes aspects such as pedestrian and cycle circulation; road access; landscaping including 'public greenspace'; signage; carparking; lighting and integration into the surrounding areas. Key to the vision was the delivery of key areas of public greenspace and elements of adjacent landscape to link masterplanned buildings through quality greenspaces.
- 5.9 This application conflicts with the approved public realm strategy, principally in two key areas: 1: cycle and pedestrian permeability through the site and the intended routes through the site; 2: the sites' location on an area intended in the public realm strategy to be public green space.
- 5.10 In respect of the pedestrian and cycle connectivity through the site, the outline consent for NRP South approved parameters for the provision of vehicular, pedestrian and cycle routes to deliver permeability through the wider site.
- 5.11 While the proposed layout does not show cycle path provision, revisions to the phasing of transport infrastructure across the wider site are currently under review and it is considered that this provision would be achieved on adjacent land so that overall development would remain substantially in accordance with the approved parameters of the outline consent.
- 5.12 In respect of the conflict with the intended delivery of public green space in this location, the conflict is a consequence of the location of the site on the wider masterplanned area rather than a failing of the proposal itself. Whilst it is disappointing that the wider and necessary public realm has not been considered and adjusted alongside this application, it is clear that there is sufficient land undeveloped within the wider site and adjacent to this plot to achieve a revised public realm strategy that could still achieve the same desired outcomes for a well considered and planned campus style development linked by quality green space and public realm.
- 5.13 I consider that wider site infrastructure (public realm) still therefore needs to be considered and addressed however this is beyond the scope of this application and there is sufficient land on the wider site in which to deliver an alternative strategy. This can be done through a revision to the existing planning permission and is a matter which the Council is in discussion with the site owner to address.

Flood risk and drainage

- 5.14 The application site is located within flood zone 1 and a foul and surface water drainage strategy was agreed under the outline consent which includes conditions requiring the agreement of details in respect of each phase of the development of the NRP South site. Therefore, all aspects of drainage and flood risk associated with this phase of the development will be considered separately as part of a subsequent discharge of conditions application relating to the outline consent. However, the applicant has advised that

sustainable drainage measures would be incorporated into the development of this site together with soft landscaping as now proposed. This approach is considered acceptable and would accord with the aims of policy DM4.2 of the SNLP.

Heritage assets

- 5.15 There are no heritage assets in the immediate setting of the proposed development. The Environmental Statement submitted with the outline also assessed the impact of all proposed development on heritage assets near the site. It was considered that the impact of the proposed development on surrounding heritage assets would be mitigated by the proposed landscaping and siting of buildings as identified within the approved parameters plans. This proposal is not considered to introduce any new impacts that have not previously been assessed under the ES. Therefore, it is considered that this proposal accords with policy DM4.10 of the SNLP and paragraphs 190 and 193 of the NPPF. The requirement to consider the desirability of preserving the building or its setting or any features of special architectural or historic interest under section 66 of the listed Buildings Act 1990 is also considered to be met.

Ecology

- 5.16 The wider NRP site has previously been subject to detailed ecological survey and an updated phase 1 survey has now been submitted for this site only. It is considered that this site, which does not contain trees or hedgerow, is of low ecological value which would be enhanced by the landscaping now proposed.

Other Issues

EIA

- 5.17 The outline planning application for NRP South (2012/1880) was subject to an EIA which covered the following topics; air quality, archaeology, climate change and renewable energy. Ecology, flood risk, drainage and water resources, landscape and visual impact, noise, transport and cumulative impacts.
- 5.18 This reserved matters application has been considered against the Environmental Impact Assessment (EIA) Regulations 2017 in the context of the ES submitted with the outline application. The environmental, social and economic impacts have all been considered and it is not considered that an addendum to the ES is required as part of this application. All matters are adequately addressed as detailed in the above report and in conditions relating to the outline permission.

CIL

- 5.19 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.
- 5.20 This application is not liable for Community Infrastructure Levy (CIL) as outline permission was granted prior to CIL being adopted by the Council.

Conclusion

- 5.21 The principle of this development is established through the outline consent. Acceptable details have been submitted in respect of layout and design, access, parking provision and landscaping which accord with parameters for new development approved in the outline. Wider site infrastructure (public realm) needs to be considered however this is beyond the scope of this application and there is sufficient land on the wider site in which to deliver an alternative strategy which can be done through a revision to the existing planning permission and is a matter which the Council is in discussion with the site owner to address. The management of construction traffic would be controlled through condition .

Recommendation : Approval with Conditions

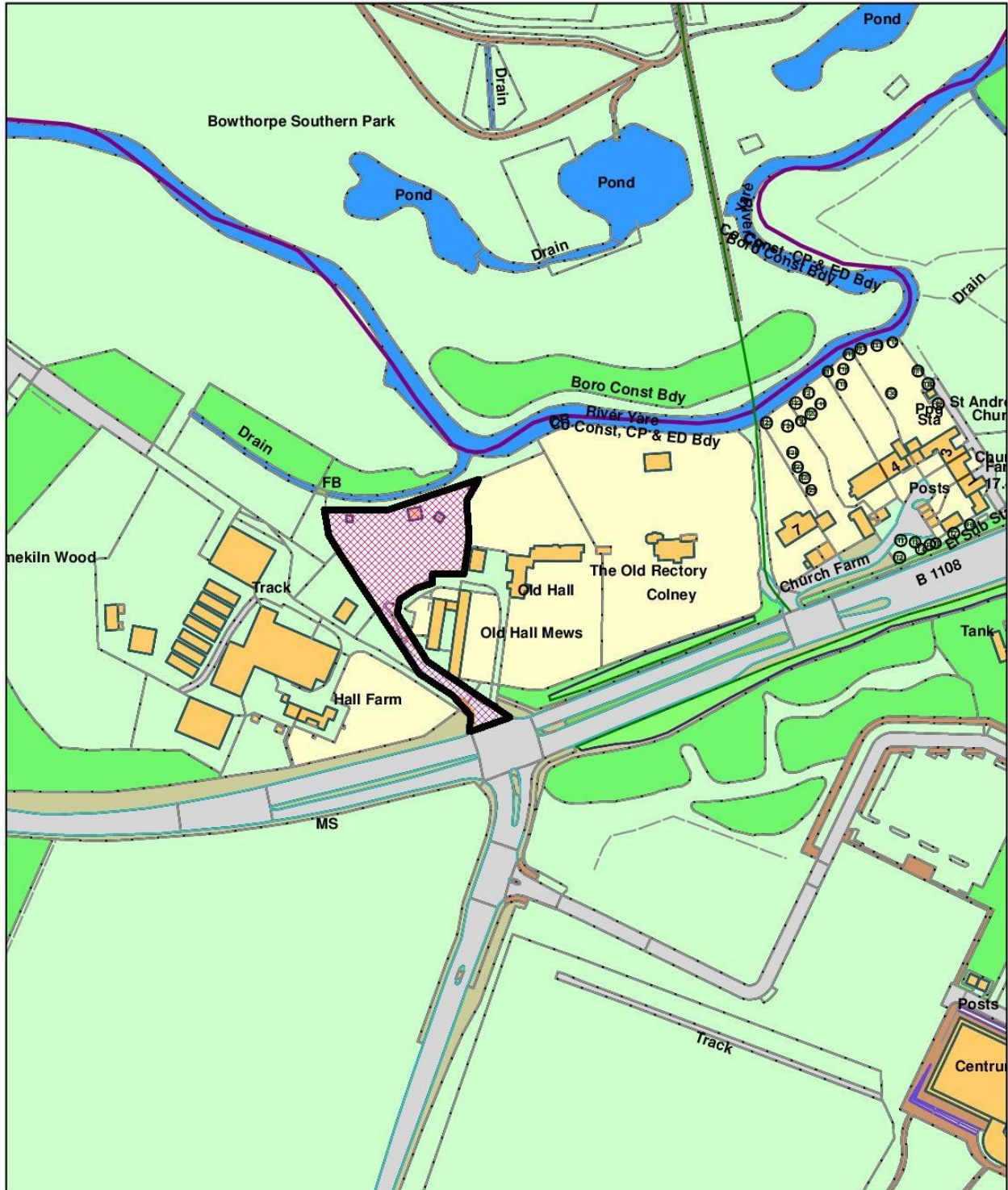
- 1 In accordance with plans
- 2 Provision of car and cycle parking
- 3 Construction traffic management plan
- 4 Landscaping - implementation

Contact Officer, Telephone Number Blanaid Skipper 01508 533985
and E-mail: bskipper@s-norfolk.gov.uk

Other Applications

Application 5

2019/1354



5. Application No : 2019/1354/F
Parish : COLNEY

Applicant's Name: Mr Nigel Willgrass
 Site Address Land west of The Old Hall, Watton Road, Colney
 Proposal Erection of self-build two-storey dwelling and associated garages

Reason for reporting to Committee

The Local Member has requested that the application be determined by the Development Management Committee for appropriate planning reasons as set out below in section 4.

Recommendation summary:

Refusal

1 Proposal and site context

- 1.1 This application seeks planning permission outside of a defined development boundary for the construction of a two-storey self-build dwelling and a detached garage on land to the west of The Old Hall on Watton Road in Colney. The application site comprises a tennis court, swimming pool and lawned area. Levels decline towards the north meaning that the site is below Old Watton Road and The Old Hall. Neighbouring properties include The Old Hall - a Grade II listed building - to the east, single-storey converted barns to the south, meadows to the rear/north and agricultural buildings to the west.
- 1.2 The dwelling will have an appearance that is similar to that of a barn that has been converted and will accommodate four bedroom. It will measure approximately 21.3 metres (m) in length, 7m in depth and 6.7m in height. The garage will be positioned to the southeast of the dwelling and will accommodate a three-bay car port and garage. An external staircase will be provided to the side of the building leading to the roofspace above. It will measure approximately 13m in width, 6.6m in depth and 6.6m in height.

2. Relevant planning history

- 2.1 None

3 Planning Policies

- 3.1 National Planning Policy Framework (NPPF)
 NPPF 02 : Achieving sustainable development
 NPPF 05 : Delivering a sufficient supply of homes
 NPPF 12 : Achieving well-designed places
 NPPF 16 : Conserving and enhancing the historic environment
- 3.2 Joint Core Strategy (JCS)
 Policy 1 : Addressing climate change and protecting environmental assets
 Policy 2 : Promoting good design
 Policy 3: Energy and water
 Policy 4 : Housing delivery
 Policy 17 : Small rural communities and the countryside

- 3.3 South Norfolk Local Plan Development Management Policies
DM1.1 : Ensuring Development Management contributes to achieving sustainable development in South Norfolk
DM1.3 : The sustainable location of new development
DM1.4 : Environmental Quality and local distinctiveness
DM3.1 : Meeting Housing requirements and needs
DM3.10 : Promotion of sustainable transport
DM3.11 : Road safety and the free flow of traffic
DM3.12 : Provision of vehicle parking
DM3.13 : Amenity, noise, quality of life
DM4.2 : Sustainable drainage and water management
DM4.5 : Landscape Character Areas and River Valleys
DM4.8 : Protection of Trees and Hedgerows
DM4.10 : Heritage Assets

Statutory duties relating to setting of listed buildings:

Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 provides that in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority, or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

4. Consultations

4.1 Parish Council

No comments received

4.2 District Councillor
Cllr D Elmer:

Comments on originally submitted plans:

We would like this application to be decided by Committee so it can consider the balance between being outside the development boundary and an otherwise seemingly acceptable self-build in a sustainable location (close to major public transport and cycling routes).

