

Development Management Committee

Members of the Development Management Committee:

Conservatives Liberal Democrats

Mr V Thomson Dr M Gray
(Chairman)
Mr D Bills

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

Pool of Substitutes

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

Pre-Committee Members' Question Time

9.00 am Blomefield Room

Agenda

Date

Wednesday 24 April 2019

Time

10.00 am

Place

Cavell & Colman rooms

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

Contact

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

This meeting may be filmed, recorded or photographed by the public; however, anyone who wishes to do so must inform the Chairman and ensure it is done in a non-disruptive and public manner. Please review the Council's guidance on filming and recording meetings available in the meeting room.

If you have any special requirements in order to attend this meeting,
please let us know in advance

Large print version can be made available



SOUTH NORFOLK COUNCIL – DEVELOPMENT MANAGEMENT COMMITTEE

Please familiarise yourself with this information if you are not in receipt of the agenda.

If the meeting room is busy, please use the upstairs public gallery until such time as your application is heard. You will need to be in the main meeting room if you wish to speak in regard to an application. Please be aware that the Committee can over-run, and if your application is later on the agenda it may be some time before your application is heard.

GENERAL INFORMATION ABOUT DEVELOPMENT MANAGEMENT

The Development Management process is primarily concerned with issues of land use and has been set up to protect the public and the environment from the unacceptable planning activities of private individuals and development companies.

The Council has a duty to prepare a Local Plan to provide a statutory framework for planning decisions. The Development Plan for South Norfolk currently consists of a suite of documents. The primary document which sets out the overarching planning strategy for the District and the local planning policies is the Joint Core Strategy for Broadland, Norwich and South Norfolk adopted by South Norfolk Council in March 2011, with amendments adopted in 2014. It is the starting point in the determination of planning applications and as it has been endorsed by an independent Planning Inspector, the policies within the plan can be given full weight when determining planning applications. A further material planning consideration is the National Planning Policy Framework (NPPF) which was issued in 2018 and its accompanying Planning Practice guidance (NPPG).

South Norfolk Council adopted its Local Plan in October 2015. This consists of the Site-Specific Allocations and Policies Document, the Wymondham Area Action Plan, the Development Management Policies Document. The Long Stratton Area Action Plan was also adopted in 2016. These documents allocate specific areas of land for development, define settlement boundaries and provide criterion-based policies giving a framework for assessing planning applications. The Cringleford Neighbourhood Development Plan was also made in 2014, Mulbarton Neighbourhood Development Plan made in 2016 and Easton Neighbourhood Plan made in 2017, and full weight can now be given to policies within these plans when determining planning applications in the respective parishes.

The factors to be used in determining applications will relate to the effect on the “public at large” and will not be those that refer to private interests. Personal circumstances of applicants “will rarely” be an influencing factor, and then only when the planning issues are finely balanced.

THEREFORE, we will:

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

Decisions which are finely balanced and contradict policy will be recorded in detail to explain and justify the decision and the strength of the material planning reasons for doing so.

OCCASIONALLY, THERE ARE CONFLICTS WITH THE VIEWS OF THE PARISH OR TOWN COUNCIL. WHY IS THIS?

We ask local parish and town councils to recognise that their comments are taken into account. Where we disagree with those comments it will be because:

- Districts look to ‘wider’ policies, and national, regional and county planning strategy.
- Other consultation responses may have affected our recommendation.
- There is an honest difference of opinion.

A G E N D A

1. **To report apologies for absence and identify substitute voting members (if any);**

2. **To deal with any items of business the Chairman decides should be considered as matters of urgency pursuant to Section 100B (4) (b) of the Local Government Act, 1972;** [Urgent business may only be taken if, "by reason of special circumstances" (which will be recorded in the minutes), the Chairman of the meeting is of the opinion that the item should be considered as a matter of urgency.]

3. **To receive Declarations of Interest from Members;**
(Please see flowchart and guidance attached, page 6)

4. **Minutes of the Meeting of the Development Management Committee held on 27 March 2019;**
(attached – page 8)

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

(attached – page 14)

To consider the items as listed below:

Item No.	Planning Ref No.	Parish	Site Address	Page No.
1	2018/0872/O	MULBARTON	Land east of Norwich Road Mulbarton Norfolk	14
2	2018/2783/D	CRINGLEFORD	Area BS1 South of Newmarket Road Cringleford Norfolk	43
3	2018/2645/F	TACOLNESTON	Land to the rear of The Pelican Public House, Norwich Road, Tacolneston	61
4	2019/0561/F	DITCHINGHAM	69 Loddon Road Ditchingham Norfolk NR35 2RA	72
5 *	2017/0810/F	LONG STRATTON	Land Off St Mary's Road Long Stratton Norfolk	77
6 *	ITEM HAS BEEN WITHDRAWN 2017/2652/O	PORINGLAND	Land South of Burgate Lane Poringland Norfolk	104

* Please note that there is no public speaking for items 5 and 6, as these items relate to current appeals

6. **Quarterly Enforcement Report;**
(attached – page 151)

7. **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.

8. **Planning Appeals (for information);**
(attached – page 154)

9. **Date of next scheduled meeting – Wednesday, 5 June 2019**

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

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

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

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

2. PUBLIC SPEAKING: PLANNING APPLICATIONS

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

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

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

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

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

3. FILMING AT COUNCIL MEETINGS: GUIDANCE

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

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

HEALTH AND SAFETY INFORMATION

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

PLANNING APPLICATIONS AND OTHER DEVELOPMENT CONTROL MATTERS

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

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

Key to abbreviations used in Recommendations

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



DECLARATIONS OF INTEREST AT MEETINGS

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

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

Does the interest directly:

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

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

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

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

If yes, you need to inform the meeting. When it is discussed, you will have the right to make representations to the meeting as a member of the public, but must then withdraw from the meeting.

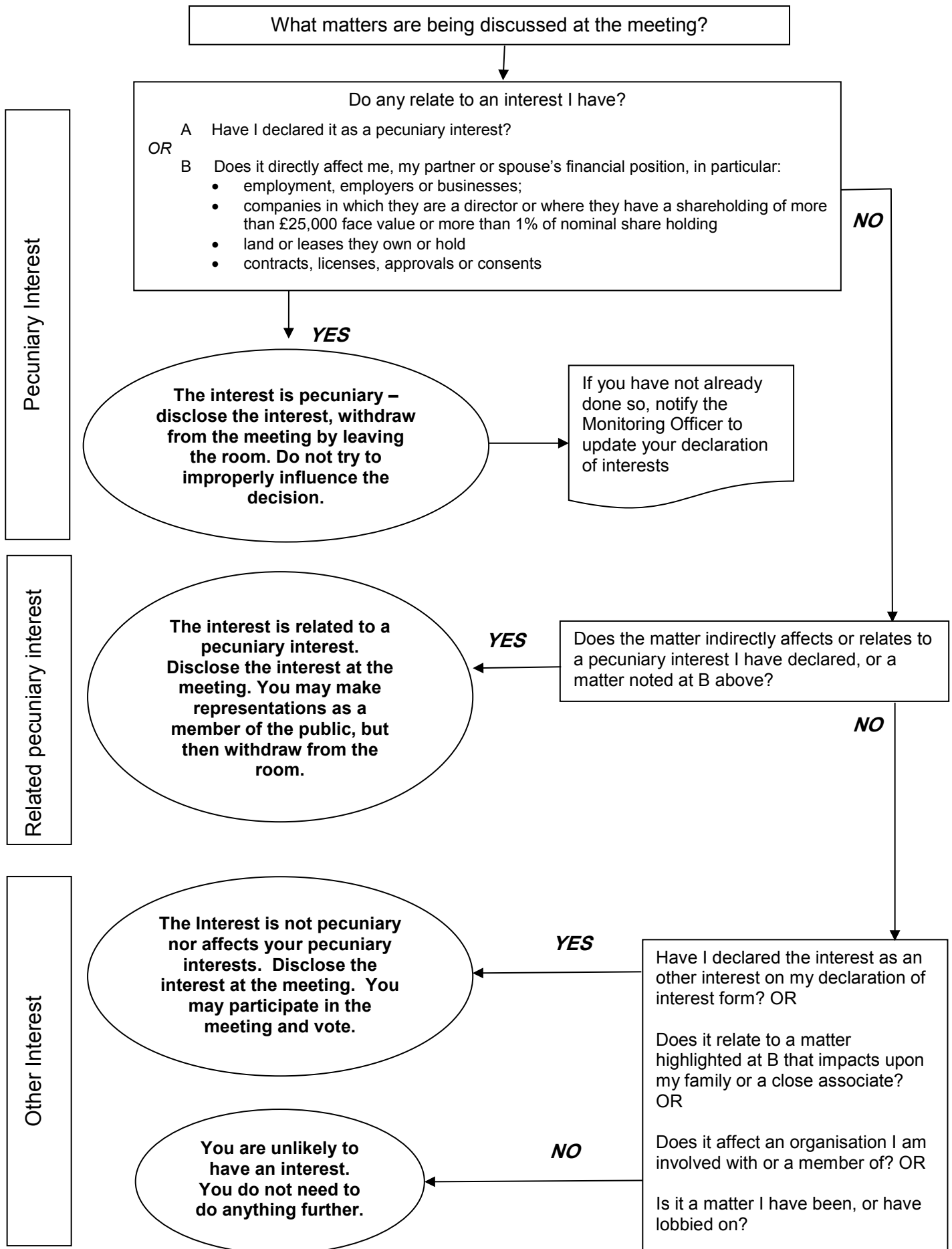
Is the interest not related to any of the above? If so, it is likely to be an other interest. You will need to declare the interest, but may participate in discussion and voting on the item.