Comments on amended plans:

Reiterated comments above.

4.3 Senior Conservation and Design Officer

Comments on originally submitted plans:

The separation of this land and a development of a suitable scale and size of property will not have a significant impact on the setting of the listed building, and therefore in principle I consider that a development will result in a negligible if no harm to the setting of the listed building.

However, if this site is considered suitable for a dwelling, I would suggest that the building is designed with design references to outbuilding structures such as barns etc to tie in contextually with the existing building to the south rather than having a more the appearance of a late C20 detached house.

Comments on amended plans:

The proposed new design is now based more closely on traditional agricultural threshing barn design. It has a simple form and more contemporary window arrangement but designed with a vertical emphasis to counterbalance the horizontal emphasis of the shape of the house.

In contextual terms it sits within the wider setting of the Old Hall, close to existing agricultural ranges to the south, so will not appear incongruous. There are also existing buildings in between, as well as the new garages and landscape planting, which will assist in separating the curtilages. If a good red brick is chosen it will not look incongruous when viewed from any locations to the north within the rural setting. I therefore have no objection in principle to the design.

4.4 SNC Water Management Officer

Comments on originally submitted plans:

Content that the Flood Risk Assessment has demonstrated that the proposed development and its occupiers can remain safe. Suggest that a suitable condition is imposed to ensure that its recommendations are fulfilled.

Conditions also recommended in relation to surface water and foul drainage.

Comments on amended plans:

No additional comments to make.

4.5 Environment Agency

Comments on originally submitted plans:

No objection.

Comments on amended plans:

Comments remain the same as before.

4.6 NCC Highways

Request the imposition of a planning condition relating to the provision and retention of the parking and turning area.

4.7 Other Representations

None received.

5 Assessment**Key considerations**

5.1 Principle of development

Accessibility of site

Impact on the adjacent listed building and the character of the area

Principle of development

- 5.2 Planning law requires that applications for planning permission are determined in accordance with the development plan unless material considerations dictate otherwise.
- 5.3 The published Annual Monitoring Report for 2017-2018 sets out that the Council can demonstrate a housing supply of 6.54 years meaning that full weight can be given to its planning policies for development proposals outside of development boundaries.
- 5.4 Of particular relevance then is Policy DM1.3 of the SNLP. It permits development outside of development boundaries where specific development management policies allow (criterion (c)) or where there are overriding benefits in terms of the economic, social and environmental dimensions of sustainable development (criterion (d)). In this case, criterion (c) is not considered to apply so instead, criterion (d) is relevant. Whether or not the application provides overriding benefits will be considered further later in this assessment.

Accessibility of site

- 5.5 The site is outside the development boundary that has been defined for Colney and facilities within the settlement are limited. However, the site is within reasonable proximity to and has footpath links to the Norfolk and Norwich Hospital, University of East Anglia and Norwich Research Park. The venues have ancillary facilities such as shops, cafes and restaurants which are available to staff and visitors alike. Taking account of this, the site is in a reasonably accessible location and in this regard, the application complies with Policy DM3.10 of the SNLP.

Impact on the adjacent listed building and the character of the area

- 5.6 The scale of development, position of the dwelling and garage, site levels and tree belts to the north are such that the development will not stand out as being prominent within the wider area. Further, the Senior Conservation and Design Officer has not objected to the design. The application therefore complies with Policies 1 and 2 of the JCS and Policies DM3.8 and DM4.5 of the SNLP.
- 5.7 Given the proximity of the application site to The Old Hall, regard must be given to s66(1) of the Planning (Listed Buildings and Conservation Areas) Act. The case officer has had discussions with the Senior Conservation and Design Officer who has advised that there would be limited harm, and as such this would mean that for the purposes of making a planning decision, the development will result in less than substantial harm to the significance of The Old Hall, and paragraph 196 of the NPPF is therefore engaged. Significance is defined in the NPPF as the value of a heritage asset to this and future generations. Paragraph 196 requires any harm to be weighed against the public benefits of the proposal and at a local level, Policy DM4.10 of the SNLP does much the same. In this case, the public benefits arising from a single dwelling, when noting the Council's housing land supply position, will not outweigh the harm arising. The application therefore does not comply with paragraph 196 of the NPPF or Policy DM4.10 of the SNLP.

Other matters

- 5.8 The position of the dwelling and garage are sufficiently distant from The Old Hall and Old Hall Mews for it not to be overbearing and not to lead to direct overlooking. Residents of the proposed dwelling will also benefit from an acceptably sized garden areas. The application complies with Policy DM3.13.
- 5.9 In its capacity as Highway Authority, Norfolk County Council has not objected to the application on the grounds of highway safety. Sufficient space is also shown as being provided to park and turn vehicles. The application complies with Policies DM3.11 and DM3.12 of the SNLP.

- 5.10 The River Yare is located to the north of the site. However, the site is in Flood Zone 1 and so is at low risk from flooding.
- 5.11 The application proposes a self-build dwelling. Paragraph 61 of the NPPF states that planning policies should meet the housing needs for different groups within the community, including those wishing to commission or build their own home. At a local level, Policy DM3.1 of the SNLP sets out amongst other things that all housing proposals should help contribute to a range of different range of dwelling types. It does not preclude self-build proposals and that this application is for such a proposal should be weighed in the balance with other considerations. However, in light of the Council being able to demonstrate that it has in excess of a 5 year housing land supply and also meeting its self-build target, I consider that a self-build dwelling does not represent sufficient grounds on which to grant planning permission outside of the development boundary. Further, in the event of planning permission being granted, there is no mechanism in place to secure the dwelling as a self-build.
- 5.12 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. Although a material planning consideration, this is not considered to be a factor on which the success or failure of the application depends upon.
- 5.13 Officers are satisfied that the site can be considered as Previously Developed Land (PDL) as it is not a residential garden in a built up area. This weighs in favour of the application. However, similar to the comments above on self-build, I do not consider that this represents sufficient grounds on which to grant planning permission in this location.
- 5.14 Under Section 143 of the Localism Act, the Council is required to consider the impact on local finances. This can be a material consideration but in the instance of this application the other material planning considerations detailed above are of greater significance.
- 5.15 The development is liable for the Community Infrastructure Levy but should permission be granted, it would be open to the applicant to apply for self-build exemption.

Conclusion

- 5.16 In having regard to those matters raised, the application will have acceptable impacts on the character and appearance of the surrounding area, highway safety, residential amenity. It also proposes a self-build dwelling on PDL, both of which weigh in favour of the application. However, I am not persuaded that the less than substantial harm to the significance of The Old Hall is outweighed by the public benefits of one dwelling outside of the development boundary, when taking account of the Council being able to demonstrate a 5 year housing land supply. Furthermore, I do not consider that there are material considerations of sufficient weight that provide overriding benefits in terms of the economic, social and economic dimensions of sustainable development to warrant granting planning permission outside of the defined development boundary. Therefore, the recommendation is that planning permission is refused on the basis of the application being contrary to Policies DM1.3 (2, d) and DM4.10 of the SNLP and paragraph 196 of the NPPF.

Recommendation: Refusal

- 1 Harm to significance of heritage asset
- 2 No overriding benefits

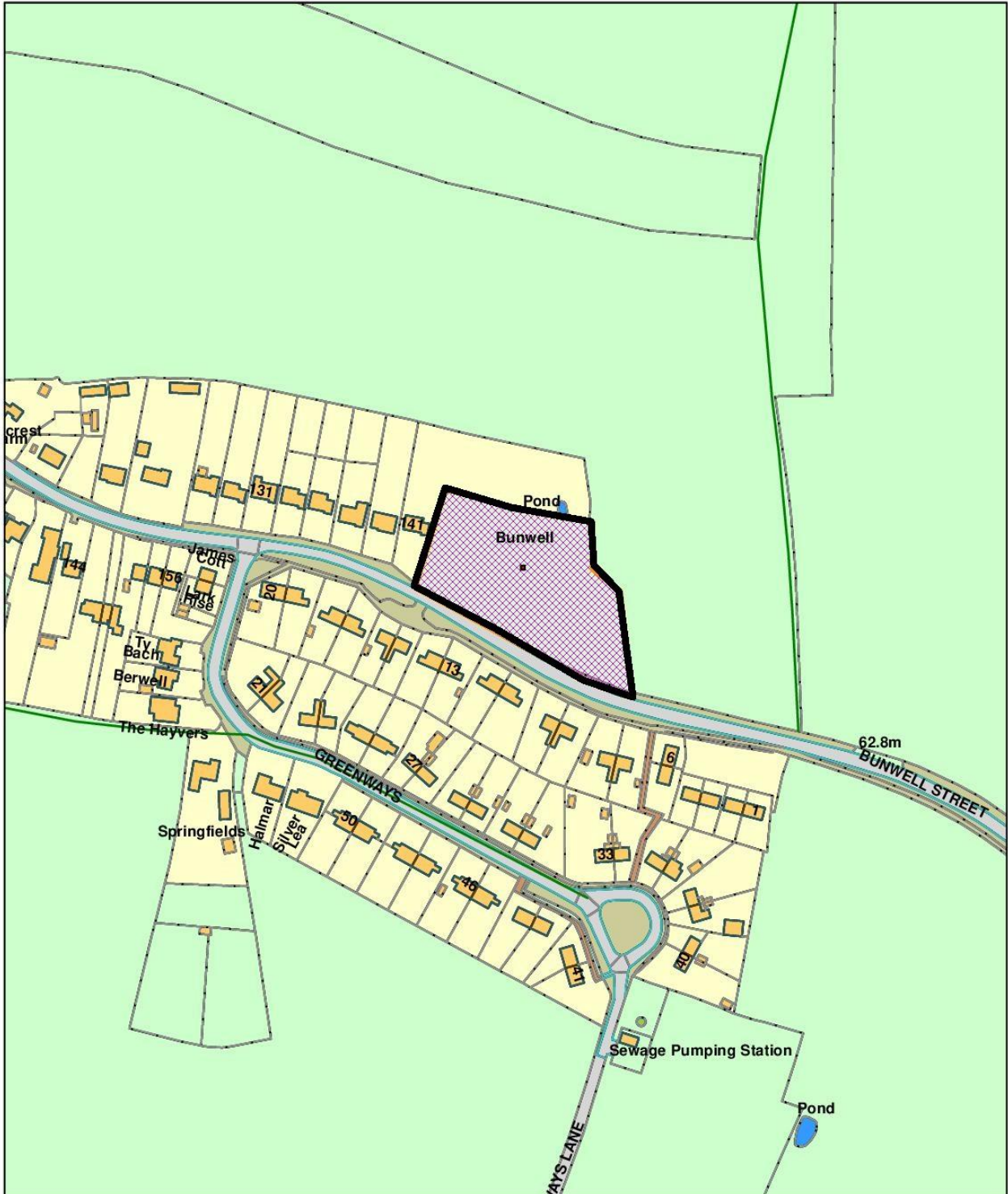
Reasons for Refusal

- 1 The development will result in less than substantial harm to the significance of the Grade II listed The Old Hall. Where this occurs, Policy DM4.10 of the South Norfolk Local Plan Development Management Policies Document and paragraph 196 of the National Planning Policy Framework (NPPF) require this less than substantial harm to be weighed against the public benefits of a proposal. In this case, the public benefits arising from a single dwelling are not considered to outweigh the less than substantial harm. The application therefore does not comply with paragraph 196 of the NPPF and does not comply with Policy 4.10 of the South Norfolk Local Plan Development Management Policies Document 2015.
- 2 The proposed development is not supported by any specific Development Management policy which allows for development outside of the development boundary and nor does it represent overriding benefits when having regard to the harm identified. As such, the application does not satisfy the requirements of either items 2 (c) or (d) of Policy DM1.3 of the South Norfolk Local Plan Development Management Policies Document 2015.

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Application 6

2019/1542



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

6. Application No : 2019/1542/F
Parish : BUNWELL

Applicant's Name: Mr Costa Papadopoulos
 Site Address Land adj to 141 Bunwell Street Bunwell Norfolk
 Proposal Proposed residential development of 9 dwellings

Reason for reporting to committee

The Local Member has requested that the application be determined by the Development Management Committee for appropriate planning reasons as set out below in section 4.

Recommendation summary:

Approval with Conditions

1 Proposal and site context

1.1 This application is a full planning application and seeks approval for all matters including access, parking and associated infrastructure. The site is allocated in the adopted Site Specific Allocations and Policies DPD to deliver approximately 8 dwellings.

1.2 The application proposes the erection of 9 open market dwellings. These consist of:

3 x 3 bed single storey detached dwellings
 6 x 4 bed two storey detached dwellings

1.3 The site itself is approximately 0.49ha and is located to the east of the village on land north of Bunwell Street, Bunwell. The surrounding area is characterised by residential dwellings to the south and west of the site and open agricultural fields to the north and east. Trees and vegetation are also apparent beyond the northern boundary of the site and a hedge along the western boundary of the site.

1.4 The main issues for consideration of this application are addressed below.

2. Relevant planning history

2.1	2017/0185	Outline planning permission (with all matters reserved) for eight detached dwellings with garages and gardens.	Approved
2.2	2017/2904	Proposed Residential Development of 7 Dwellings	Approved
2.3	2018/0736	Discharge of conditions 3, 8, 9, 11, 12, 13 and 14 from planning consent 2017/2904 - Materials, existing and proposed levels, boundary treatments, pedestrian refuge, surface water, landscaping and traffic management.	Approved

- | | | | |
|-----|-----------|---|----------|
| 2.4 | 2018/1957 | Non material amendment to permission 2017/2904/F - Window sizes amended to front elevations of PLOTS 1, 2, 3, 4 & 5. Timber cladding finishes amended and finalised - ALL PLOTS. Rear patio doors sizes and positions amended for PLOTS 1, 2, 3, 4 & 5. Dining room window sizes amended for PLOTS 1, 2, 3, 4 & 5. Sun tunnel omitted from PLOTS 3 & 4. Layouts for PLOTS 6 & 7 mirrored including porches. | Approved |
| 2.5 | 2018/2750 | Variation of condition 2, 10 & 17 and removal of condition 4 of planning permission 2017/2904/F - to amend designs and site layout and to provide a phased development (Proposed residential development of 7 dwellings) | Approved |

3 Planning Policies

3.1 National Planning Policy Framework (NPPF)

NPPF 02 : Achieving sustainable development
 NPPF 08 : Promoting healthy and safe communities
 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

3.2 Joint Core Strategy (JCS)

Policy 1 : Addressing climate change and protecting environmental assets
 Policy 2 : Promoting good design
 Policy 3: Energy and water
 Policy 4 : Housing delivery
 Policy 6 : Access and Transportation
 Policy 15 : Service Villages
 Policy 17 : Small rural communities and the countryside

3.3 South Norfolk Local Plan Development Management Policies

DM1.3 : The sustainable location of new development
 DM3.1 : Meeting Housing requirements and needs
 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
 DM4.3 : Facilities for the collection of recycling and waste
 DM4.10 : Heritage Assets

3.4 Site Specific Allocations and Policies

BUN1: Land north of Bunwell Street, Bunwell

3.5 Supplementary Planning Documents (SPD)

South Norfolk Place Making Guide
Open Space SPD

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.

4. Consultations

4.1 Bunwell Parish Council

Comments on originally submitted plans:

Considers that the application should be refused for the following reasons:

- Local residents have had problems with drainage and sewerage overspill at least 3 times in the last year necessitating in Anglian Water being called out to rectify the situation. Can Anglian Water give assurances that the current system can cope with the effluent from 9 more properties?
- In order to accommodate 9 dwellings on this site, some houses have had to be built behind the building line and squashed in. This has resulted in shared drives and no more than two parking spaces per property which for this size of house is not sufficient. Therefore, parking on the road is likely and this means that passing traffic, particularly farm vehicles, will not have room to pass safely.
- Concerns were raised that the plan says that the hedges on the northern and western boundaries will be maintained, but these are owned by neighbouring properties and who will maintain them?
- For the safety of the occupiers of these houses, the Council insist that a kerbed footway be installed and that any hedges and trees planted be native species set back from the boundary line so they do not encroach on the footway.

Comments on amended plans:

- To be reported as appropriate.

4.2 District Councillor Cllr S Ridley:

Comments on originally submitted plans:

- I wish to call this application into committee.
- I will advocate for this application to be refused on the grounds of overdevelopment and lack of appropriate infrastructure.
- There is considerable local opposition to it on these grounds and others.
- I understand that you have received a letter from Bunwell Parish Council on this matter.

Comments on amended plans:

- To be reported as appropriate.

4.3 SNC Conservation and Design

Comments on originally submitted plans:

- The layout is well organised and acceptable. Although the frontage plots are forward of the existing building line, the transition provided by plot 2 being single storey works well, and the building being closer to the street will provide a more traditional village streetscene.
- There is still space to the front of the properties with parking and the hedgerow provides effective screening. The garages, although to the front, will not have a significant impact on the street scene being weatherboarded and having pyramidal low pitch roofs.
- I would suggest the front elevation of plot 6 would be better if ground floor windows had the same proportion of windows panes/were the same size as first floor windows, although I do appreciate that the lounge would benefit from having more light. Alternatively a side window could be provided which would also provide a sense of overlooking over the driveway?
- Also, as stated in the D&A statement 7.1, this is not an area where there is much white/buff brick and the existing village is mainly red brick and render. It would be preferable to have properties rendered as an alternative (they could be rendered different colours as per postwar bungalows opposite) or to have 3 or red brick properties on the front with different red brick rather than only two. Similarly to the rear.

Comments on amended plans:

- No further comments.

4.4 Anglian Water Services Ltd

Comments on originally submitted plans:

- No comments received.

Comments on amended plans:

- The public foul vacuum system has adequate capacity to accept the foul flows from the proposed 9 units at the above.
- As you are aware we have recently refurbished the network and diverted flows away from the vacuum system into a new conventional gravity network.

4.5 SNC Water Management Officer

Comments on originally submitted plans:

- The application form advises that surface water arising from the proposed development will discharge to a pond and the site plan indicates a retention pond at the eastern end of the site.
- Whilst the site plan indicates that a retention pond can be accommodated within the site, no further information has been provided. Whilst we have no objection to this approach we would wish to see further detailed design of the surface water drainage system.
- We would request water butts are incorporated into the design to encourage rain water re-use and water conservation.
- The Design & Access Statement advises that foul drainage will discharge to the foul sewer in Bunwell Street. We note from the Anglian Water asset map that this appears to be a vacuum/rising main. The applicant should seek agreement with Anglian Water regarding whether a connection can be made into this system.

Comments on amended plans:

- No further comments.

4.6 NCC Highways

Comments on originally submitted plans:

- I note that this application is to revise the site layout from that approved previously.
- All properties have the benefit of a garage and two parking spaces which meets the required standard.
- There are no objection to the principle of the development.
- Should your Authority be minded to approve the application I would be grateful for the inclusion of condition(s) and informative notes as set out.

Comments on amended plans:

- No additional comments.

4.7 Other Representations

Comments on originally submitted plans:

3 letters of objection received, summarised as follows:

- The new proposal is outside the building line.
- Insufficient parking spaces will put pressure on visitors to park on the narrow road. This is a reduction from 3 spaces per property on the original layout.
- Our own property of 141 will be overlooked at the rear of our property by plots 1, 3,4 and 5.
- We will have an increase in noise from plots 1, 2 , 3, 4 and 5.
- The proposal suggests that the northern and western boundaries will be maintained. We own those boundaries and as such are beyond the scope of this development and should not be considered as under the developers control.
- There is no footpath on this side of Bunwell Street or on the proposed plans.
- Agricultural vehicles use this road, which should not be used for off-street parking.
- Many vehicles do not adhere to the 30mph speed limit.
- We started with 8 x 3 bed houses then 5 x 4 bed and 2 x 3 bed semi detached, then to large luxury 7 x 5 bed houses, now it's 9 different houses.
- Where are the affordable houses the village needs? Children cannot afford to buy a house in the village.
- The original application provided smaller more affordable dwellings.
- Sewerage is a major concern.
- Concerned about inadequate drainage and sewerage systems. Issues in front of our property in recent months whereby Anglian Water have been called 3 times to deal with sewerage leaking from a manhole.
- Water gathers at the bottom of our drive every time it rains. Can the current systems cope with yet more increases in housing?
- The proposals will disrupt out views of the countryside.
- Site access points will cause issues with the bus stop and being on 2 bends vehicles coming into the village won't be easily seen.
- The proposed houses will be over-looking our property.
- Concerns over access to our property being blocked by the number of works vehicles.
- Drs and dental surgeries oversubscribed.
- Road through village very busy and used as rat run to the A11.

Comments on amended plans:

4 letters of objection received, summarised as follows:

- Our original objections still stand.
- The drainage basin is virtually the same size as plot 9 – would this indicate a drainage problem?
- To date we have not had an answer to why recent drainage problems have occurred.
- We do not know if the problem has been rectified until prolonged rainfall.
- The garages have been moved and in our opinion offer no solution to parking problems.
- Where are wheelie bins going to be placed for refuse collection for the multiple plots?
- Parked vehicles along the street and construction vehicles is still a concern and will potentially cause danger to road users, pedestrians and cyclists.
- The development should be a single row of properties with larger frontage and gardens in keeping with village.
- Concerned that the new location of the garage on plot 2 combined with its close proximity to the garage of plot 1 will cause unwanted/increased noise.
- Plot 2 will be cast into shadow by trees at the front of our house, creating pressure for the removal of the trees.
- Out of character with Bunwell. 7 hours was arguably too many. But 9 is over development and creates high density housing where it is not needed.
- We have large gaps in our hedge at the rear of plots 4 and 5. The occupiers of plot 4 and 5 will be able to see into our garden.