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

FOR GUIDANCE REFER TO THE FLOWCHART OVERLEAF.

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

DECLARING INTERESTS FLOWCHART – QUESTIONS TO ASK YOURSELF





DEVELOPMENT MANAGEMENT COMMITTEE

Minutes of a meeting of the Development Management Committee of South Norfolk District Council held at South Norfolk House, Long Stratton, on Wednesday, 27 March 2019 at 10.00 am.

Committee Members Present: **Councillors:** G Minshull, D Bills, B Duffin, F Ellis, C Gould, M Gray, C Kemp and A Thomas

Apologies: **Councillor:** V Thomson

Officers in Attendance: The Development Manager (H Mellors), the Development Management Team Leaders (T Lincoln and C Raine), the Senior Planning Officer (G Beaumont) and the Planning Officers (H Bowman and S Robertson)

2 members of the public were also in attendance

436. APPOINTMENT OF CHAIRMAN

In the absence of the Chairman, it was proposed and seconded that Councillor G Minshull chair the Development Management Committee for the duration of the meeting.

437. 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
2019/0104/F (item 3)	Stoke Holy Cross	C Gould	Other Interest Applicant's father is known to member
2019/0299/CU (item 5)	Trowse with Newton	All	Other Interest Applicant is a South Norfolk Council Councillor

438. MINUTES

The minutes of the Development Management Committee meeting dated 27 February 2019 were confirmed as a correct record and signed by the Chairman.

439. PLANNING APPLICATIONS AND OTHER DEVELOPMENT CONTROL MATTERS

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

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

APPLICATION	PARISH	SPEAKER
2018/2733/O (Item 1)	ASHWELLTHORPE AND FUNDENHALL	S O'Callaghan - Applicant

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

440. PLANNING APPEALS

After a brief discussion, during which officers clarified the details regarding the upheld appeal relating to application 2018/0752 on appeal, the Committee noted the planning appeals.

(The meeting closed at 11.05am)