5 Assessment

Key considerations

Principle

- 5.1 Policy 15 of the JCS identifies Bunwell as a Service Village in which land has been allocated to provide for approximately 10-20 dwellings between April 2008 and March 2026, subject to form, character and servicing constraints.
- 5.2 Policy BUN1 sets out the requirements for development of the site and this is set out below:
- Land amounting to some 0.5 hectares is allocated for housing and associated infrastructure. This allocation could accommodate approximately 8 dwellings. The policy requires the developer of the site to ensure that a pedestrian refuge will be provided along north side of Bunwell Street.*
- 5.3 The application site comprises of 9 dwellings on all of the land proposed within the adopted development boundary for the residential allocation in policy BUN1 of the Site Specific Allocations and Policies DPD and as such the principle of new residential development on this site is consistent with the aims of policy DM1.3 which seeks to permit new housing within a development boundary. The site also benefits from the granting of outline planning permission for 8 dwellings by application reference 2017/0185 and subsequent reserved matters approval for 7 dwellings, reference 2017/2904.
- 5.4 Members should note that the 9 dwellings proposed is slightly in excess of the 8 dwellings identified in policy BUN1 of the Site Specific Allocations and Policies DPD. However, given that this is an approximate number, it is considered that this accords with the requirements of the policy, subject to form, character and servicing constraints.
- 5.5 In considering whether this resultant effect on total numbers of dwellings, other material considerations must also be taken into account which are considered below.

- 5.6 Part 1 of Policy DM1.3 states that new development should be located so that it positively contributes to the sustainable development. The policy seeks development to be on allocated sites and of a scale proportionate to the level of growth planned in that location, and the role and function of the Settlement within which it is located. The scheme proposed meets the requirements of this policy.
- 5.7 Paragraph 127 of the NPPF requires that planning decisions should aim to ensure that development, amongst other things:
- Optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks.
- 5.8 In terms of para 127, providing 9 dwellings on the site at a density of approximately 18dph, ensures the proposals make efficient use of the land, whilst also being reflective of the general scale of the local area.
- 5.9 In summary, whilst the number of dwellings proposed is slightly greater than the approximate figure contained within the allocation, it is considered that providing 9 dwellings within the village which is a service centre and already benefits from planning permission for 8 dwellings is acceptable, subject to the scheme satisfying the criterion set out within the allocation and all relevant planning policies in respect of matters such as design, neighbour amenity, highway safety etc.
- 5.10 An assessment of the scheme, against the above is as follows:

Highways and Access

- 5.11 With regards to access, the Highway Authority has carried out an assessment of the proposed access arrangements and has confirmed that they have no objections subject to conditions. As such it is considered that the proposals accord with Policy DM3.11 of the South Norfolk Local Plan.
- 5.12 As noted above, the allocation in the Local Plan requires a pedestrian refuge on the same side of the road as the development to be provided. The specification of this will be agreed with the highway authority via a condition attached to any planning consent. As there is considered enough space to provide this as part of the application proposals, then this is considered an appropriate way to deal with this matter.
- 5.13 The Parish Council have requested that a kerbed footway to be installed along this boundary. However, it should be noted that the Highway Authority have raised no objections to the proposals in this regard and is satisfied that a safe pedestrian refuge can be provided subject to agreeing the final specification and a maintenance plan to ensure that the refuge remains unimpeded in perpetuity. Having regard to this in the context of the site allocation, which do not require a kerbed footway, and the previous consents which included no such provision, it is considered that this cannot be substantiated as a reason for refusal and that the proposals are acceptable in this regard.
- 5.14 In terms of car parking provision, the combination of on plot parking, garages and tuning areas in front of dwellings, exceeds the number of car parking spaces required in the County Council's Parking Standards for Norfolk. This equates to at least 2 spaces per three-bed dwellings and 3-spaces per four bed dwellings, in addition to visitor parking. Whilst the concerns raised regarding car parking are acknowledge, the layout of the development in respect of parking is considered acceptable and accords with Policy DM3.12 of the South Norfolk Local Plan.

Impact on landscape character of the area

- 5.15 Policy DM4.5 requires all development to respect, conserve and where possible enhance the landscape character of its immediate and wider environment.
- 5.16 The site is currently an agricultural field with mature trees and vegetation along its northern boundary and a hedge and some trees along its western boundary. The proposed informal arrangement of buildings coupled with the spacious plots and planted boundary, is considered to help minimise the impact of the proposals on the local landscape character. In considering this it is felt that the proposals are acceptable regarding the impacts of the development on the landscape character of the site.
- 5.17 A landscaping condition is recommended to ensure appropriate landscaping is applied along both the frontage and eastern boundary of the site so that the proposals do not detract from the character of this part of the village or wider landscape character.
- 5.18 With regards to Policy DM4.8, which seeks to protect trees and hedgerows, no trees or hedgerows are proposed to be removed as part of the proposals. A condition requiring approval of any construction works in the Root Protection Area of the tree identified on the western boundary of the site is recommended to ensure that appropriate measures are in place to protect the tree. Subject to the above condition it is considered that the proposals are acceptable in this respect.

Ecology

- 5.19 A Preliminary Ecological Assessment has been submitted with the planning application. Based on the habitats identified, it is considered that the site has low potential to support terrestrial amphibians (including great crested newt), common and widespread invertebrates, breeding birds and foraging/commuting bats. Subject to appropriate mitigation measures as identified in the submitted ecological assessment to protect biodiversity, it is considered that the proposals are acceptable in accordance with Policy 15 of the NPPF.

Layout, appearance and scale

- 5.20 The scheme has been amended in response to the concerns raised regarding the layout of the development and building-line. Garages have been set further back from the edge of Bunwell Street and the garage of plot 2 has been relocated between the bungalows on plots 1 and 2. This has resulted in more space between the buildings and the road and a softer edge to the development.
- 5.21 The Council's Senior Conservation and Design Officer has reviewed the changes and considers that the layout is well organised and acceptable, and although the frontage plots are forward of the existing building line, the transition provided by plot 2 being single storey works well, and the building being closer to the street will provide a more traditional village streetscene.
- 5.22 In considering the overall scale of development, regard has been given to the density and form of existing and approved developments in this part of Bunwell, which has helped to define the site layout. As noted above the overall density of development averages out at 18 houses to the hectare, which is considered a comparable average density in a rural location such as Bunwell, ensuring the efficient use of land, yet is reflective of the scale of the local area. Notwithstanding this it is noted that the total floor area of the proposed development is less than the existing consent. As such, it is felt that the overall scale and form of development is acceptable when having regard to the site context and requirements of the NPPF.

- 5.23 Having assessed the scale and form of development it is considered that the proposed scheme would respect the existing character and arrangement of development onto Bunwell Street as well as providing an acceptable transition of development to the open farmland to the north and east of the site, which displays a physical connection to Bunwell.
- 5.24 With regards to boundary treatments, a condition is recommended to ensure that appropriate boundary treatments are agreed and completed before the occupation of any of the buildings in the interests of the satisfactory appearance of the development and also to prevent any adverse impact on existing and proposed resident's amenities with regards to overlooking.
- 5.25 House types have been considered in the context of the wider surroundings. The house types use traditional forms and materials yet have a distinctive appearance. House types have been designed to reflect the simple traditional style of nearby housing and pick up on the character of the area. The height, scale and form of the proposed buildings are considered appropriate for the site and its context.
- 5.26 With regards to open space, the development is not required to provide play facilities or open space in accordance with the Council's adopted Open Space SPD. As such the proposals are considered acceptable in this regard.
- 5.27 Overall, it is considered that the scheme results in a development with a locally inspired character that relates positively to its surroundings.
- 5.28 It is therefore considered that the requirements of Policy 2 of the JCS, section 12 of the NPPF and policy DM1.4, DM3.8 and DM4.3 of the South Norfolk Local Plan and South Norfolk Place-Making Guide SPD have been met.

Residential Amenity

- 5.29 Policy DM3.13 Residential amenity directs that development should not be approved if it would have a significant adverse impact on nearby resident's amenities or the amenities of new occupiers.
- 5.30 The proposed dwellings are a good distance away from neighbouring properties on the opposite side of Bunwell Street and plots 1 and 2 are separated from its neighbour by an existing garage and low hedge. The plots along this boundary have been designed as single storey dwellings, with hipped roofs, intended to help minimise the impact of the proposals and prevent overlooking into No. 141 Bunwell Street. These units replace the previously approved two storey dwelling and garage on the edge of this boundary.
- 5.31 With regards to the concerns raised about noise, it is considered that due to the position of the proposed dwellings and the orientation of the garages, which face into the development, the proposals will not result in an unacceptable level of disturbance to existing dwellings.
- 5.32 As such, whilst the concerns are acknowledged, it is felt that the proposals will not result in a significant adverse impact on nearby resident's amenities and that the separation distances proposed are adequate to safeguard amenity levels of both existing and future residents. As such it is considered that the proposal satisfies the policy requirements in respect of Policy 2 of the Joint Core Strategy and DM3.13 of the Development Management Policy Document.

Surface water and foul drainage

- 5.33 Surface water arising from the proposed development will discharge to a pond and the site plan indicates a retention pond at the eastern end of the site. The Council's Water Management Officer has raised no objections to the drainage strategy but has requested a condition requiring further details regarding infiltration testing if appropriate and the installation of water harvesting devices such as water butts. On this basis the proposal is considered to be in accordance with Policy 14 of the NPPF.
- 5.34 With regards to foul water drainage, it is acknowledged that there have historically been issues associated with sewage overspill and capacity of the Anglian Water system.
- 5.35 As a result, Anglian Water have recently completed a number of upgrades to rectify the situation and improve the systems overall capacity by diverting flows away from the vacuum system into a new conventional gravity network.
- 5.36 Anglian Water have confirmed that the following upgrades and refurbishment works have been completed:
1. Pumping Station built next to Vacuum Station to take the flows rather than the Vacuum Station putting the flows forward.
 2. Chicken farm taken off the Vacuum system and given a dedicated Pumping Station whose flows go directly forwards and not via the Vacuum Station.
 3. Several Vacuum Pots in the close removed from the system and flows allowed to gravitate directly to new Pumping Station.
 4. All Vacuum pots overhauled – new Valves, Controllers and breather posts installed.
 5. Air ingress valves installed to allow better Vacuum levels at the end of the line.
 6. Vacuum Pumps upgraded.
 7. Discharge pumps upgraded.
- 5.37 With regards to the impacts of this development on the foul water system, Anglian Water have confirmed that the upgraded system has available capacity for the proposed flows from this development and that this development can connect into the system via three new vacuum pots. On this basis and subject to the applicant serving notice on Anglian Water under Section 106 of the Water Industry Act 1991 to connect into the system, the impacts on the foul water network are considered acceptable and accord with Policy 1 of the JCS. A condition has also been recommended requiring that the precise details of the means of foul water and sewage disposal are submitted to and agreed in writing with the local planning authority in consultation with Anglian Water.

Heritage Assets

- 5.38 There are two Listed Buildings in close proximity to the application site. Section S16(2) and 66(1) Planning (Listed Buildings and Conservation Areas) Act 1990 required local planning authorities to consider the impact on the setting of Listed Buildings and Policies 16 of the NPPF and 2 of the Joint Core Strategy to protect their significance. It is considered that the proposals are sufficiently distanced from these buildings so as not to impact their settings or their significance and therefore the proposals are considered acceptable in this regard.

Other Issues

- 5.39 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.

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

Conclusion

- 5.42 The principle of the application is acceptable on this site and is considered to represent a sustainable form of development. It is considered that the proposals, results in a scheme that delivers a good quality design and layout which is well considered and relates positively to its surroundings. It is therefore considered that the requirements of Policy 1, 2, 4 and 15 of the Joint Core Strategy and South Norfolk Local Plan Policies DM1.1, DM1.3, DM3.1, DM3.8, DM3.10, DM3.11, DM3.12, DM3.13, DM3.14, DM4.2, DM4.3, DM4.10 have been met.