Chairman

Updates for DEVELOPMENT MANAGEMENT COMMITTEE
–DATE: 27th March 2019

Item	Updates	Page No
Item 1 – 2018/2733	<p>Additional Document from agent: Sustainability Statement outlining:</p> <ul style="list-style-type: none"> • Proximity to settlements / services • Information on transport / access <p>Officer response: It is considered that issue of connectivity is fully addressed in the assessment section of the report and this statement does not require any further comments to be made.</p> <p>These are not considered to alter the recommendation and relate to items previously covered in the report</p> <p>The Highway Authority (NCC) has confirmed that the revised plan now provides an accurate red line. Their previous comments regarding vegetation still apply and recommend conditions if approved</p>	38
Item 2 – 2018/2743	No updates	46
Item3 – 2019/0104	No updates	50
Item 4 – 2019/0284	No updates	56
Item 5 – 2019/0299	No updates	59
Item 6 – 2019/0385	<p>Councillor Hudson</p> <ul style="list-style-type: none"> • Support recommendation • Parish council support the application • I agree completely with the officer's position that the proposed development is in keeping with the property and won't impact neighbours or the wider area. 	63
Item 7 – 2019/0456	<p>Letter of objection received expressing concern at birds being trapped in the netting if not installed properly or maintained. What measures are in place to ensure trapped birds are released.</p> <p>Officer response: Whilst included in the description of the development it is evident that the netting would not represent "development" in planning terms and does not therefore require planning permission.</p>	66

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

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

Other Applications

1. **Appl. No** : **2018/2733/O**
Parish : **ASHWELLTHORPE AND FUNDENHALL**

Applicants Name : Ms Sophia O'Callaghan
Site Address : Land north east of The Maples Norwich Road Ashwellthorpe
Norfolk
Proposal : Erection of dwelling

Decision : Members voted unanimously for **Refusal**

Refused

1 Outside of Settlement Boundary
2 Overreliance on Private Car
3 Out of Character/Cramped
4 Out of Character Unsustainable Development

2. **Appl. No** : **2018/2743/H**
Parish : **STOKE HOLY CROSS**

Applicants Name : Mr and Mrs S Youngs
Site Address : Whitecroft, 24 Chandler Road, Stoke Holy Cross, NR14 8RG
Proposal : Construction of front porch, alterations to roof and installation of
roof windows

Decision : Members voted unanimously for **Approval** (following a unanimous vote
to approve the removal of condition 3) on the original recommendation

Approved with conditions

1 Full Planning permission time limit
2 In accord with submitted drawings

3. **Appl. No** : **2019/0104/F**
Parish : **STOKE HOLY CROSS**

Applicants Name : Mr Giancarlo Iaccarino
Site Address : 28 Gravel Hill Stoke Holy Cross Norfolk NR14 8LH
Proposal : Replacement of existing 2 bedroom bungalow with 4 bedroom
house

Decision : Members voted unanimously for **Approval**

Approved with conditions

1 Time Limit
2 Approved Plans
3 Obscure Glazing
4 Removal of PD to first floor windows

4. **Appl. No** : **2019/0284/H**
Parish : **WRENINGHAM**
- Applicants Name : Mrs Christine Baldwin
Site Address : Wood Lace Cottage Mill Lane Wreningham NR16 1AN
Proposal : Proposed rear and side extensions
- Decision : Members voted unanimously for **Approval**
- Approved with conditions
- 1 Full planning permission time limit
 - 2 In accord with submitted drawings
5. **Appl. No** : **2019/0299/CU**
Parish : **TROWSE WITH NEWTON**
- Applicants Name : Mr Trevor Lewis
Site Address : 33, 34 And Half Acre White Horse Lane Trowse Norfolk NR14 8TG
Proposal : Change of use of land to form part of residential curtilages to Nos 33, 34 and Half Acre, White Horse Lane, Trowse
- Decision : Members voted unanimously for **Approval**
- Approved with conditions
- 1 Time Limit
 - 2 In accordance with Submitted Plans
6. **Appl. No** : **2019/0385/H**
Parish : **PULHAM ST MARY**
- Applicants Name : Mr & Mrs J Cox
Site Address : 1 Station Road Pulham St Mary Norfolk IP21 4QT
Proposal : Erection of 2 storey side extension.
- Decision : Members voted unanimously for **Approval**
- Approved with conditions
- 1 Full Planning permission time limit
 - 2 In accordance with amendments
 - 3 Matching Materials

Applications submitted by South Norfolk Council

7. **Appl. No** : **2019/0456/F**
 Parish : **WYMONDHAM**
- Applicants Name : South Norfolk Council
Site Address : Arch Over Entrance to Car Park Market Street Wymondham
 Norfolk
- Proposal : Replace all windows like for like; install spiked window ledges and
 a pigeon netting structure.
- Decision : Members voted unanimously to authorise the relevant Director to **Approve**
- Approved with conditions
- 1 Full Planning permission time limit
 2 In accord with submitted details
 3 Details of window ledge spikes to be agreed
- Subject to no new material issues being raised during the remainder of the
 consultation period.