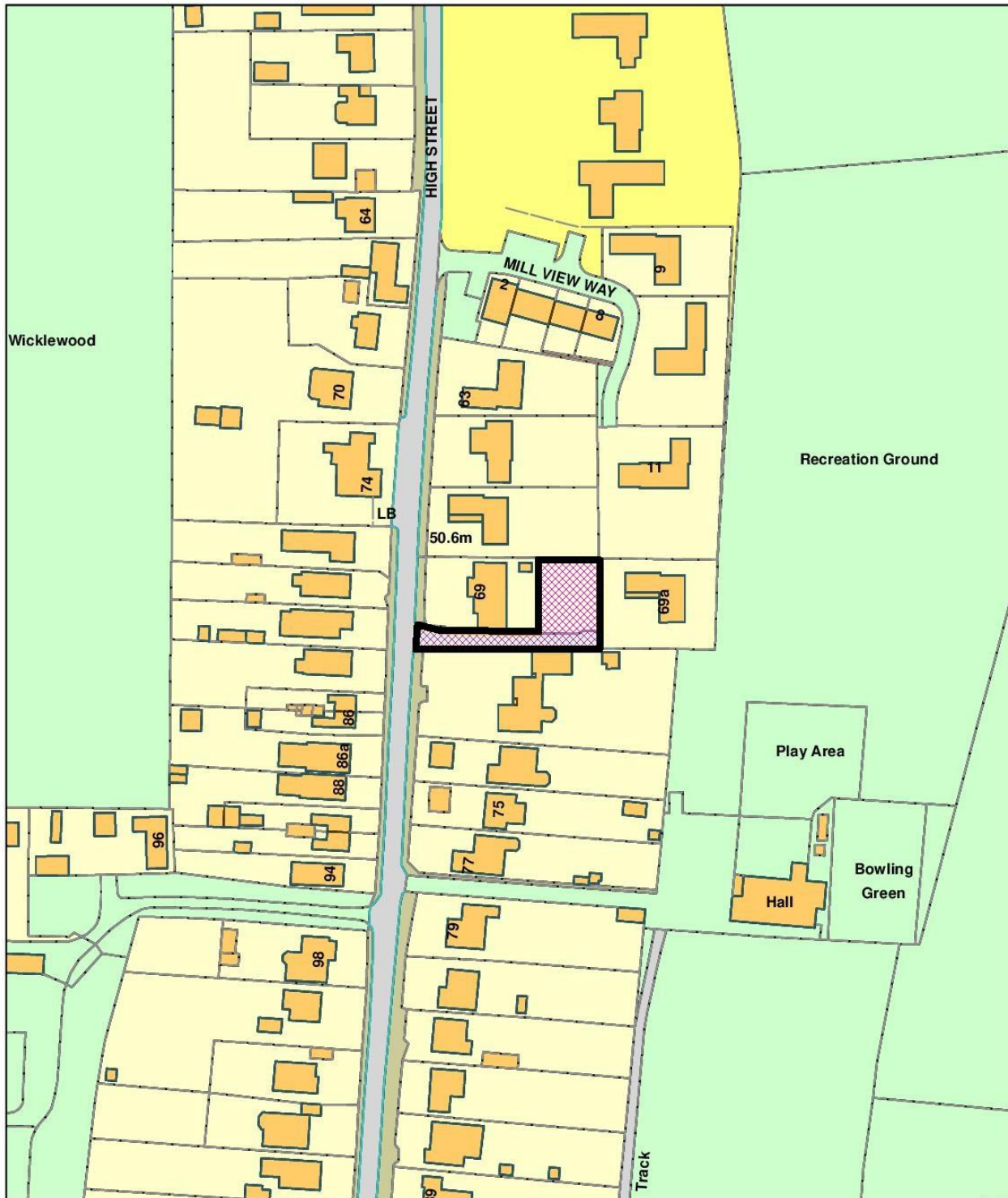
Recommendation : Approval with Conditions

1. Time limit full permission
2. In accordance with plans
3. Access in accordance with highways specification
4. Details of highway works for pedestrian refuge
5. Visibility splays to be provided
6. On-site car parking and turning to be provided
7. Construction traffic management plan and worker parking
8. Materials to be agreed
9. Surface water drainage scheme
10. Foul water drainage scheme
11. Finished floor levels to be agreed
12. Fire hydrants to be provided
13. Landscaping and management plan to be submitted
14. Tree protection measures
15. Ecology enhancement to be agreed
16. Contaminated land scheme
17. Full details of external lighting

Contact Officer, Telephone Number Chris Watts 01508 533765
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Application 7

2019/1552



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

7. Application No: 2019/1552/F
Parish: WICKLEWOOD

Applicant's Name: Mr John Seville
 Site Address Land adjacent to 69 High Street, Wicklewood, Norfolk
 Proposal Erection of 2 bed bungalow

Reason for reporting to committee

The Local Member has requested that the application be determined by the Development Management Committee for appropriate planning reasons as set out below in section 4.

Recommendation summary:

Refuse.

1 Proposal and site context

- 1.1 This application seeks full planning permission for a two-bed detached bungalow in the garden to the rear of 69 High Street in Wicklewood. The application site is within the development boundary that has been defined for Wicklewood meaning that the general principle of development is acceptable in this location subject to consideration being given to other planning matters.
- 1.2 The bungalow will measure approximately 11.3m in width, 7.2m in depth and 3.8m in height. External materials proposed for use include red facing bricks and red clay tiles. The bungalow will be positioned in the eastern half of the plot with the access, parking and garden areas in the western half to the front.
- 1.3 The application site is laid to lawn and is part of the garden of 69 High Street. There is no significant change in levels. The western boundary to 69 High Street is currently open and there is a gated access at the eastern end of the southern/side boundary. Otherwise, the site is enclosed by close boarded wooden fencing. Neighbouring properties include the applicant's existing detached bungalow, detached houses to the north and east that form part of the recent Newbury Homes development and a detached house to the south at 71 High Street.

2. Relevant planning history

- | | | | |
|-----|-----------|--|-----------------------------|
| 2.1 | 2018/1529 | Proposed new 2-bed bungalow to the rear of 69 High Street | Refused
Appeal dismissed |
| 2.2 | 2019/0879 | Proposed garden room & garage (certificate of lawfulness for proposed development) | Approved |

3 Planning Policies

- 3.1 National Planning Policy Framework (NPPF)
 NPPF 02: Achieving sustainable development
 NPPF 05: Delivering a sufficient supply of homes
 NPPF 12: Achieving well-designed places
- 3.2 Joint Core Strategy (JCS)
 Policy 1: Addressing climate change and protecting environmental assets
 Policy 2: Promoting good design
 Policy 3: Energy and water
 Policy 15: Service Villages

- 3.3 South Norfolk Local Plan (SNLP) Development Management Policies Document
DM1.1: Ensuring Development Management contributes to achieving sustainable development in South Norfolk
DM1.3: The sustainable location of new development
DM1.4: Environmental Quality and local distinctiveness
DM3.1: Meeting Housing requirements and needs
DM3.5: Replacement dwellings and additional dwellings on sub-divided plots within development boundaries
DM3.8: Design principles applying to all development
DM3.11: Road safety and the free flow of traffic
DM3.12: Provision of vehicle parking
DM3.13: Amenity, noise, quality of life
DM4.2: Sustainable drainage and water management

4. Consultations

4.1 Parish Council

The Parish Council objects to this application as it is not in favour of back garden development and does not want it to create a precedent that would result in overdevelopment in this area.

4.2 District Councillor
Cllr Elliott:

Please refer this application to Committee. The main planning issue in contention is the effect of the proposed two bedroom bungalow on the character and appearance of the area. The applicant has submitted a scheme which highlights a number of positive aspects that support planning policies. He believes that the scheme clearly demonstrates that any impact on the character and appearance of the area is minimal, although others clearly disagree. Determining this final point is a subjective matter and as such it would be both reasonable and transparent if the application could be considered by the Development Management Committee.

4.3 SNC Water Management Officer

Planning condition recommended in relation to details of surface water drainage being submitted for approval.

4.4 NCC Highways

Request the use of a planning condition relating to the provision and retention of the car parking and turning area.

4.5 Other Representations

Two letters/emails received in support of the application on the following grounds:

There is a need for a smaller property to enable young people who wish to stay in the area to get a foot on the property ladder or elderly people wishing to downsize. The property would hardly be noticed and would be in keeping with the social housing on the new housing development.

Five letters/emails received objecting to the application on the following grounds:-

- Current application does not overcome the Council's principle objection to the previous application nor the Inspectors objections on appeal. The proposal is still contrary to policy.

- Application will still result in cramped overdevelopment of the site which will be wholly out of character with the surrounding area.
- This is a subdivision of an already subdivided rear garden.
- Proposal does not maintain adequate private amenity and utility space.
- The site is overlooked and will overlook those around it.
- Drainage is a problem for the site.
- Amenity of neighbours will be affected by noise and light pollution of car headlights shining into neighbouring properties when using the access drive.
- The access needed to allow the build to proceed is very restricted.
- The development represents a negative threat to historic character of the area surrounding the windmill
- Reference to dwelling being developed for the applicant's daughter should be given little or no weight unless the personal circumstances of the application are considered to justify a planning ground to justify departure from planning policy.
- Reference to the garage and garden room is not relevant.
- Benefits do not outweigh the adverse impacts.

5 Assessment

Key considerations

- 5.1 The key considerations for this application are the impacts of the development on the character and appearance of the surrounding area and on neighbouring properties.

Impact on the character and appearance of the area

- 5.2 Along High Street, the prevailing pattern is one of linear development with dwellings sitting in relatively generous plots. Although the new Mill View Close development to the north has introduced a different pattern, influenced in part by the desire to retain views of the listed mill to the north, for the most part, dwellings within this development are in generous plots and those plots next to number 69 High Street are of a similar depth and width.
- 5.3 Application ref. 2018/1529 sought full planning permission for a two-bed bungalow at the application site. On 12 September 2018, Development Management Committee resolved to refuse planning permission on the basis of the application representing a cramped form of development that was not characteristic of the prevailing pattern of development in the area. The applicant appealed against this decision to the Planning Inspectorate and on 11 April 2019, the appeal was dismissed (decision attached as Appendix A to this report). In dismissing the appeal, the Inspector commented at paragraph 5 that the “... *development would appear noticeably smaller than others with an equally constrained curtilage that would lack the general spaciousness of others. Subdividing the existing curtilage to number 69 would have a similar truncating effect on its garden which would emphasise the effect of the new dwelling being somewhat shoehorned into an available space. In addition to this, the proposed bungalow would result in a three-tier depth to development facing High Street, a layout and form which would be wholly uncharacteristic*”.
- 5.4 The proposed bungalow is lower in height than which was previously refused and dismissed on appeal and has been rotated 90-degrees. However, it will still be visible from the High Street given the aperture provided by the driveway between the applicant's bungalow and 71 High Street. Relative to the prevailing pattern of development along the High Street, the application site appears cramped relative to the neighbouring plots and the erosion of the plot size will introduce a form of development that will not relate satisfactorily to its surroundings. It is recognised that the application proposes a smaller dwelling type that may appeal to older residents or be relatively affordable to others but this does not outweigh the harm arising. Consequently, and when also having regard to the comments of the Planning Inspector, the development is contrary to Policy 2 of the Joint Core Strategy and Policies DM1.4 and DM3.8 of the South Norfolk Local Plan in that it will not make a positive contribution to the character and quality of the area.

- 5.5 In support of the application, applicant's agent has made reference to the certificate of lawfulness for a proposed development (application ref. 2019/0879) that was granted in May of this year. This comprised a garden room and garage. The agent explained that the certificate of lawfulness was obtained in order to establish what could be built on the site under permitted development rights, effectively implying that what is being proposed by the application is little different to that which could be building using permitted development rights. The Inspector took account of this in paragraph 11 of his decision. He observed that "... *if a substantial outbuilding could be erected, it would be ancillary to its use (of the dwelling) and its operation would be wholly different in comparison to an independent dwelling which would have its own access, curtilage and parking*". The application site already has its own access and parking area but equally, there is an access and parking area to the front of number 69 directly from High Street closer to the existing bungalow. However, as part of this, the curtilage of the dwelling could not be subdivided into a separate unit; it would remain ancillary to or as one with the main dwelling and I do not consider that this provides a sufficient basis on which to recommend that the application is approved.

Residential amenity

- 5.6 While it will be visible from neighbouring properties to varying degrees, the size and position of the bungalow will not result in an oppressive form of development to the occupants of neighbouring properties. Neighbours have raised concerns over vehicular headlights shining into windows as they exit the driveway. Arguably, this already occurs with 69A High Street but the number of vehicular movements arising from an additional two-bed bungalow will not be significant. Additionally, it will only take place during hours of darkness or during poor weather and if at home, affected residents may also have their curtains or blinds closed.
- 5.7 Mutual views exist between the applicant's garden and neighbouring dwellings to the rear/east and side/north. The garden of the bungalow will be overlooked to varying degrees from neighbouring windows but most particularly from a first-floor window in the rear elevation of number 67 High Street. However, given existing views of the applicant's garden from neighbouring properties, it is considered that the application cannot be refused on these grounds.

Highway safety

- 5.8 On highway matters, the Highway Authority has not objected to the application and sufficient space exists on site to accommodate parking for two cars. The application therefore complies with Policies DM3.11 and DM3.12 of the SNLP.

Other matters

- 5.9 The site is sufficiently distant (approximately 200 metres) from the Grade II listed former mill to the north for its setting to be preserved.
- 5.10 The Water Management Officer has recommended the imposition of an appropriately worded condition to deal with surface water drainage.
- 5.11 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 paragraph 68 is not considered to be overriding in this instance.

- 5.12 Under paragraph 61 of the NPPF 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 but in this instance, those matters appraised above are considered to be of greater significance.
- 5.13 Under Section 143 of the Localism Act the council is required to consider the impact on local finances. This can be a material consideration but in the instance of this application the other material planning considerations detailed above are of greater significance.
- 5.14 This application is liable for the Community Infrastructure Levy.

Conclusion

- 5.15 In having regard to those matters raised by this application, although the site is within the development boundary that has been defined for Wicklewood and a dwelling would add to the housing supply as well as provide support to the local economy during the construction and operational phases, given the quantum of development, these benefits will be limited. I consider that the harm arising from a cramped form of development that is not characteristic of the prevailing pattern of development in this area is significant and outweighs the limited benefits. Accordingly, I recommend that the application is refused.

Recommendation: Refusal

1 Cramped form of development

Reasons for Refusal

- 1 The application will result in a cramped form of development that is not characteristic of the prevailing pattern of development in this area. The harm arising from this is considered to be significant and proposal is contrary to Policy 2 of the Joint Core Strategy and Policies DM1.4(d,i), DM3.5(a) and DM3.8 of the South Norfolk Local Plan Development Management Policies Document 2015.

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



The Planning Inspectorate

Appeal Decision

Site visit made on 3 April 2019

by **John Morrison BA (Hons) MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 11 April 2019

Appeal Ref: APP/L2630/W/18/3216180

69 High Street, Wicklewood NR18 9QA

- 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 John Seville against the decision of South Norfolk District Council.
 - The application Ref 2018/1529, dated 27 June 2018, was refused by notice dated 13 September 2018.
 - The development proposed is a new 2-bed bungalow on land to the rear of 69 High Street.
-

Decision

1. The appeal is dismissed.

Main Issue

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

Reasons

3. The appeal site is the rear garden located to the east of a large detached bungalow that is set back from and facing High Street. There is an existing back land plot further east, identified as No 69a. The proposed development would site a modest two bedroom bungalow between No 69 and 69a. It would be at right angles relative to the two existing dwellings with parking and garden space provided inside its curtilage. Access would be via the existing private driveway to No 69a that runs to the south of No 69.
4. The street scene to which No 69 belongs is one of various sized dwellings, set back from and facing the road to the west with conventional and reasonably substantial open and undeveloped rear gardens stretching east. This character has been reinforced by more recent development to the north save for a small number of additional plots that have come forward to the rear, creating a two tier depth. As a result of this more recent development, one is able to read 69a as part of this group.
5. Whilst the scale of existing dwellings in the area is far from uniform, the proposed development would appear noticeably smaller than others with an equally constrained curtilage that would lack the general spaciousness of others. Subdividing the existing curtilage to No 69 would have a similar truncating effect on its garden which would emphasise the effect of the new

<https://www.gov.uk/planning-inspectorate>

Appeal Decision APP/L2630/W/18/3216180

dwelling being somewhat shoehorned into an available space. In addition to this, the proposed bungalow would result in a three tier depth to development facing High Street, a layout and form which would be wholly uncharacteristic.

6. In the main these effects would be detrimental to the character of the area and the existing dwelling would offer some screening to reduce the visual effect of the proposed development. However, the length and width of the driveway that serves 69a would offer some views of the appeal scheme to the extent that its existence as a dwelling and clear clue to its function there as would be noticeable. Consequently, the proposed development would also harm the appearance of the area.
7. As a result of the above, the proposed development would be contrary to Policies DM 1.4, DM 3.5 and DM 3.8 of the Local Plan¹ and Policy 2 of the JCS². Together, and amongst other things, these policies seek to ensure that new development, additional dwellings on sub divided plots specifically, is of a high quality and contextually appropriate design and appearance that respects character and local distinctiveness.

Other Matters

8. I accept that the development plan does not appear to have provision for a minimum expected garden size and it seems clear on the face of the proposed design and layout of the bungalow that extensive private garden space would not necessarily be required. I would be content on this basis therefore that the overall provision for private garden space would not be unacceptable. However, the effect of the proposed development on the living conditions of future occupiers does not appear to be contentious in the appeal before me. I am however concerned that the resulting size of the plot afforded to the new bungalow would be harmful in the context of the main issue I have identified.
9. The appellant's evidence cites an outline planning permission granted by the Council in September 2018, reference 2018/1607. This was for the erection of up to three detached dwellings on land west of High Street. Specifically to the rear of Nos 20 to 28. This site appears to be some distance to the north of the appeal site and in amongst other examples of back land type development and closely related to spur roads Church Lane and Low Street which, when taken together, support a clustered feel to the spread and interrelationship of buildings. The context here is therefore noticeably different to that of the appeal site which reinforces the importance of considering each development proposal on its own merits.
10. The appeal scheme appears to propose a self build project. I would attach some weight to this as a positive element given the stance of national policy and guidance. However, I am not advised as to the state of the Council's current supply of self build plots and thus whether this consideration could attract more than a small amount of weight. Consequently, it is unlikely to be sufficient in this particular case to outweigh the planning harm I have found that would result in conflict with the development plan.
11. There may be development that could be carried out that would not require express planning permission. Specifically, for the erection of outbuildings.

¹ South Norfolk Local Plan Development Management Policies Document 2015

² Greater Norwich Development Partnership Joint Core Strategy for Broadland, Norwich and South Norfolk 2011 (Amended 2014)

Appeal Decision APP/L2630/W/18/3216180

Even if this is the case, and if a substantial outbuilding could be erected, it would be ancillary in its use and its operation would be wholly different in comparison to an independent dwelling which would have its own access, curtilage and parking. I am not therefore persuaded to allow the appeal in this light.

12. The Council do not seem to dispute that they are unable to demonstrate the supply of housing sites as required by the Framework³ albeit they do state that the appeal site is within the settlement limit and thus they would not object to the principle of a new dwelling in any case.
13. If I were to consider the appeal scheme in the context of paragraph 11 however and treat the most important policies accordingly, the proposed development would yield some benefits. It would add to housing supply and mix locally as well as provide support to the local economy through construction and future expenditure. However, such benefits would be limited by the overall scale of the appeal scheme as a single and modest dwelling. This would be set against the environmental harm that I have found in respect of the main issue in the appeal. I would therefore conclude that the adverse impacts of granting a planning permission in this particular case would significantly and demonstrably outweigh the benefits. Such that, in a paragraph 11 situation, the appeal scheme would not be sustainable development for which the presumption in favour applies.

Conclusion

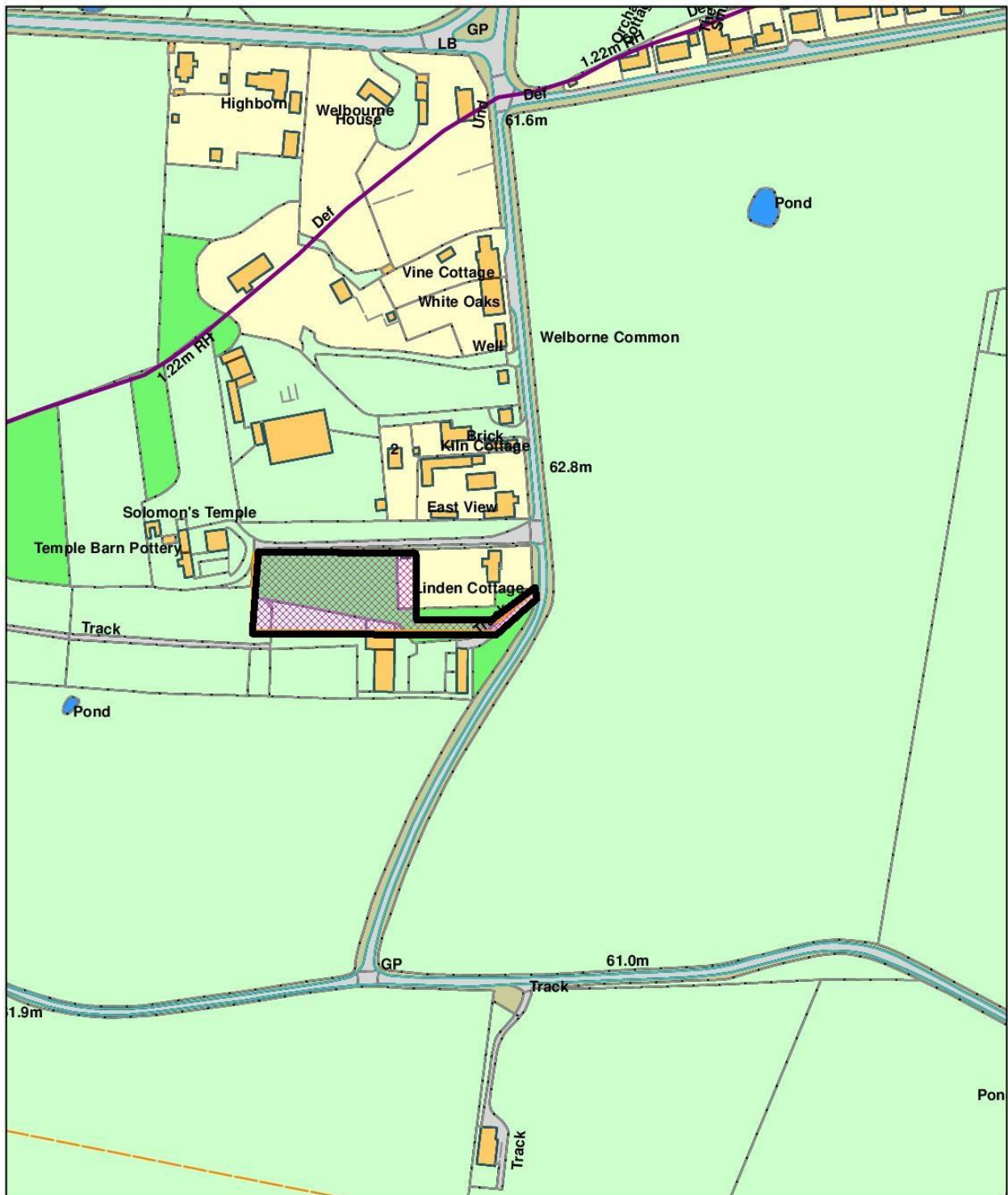
14. I have had regard to all other matters raised but it is for the reasons I have set out above that the appeal is dismissed.

John Morrison

INSPECTOR

³ The National Planning Policy Framework 2018

2019/1599



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

- 8. Application No: 2019/1599/F**
Parish: BRANDON PARVA, COSTON, RUNHALL, WELBORNE

Applicant's Name: Mr Carl and Mrs Angie Hannant
 Site Address Land to the rear of Linden Cottage, Welborne Common, Welborne
 Proposal Self-build detached bungalow

Reason for reporting to committee

The Local Member has requested that the application be determined by the Development Management Committee for appropriate planning reasons as set out below in section 4.

Recommendation summary:

Refusal

1 Proposal and site context

- 1.1 This application seeks planning permission to erect a self-build bungalow on land to the rear of Linden Cottage in Welborne. Welborne does not have a defined development boundary and thus the site is in a countryside location. Welborne is a somewhat scattered settlement and comprises clusters of properties spread around or off a number of long straight roads. The application site is to the southwest of the village.
- 1.2 The bungalow will be T-shaped and will accommodate four-bedrooms. It will measure 22.3 metres (m) in width and a maximum of 17.7m in depth. It will be accessed in part by an existing driveway that serves a pair of holiday units owned by the applicants but a new spur will pass through an area of trees to serve the bungalow.
- 1.3 The site comprises part of a field and part of a tree belt and levels are even. Neighbouring land uses include a paddock to the rear/west, a horse riding arena to the south, the applicants' existing dwelling - a detached house - to the east, holiday lets and a building used for equine purposes to the southeast.

2. Relevant planning history

- | | | | |
|-----|-----------|--|-----------|
| 2.1 | 2018/2489 | Demolition of holiday lets and erection of bungalow for family use | Refused |
| 2.2 | 2018/1275 | Change of use of holiday let properties to residential status | Withdrawn |
| 2.3 | 2018/0313 | First-floor extension to side and single-storey rear extension | Approved |

3 Planning Policies

- 3.1 National Planning Policy Framework (NPPF)
 NPPF 02 : Achieving sustainable development
 NPPF 05 : Delivering a sufficient supply of homes
 NPPF 12 : Achieving well-designed places

- 3.2 Joint Core Strategy (JCS)
 - Policy 1 : Addressing climate change and protecting environmental assets
 - Policy 2 : Promoting good design
 - Policy 3: Energy and water
 - Policy 4 : Housing delivery
 - Policy 17 : Small rural communities and the countryside
- 3.3 South Norfolk Local Plan (SNLP) Development Management Policies Document
 - DM1.1 : Ensuring Development Management contributes to achieving sustainable development in South Norfolk
 - DM1.3 : The sustainable location of new development
 - DM1.4 : Environmental quality and local distinctiveness
 - DM3.1 : Meeting housing requirements and needs
 - DM3.10 : Promotion of sustainable transport
 - DM3.11 : Road safety and the free flow of traffic
 - DM3.12 : Provision of vehicle parking
 - DM3.13 : Amenity, noise, quality of life
 - DM4.2 : Sustainable drainage and water management
 - DM4.5 : Landscape Character Areas and River Valleys
 - DM4.8 : Protection of trees and hedgerows

4. Consultations

4.1 Parish Council

The Parish Council feels unable to make a definitive decision on this case based on the information provided. Whilst in normal circumstances the application would be rejected, the Council recognises the applicant has raised exceptional personal circumstances (backed by a planning case dealt with elsewhere) that may allow an exception to planning policies. The Parish Council does not have access to all the relevant personal information, nor should it have, to make a decision in these circumstances. The Parish Council relies upon the District Council to satisfy itself before making a decision that these circumstances and the care needs described are properly corroborated by appropriate healthcare professionals to its satisfaction. The Parish recognises that these may be a material consideration of great weight which it expects the District to weigh carefully.

The Parish has noted the appeal decision referred to and understand that Condition 15 specifically sought to ensure that that new property was occupied by persons with mobility issues or their household. If the District Council is minded to grant permission here, the Parish would consider a similar condition appropriate.

4.2 District Councillor Cllr R Elliott:

The proposal to build a detached bungalow is driven by the need to provide suitable accommodation to meet the medical and other material needs of the applicant's two disabled daughters. Given that exceptional personal circumstances may in some cases be given special consideration when dealing with a planning application, I request that the determination of this application should be by the Development Management Committee.

4.3 SNC Water Management Officer

Planning conditions recommended in relation to surface and foul water drainage.

4.4 NCC Highways

Requests the imposition of planning conditions relating to the provision and retention of visibility splays and the parking and turning area.

4.5 Other Representations

None received.

5 Assessment

Key considerations

5.1 Principle of development

Accessibility of site

Impact on the character and appearance of the area

Whether there are special circumstances that justify allowing the proposed dwelling

Principle of development

5.2 Planning law requires that applications for planning permission are determined in accordance with the development plan unless material considerations dictate otherwise. In this case, the applicants have advanced their personal circumstances as a material consideration. This will be assessed later in this report but since the site is outside of any development boundary, consideration must be given to the housing supply situation.

5.3 The published Annual Monitoring Report for 2017-2018 sets out that the Council can demonstrate a housing supply of 6.54 years meaning that full weight can be given to its planning policies for development proposals outside of development boundaries.

5.4 Of particular relevance then is Policy DM1.3 of the SNLP. This permits development outside of development boundaries where specific development management policies allow (criterion (c)) or where there are overriding benefits in terms of the economic, social and environmental dimensions of sustainable development (criterion (d)). In this case, criterion (c) is not considered to apply so instead, criterion (d) is relevant. Whether or not the application provides overriding benefits will be considered further later in this assessment.

Accessibility of site

5.5 As Welborne does not have a defined development boundary, it is not considered to be a sustainable location for new housing development. Although the applicants are proposing to remain within the vicinity, an additional unit of housing is being created. The nearest settlement with a development boundary is Mattishall (in Breckland district) with the nearest part of its development boundary approximately 1.15km to the north. The absence of footpath provision and the limitations of the road network do not provide residents or visitors with an attractive option to walk to the village, particularly during hours of darkness and cold or poor weather conditions. Instead, most travel is likely to be by car. In having regard to this, it is considered that the location of the site will not minimise the need to travel nor give priority to low impact modes of travel as required by Policy 1 (bullet 7) of the JCS. For similar reasons, the application is also contrary to Policy DM3.10 of the SNLP.

Impact on the character and appearance of the area

5.6 The scale and position of the bungalow and screening provided by existing buildings, hedges and trees on neighbouring land means that it will not widely visible within the surrounding area. Further, the varied layout of buildings within vicinity are such that the position of the bungalow will not stand out as being discordant. The application will therefore have an acceptable impact on the character and appearance of the area and the application complies with Policies 1 and 2 of the JCS and Policies DM1.4, DM3.8 and DM4.5 of the SNLP.

Whether there are special circumstances that justify allowing the proposed dwelling

- 5.7 In support of the application, the agent has advanced the applicants' personal circumstances as an overriding material consideration that warrants granting planning permission. The applicants are the main carers for their two adult daughters who suffer from Succinic Semialdehyde Dehydrogenase Deficiency (SSADH), a rare genetic disorder. It was explained that as this progresses, caring for their daughters will become increasingly difficult without a highly specialised living environment that is located in close proximity to their existing medical and social network.
- 5.8 Information has also been provided on the daughters' medical circumstances and the applicants' financial circumstances.
- 5.9 Information was submitted from the family's GP, occupational therapist and manager of the day centre that one of the applicants' children attends. These set out that the children have mobility and learning difficulties. All support the need for a new open plan dwelling that incorporates elements to aid mobility. The GP considers that the existing house is not suitable for adaptations. The occupational therapist stated that while the current property can be adapted, it will not meet all of the needs required such as straight corridors and a large open plan lounge, kitchen and dining area.
- 5.10 During the course of the application, the agent was asked whether other properties were looked at that could be adapted to meet the family's needs, whether any building plots have been looked at and whether contact had been made with housing associations to see if wheelchair adapted accommodation is available.
- 5.11 In response to this, the agent explained that the family wish to stay in their current location to ensure the wellbeing of their children and for economic reasons. The family's Occupational Therapist also commented that while the family live in an isolated area, the children are settled and would find changing to another area difficult due to their disabilities. The agent explained further that if permission is granted, the applicants will be able to finance the project by selling their current house. The house has an outstanding mortgage and its sale will allow the mortgage to be cleared and provide enough residual cash to build the bungalow as the applicants already own the land. If the house was sold to build a property elsewhere, the majority of the money would be spent on purchasing the plot of land. The only plot of land for sale at the present time is £175,000. Taking account of build costs, the agent considers it likely that the applicants would be in the same financial position as they are now. The applicants wish to achieve an unencumbered plot that their daughters can live in and derive an income from the holiday lets that the applicants own to the southeast. The agent advanced that if permission is granted, the economic impact in terms of savings to the state of ongoing care costs will be considerable. Because of the approach that the applicants wish to take, no housing associations have been approached. The agent also indicated that properties that are suitable for disabled people seldom become available.
- 5.12 An option exists to extend the existing dwelling and in March 2018, application ref. 2018/0313 was granted planning permission for a first-floor side and extension and single-storey rear extension. Work has commenced on the side extension but in visiting the property, officers are aware that this has ceased. Notwithstanding that, the extensions provide an open plan kitchen area with widening of doors to the dining room at ground floor level, converting a bedroom to a study at first-floor level and constructing two new bedrooms. In support of that application, the Design and Access Statement set out that:-

Although Linden Cottage is a 3 bedroom property, the third bedroom is very small and is not deemed suitable for a bedroom. The owners have 2 daughters who are both physically disabled. Although both daughters can use the stairs, the smaller bedroom has become difficult to use now. Consequently, an additional bedroom is now required - it is not possible to enlarge the existing 3rd bedroom.

A further requirement is that the bedrooms are all on the same floor. Disability aids are needed at times which include a wheelchair, handrails and a walker and some assistance is required. The walker is used at 1st floor. The proposed layout and size of the 4th bedroom and the en-suite bathroom means these are much more accessible for a disabled person with carer but will also benefit the rest of the family. The existing layout of the first-floor rooms and landing will work well with a 1st floor extension as the staircase will become the centre of the 1st floor.

- 5.13 While accepting that there is likely to be a shortage of accommodation for families with two disabled adult children, that the proposed bungalow appears to be proportionate to the needs of the family and their desire to remain in the area so as to maintain a settled home environment and secure their long-term financial future, I am not convinced that all avenues have been exhausted. No evidence has been provided to demonstrate that there has been comprehensive search for properties over an extended period of time and although planning permission has been granted to extend the applicants' existing dwelling, with the aim appearing to be that this would improve the living environment for the applicants' children, this work has not been completed. Taking account of that, I am not convinced that the needs of the family can only be met by constructing a new dwelling in the countryside and therefore that the personal circumstances advanced as a material consideration are not so significant that they warrant granting planning permission for a new dwelling in the countryside which is contrary to identified planning policies.

Other matters

- 5.14 The scale and likely position of the dwelling is such that living conditions for occupiers and residents of other properties within the vicinity will be acceptable. There may be some conflict with the horse riding arena to the south if ownership of this and the bungalow are separate but the intensity of use of this area throughout the year is unlikely to result in harmful living conditions. The application accords with Policy DM3.13 of the SNLP.
- 5.15 In its capacity as Highway Authority, Norfolk County Council has not objected to the application on the grounds of highway safety and sufficient parking and turning space is shown as being provided. The application complies with Policies DM3.11 and DM3.12 of the SNLP.
- 5.16 A number of trees are located close to the new spur shown as being provided to serve the bungalow and the north of the bungalow itself. These trees do not make a significant contribution to the appearance of the area and having discussed this with the Council's Landscape Architect, he accepts that these appear to be of limited value. Subject to compensatory planting being provided elsewhere around the site, he has not objected to the prospect of trees being removed in order to accommodate the development.
- 5.17 The application proposes a self-build dwelling. Paragraph 61 of the NPPF states that planning policies should meet the housing needs for different groups within the community, including those wishing to commission or build their own home and people with disabilities. At a local level, Policy DM3.1 of the SNLP sets out amongst other things that all housing proposals should help contribute to a range of different range of dwelling types. It does not preclude self-build proposals and/or proposals for people with disabilities and that this application is for both should be weighed in the balance with other considerations. However, in light of the Council being able to demonstrate that it has in excess of a 5 year housing land supply, is meeting its self-build target and when taking account of the assessment above on the applicants' personal circumstances, I do not consider that these elements provide sufficient grounds on which to grant planning permission outside of the development boundary. Further, in the event of planning permission being granted, there is no mechanism in place to secure the dwelling as a self-build.

- 5.18 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. Although a material planning consideration, this is not considered to be a factor on which the success or failure of the application depends upon.
- 5.19 Due regard has been had in the assessment of this application to the Public Sector Equality Duty under section 149 of the Equality Act 2010, which requires public bodies to have due regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations between different people when carrying out their activities. This duty does not necessarily override other considerations but is a factor to be weighed up.
- 5.20 Regard has also been given to the protected rights under the Human Rights Act including Article 8, which provides a right to respect for family and private life, and Article 14, which prohibits discrimination when applying other protections in the Act. However, these rights are qualified rights and need to be balanced with other factors in the public interest. In this case, refusing planning permission will not render the applicants homeless nor force separate living arrangements on them and I am satisfied that the Council has exercised its duties properly in this regard.
- 5.21 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.
- 5.22 The development is liable for the Community Infrastructure Levy but should permission be granted, it would be open to the applicant to apply for self-build exemption.

Conclusion

- 5.23 In having regard to those matters raised, the application will have acceptable impacts on the character and appearance of the surrounding area and highway safety. However, the construction of a single dwelling outside of the development boundary in an unsustainable location will not provide overriding benefits in terms of the economic, social and environmental dimensions of sustainable development. Consideration has been given to the applicants' personal circumstances and the implications of refusing the application but for the reasons set out above, I do not consider that building a new dwelling in the countryside is the only way of meeting the family's needs. Therefore, this consideration is not of sufficient weight to warrant setting aside the provisions of the development plan and the application is recommended for refusal on the basis of it being contrary to Policy 1 (bullet 7) of the JCS and Policies DM1.3 (2, d) and DM3.10 of the SNLP.

Recommendation : Refusal

- 1 Accessibility of site
- 2 No overriding benefit

Reasons for Refusal

- 1 The location of the site and its proximity to services and facilities would result in over-reliance on the private car, which will not minimise greenhouse gas emissions and is not located to use resources efficiently. The application is therefore contrary to Policy 1 (bullet 7) of the Joint Core Strategy and Policy DM3.10(1) of the South Norfolk Local Plan Development Management Policies Document 2015.
- 2 Regard has been given to the applicants' personal circumstances but it is not considered that the construction of a new dwelling in the countryside is the only way of meeting their needs. As such, the proposed development is not supported by any specific Development Management policy which allows for development outside of the development boundary and nor does it represent overriding benefits when having regard to the harm identified. The application does not satisfy the requirements of either items 2 (c) or (d) of Policy DM1.3 of the South Norfolk Local Plan Development Management Policies Document 2015.

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ENFORCEMENT PROCEEDINGS – PROGRESS REPORT
Report of the Director of Place

This report schedules progress on outstanding enforcement cases

LOCATION	ALLEGED BREACH	DATE OF COMMITTEE AUTHORITY	ACTION TAKEN
DICKLEBURGH Beeches Farm Norwich Road 2007/8036	Material change of use - Breach of a condition - Operational development	24.04.2007	Enforcement Notices served and initially complied with. Ongoing negotiation to secure future of the listed building
CARLETON RODE Land adj. to Fen Road 2006/0269	Change of use of land	21.07.2010	Enforcement Notice served Compliance date 29.12.2011 Further Environment statement submitted and proposed scheme of works for compliance with enforcement considered at DMC 16/08/17 required scheme now commenced
CARLETON RODE Fenlakes Fishery 2009/8199	Standing and Occupation of Residential Caravan	04.03.2015	Enforcement Notice served Compliance date within 3 months of first occupation of the permitted dwelling house
HETHERSETT Grove Farm 38 Grove Road 2017/8234	Change of use of land from agriculture and horticulture to land used for agriculture, horticulture and for the standing and storage of caravans	16/05/2018 Delegated authority	Enforcement Notice not complied with Further prosecution for non-compliance currently ongoing
STARSTON Land at Woodside Stables Wood Lane 2017/8237	Change of use of land and stables building to residential use	14.05.2018	Enforcement appeal dismissed, and Notice upheld New compliance date 02.03.20

LOCATION	ALLEGED BREACH	DATE OF COMMITTEE AUTHORITY	ACTION TAKEN
WICKLEWOOD Greenacres Low Road 2017/8348	Change of use of land for the keeping of horses to land for the standing and occupation of residential mobile homes and caravans	15.08.2018 Delegated authority	Enforcement Notice served Compliance date 23.11.19
BRANDON PARVA Welborne Farm Flood Lane 2017/8303	Erection of log cabin and installation of associated water treatment plant	06.02.2019 Delegated authority	Notice complied with No further action required

Enforcement Statistics

	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019 (as of 07.10.19)
No. of complaints	439	370	349	324	309	347	321	332	319	353	336	200
Enforcement Notices issued	40	23	18	12	17	4	3	12	6	2	4	2
Breach of Condition Notices issued	2	0	3	0	0	1	0	0	0	1	0	0
Section 215 Notices issued	5	2	3	1	1	0	1	0	0	0	0	0
Temporary Stop Notices issued	1	2	3	0	0	0	0	0	0	0	0	0

Enf-Proc
07.10.2019

Planning Appeals**Appeals received from 06 September 2019 to 04 October 2019**

Ref	Parish / Site	Appellant	Proposal	Decision Maker	Final Decision
2018/2514	Carleton Rode Romany Meadow The Turnpike Carleton Rode NR16 1NL	Mr John Leveridge	Variation of condition 2 of permission 2010/1203/F - To allow up to 3 of the pitches to be used for general residential use	Delegated	Refusal
2019/0329	Ashwellthorpe & Fundenhall Land at the junction of New Road and Common Road Fundenhall Norfolk	Mr Lodge	Proposed construction of new dwelling and garage with access	Delegated	Refusal
2019/0172	Bressingham & Fersfield Land to the rear of Pine Tree Cottage School Road Bressingham Norfolk	Ms Nancy Gray-Davies	Erection of new dwelling and garage.	Delegated	Refusal
2019/0405	Wymondham Land to the rear of 16 Norwich Common Wymondham Norfolk	Mr Anthony Dale	Proposed development of 3 new dwellings and detached garages, with suggested highways improvements, re-positioning of existing access drive and amenity space.	Delegated	Refusal
2019/1091	Swardeston Land west of Intwood Lane Swardeston Norfolk	Mr Tom Mayes	Erection of 2 self-build dwellings with garages, access and associated development	Delegated	Refusal

Planning Appeals

Appeals decisions from 06 September 2019 to 07 October 2019

Ref	Parish / Site	Appellant	Proposal	Decision Maker	Final Decision	Appeal Decision
2017/2871	Stoke Holy Cross Land to the rear of 16 Poringland Road Stoke Holy Cross Norfolk	Mr B Steward	Demolition of existing bungalow and development for up to 54 residential dwellings, including access.	Delegated	Refusal	Appeal dismissed
2018/2267	Poringland Land south west of Sebald Crescent Poringland Norfolk	Ms Claire & Julie Ann Kittle	Proposed new chalet bungalow and a log cabin annexe	Delegated	Refusal	Appeal dismissed
2018/2096	Morningthorpe and Fritton Land west of The Common Fritton Norfolk	Mr William Sargent	Erection of 2 detached dwellings with cart-shed and associated external works	Development Management Committee	Refusal	Appeal dismissed
2017/2371	Morningthorpe and Fritton Hay Cart Barn Brick Kiln Lane Morningthorpe Norfolk NR15 2LG	Mr Alex Oram	Removal of condition 5 which restricts the occupation of the barn to holiday accommodation only.	Development Management Committee	Refusal	Appeal dismissed
2018/2212	Poringland Sub Division of Garden at 37 Stoke Road Poringland Norfolk	Mr Alan Wright	Sub-division of garden to form residential building plot	Delegated	Refusal	Appeal dismissed
2019/0126	Stoke Holy Cross Land to the rear of 9 Poringland Road Stoke Holy Cross Norfolk	Mr Sean Chambers	Erection of new bungalow and creation of new vehicular access.	Delegated	Refusal	Appeal dismissed

Ref	Parish / Site	Appellant	Proposal	Decision Maker	Final Decision	Appeal Decision
2018/2427	Wicklewood Land adj to The Drift Crownthorpe Road Crownthorpe Norfolk	Mr J Cole	Convert Existing Workshop to Residential Unit	Delegated	Refusal	Appeal dismissed
2018/2841	Ketteringham Land to the east of 5 High Street Ketteringham Norfolk	Mr D Austin	Erection of 1 dwelling with associated parking and landscaping	Delegated	Refusal	Appeal dismissed
2019/0932	Wymondham 45 High House Avenue Wymondham NR18 0HY	Mr Andrew Cook	Proposed dormer and loft conversion.	Delegated	Refusal	Appeal dismissed