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

- 1 Appl. No : 2018/0872/O**
Parish : MULBARTON
- Applicants Name : Glavenhill Strategic Land (Number 3) Limited
 Site Address : Land east of Norwich Road Mulbarton Norfolk
 Proposal : Outline Planning Application for up to 135 dwellings, public open space and associated drainage and highways infrastructure
- Recommendation : Refusal
 1 Impact on church
 2 Impact on Paddock Farmhouse
 3 Impact on conservation area
 4 Impact on landscape
 5 Loss of hedgerow
 6 No overriding benefits
 7 Contrary to NPPF

Reason for reporting to committee

The local member has requested the application be determined by the Development Management Committee for appropriate planning reasons as set out below. The application was deferred before being considered at the Development Management Committee on the 30 January 2019.

- 1 Planning Policies**
- 1.1 National Planning Policy Framework (NPPF)**
 NPPF 02 : Achieving sustainable development
 NPPF 04 : Decision-making
 NPPF 05 : Delivering a sufficient supply of homes
 NPPF 06 : Building a strong, competitive economy
 NPPF 09: Promoting sustainable transport
 NPPF 11 : Making effective use of land
 NPPF 12 : Achieving well-designed places
 NPPF 14 : Meeting the challenge of climate change, flooding and coastal change
 NPPF 15 : Conserving and enhancing the natural environment
 NPPF 16 : Conserving and enhancing the historic environment
- 1.2 Joint Core Strategy (JCS)**
 Policy 1 : Addressing climate change and protecting environmental assets
 Policy 2 : Promoting good design
 Policy 3: Energy and water
 Policy 4 : Housing delivery
 Policy 6 : Access and Transportation
 Policy 9 : Strategy for growth in the Norwich Policy Area
 Policy 15 : Service Villages
 Policy 17 : Small rural communities and the countryside
 Policy 20 : Implementation

- 1.3 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
 - 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
 - DM3.15 : Outdoor play facilities/recreational space
 - DM4.2 : Sustainable drainage and water management
 - DM4.5 : Landscape Character Areas and River Valleys
 - DM4.8 : Protection of Trees and Hedgerows
 - DM4.9 : Incorporating landscape into design
 - DM4.10 : Heritage Assets
- 1.4 Mulbarton Neighbourhood Plan
 - HOU1 : Location of New Residential Development
 - HOU2 : Type of Housing
 - HOU3 : Density
 - HOU4 : Design
 - TRA1 : Access to services and road safety
 - TRA2 : Traffic in a walkable village
 - COM1 : Provision of Facilities and Services
 - ENV1 : Conservation Area and Heritage Assets
 - ENV3 : The Local Environment
 - ENV4 : Flood Risk
- 1.5 Supplementary Planning Documents (SPD)
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."

2. Planning History

- | | | | |
|-----|-----------|------------------------|------------------|
| 2.1 | 2016/1097 | EIA Screening opinion. | EIA not required |
|-----|-----------|------------------------|------------------|

3. Consultations

3.1 Mulbarton Parish Council

Comments on amended plans

Original objections still stand, but we add that regard needs to be given to the National Planning Policy Framework July 2018 and the emerging Greater Norwich Local Plan. There is existing development in the village and the GNLP has still not reached the stage of determining how much (if any) further house-building

should take place in Mulbarton. Question how much this application complies with the spirit of the new NPPF – shortcomings have been identified in respect of highways, education, healthcare and heritage that the planning application does not adequately resolve or mitigate – nor can these shortcomings be satisfactorily addressed by applying achievable conditions or section 106 obligations.

Comments on original plans

Refuse

- Proposal is contrary to the JCS and Site Allocations DPD
- South Norfolk Local Plan highlights the importance of the countryside around The Common
- The scheme is contrary to Policy HOU1 of the Mulbarton Neighbourhood Plan in terms of the large development proposed and the adverse impact on listed buildings
- Even though a 5-year housing land supply cannot be demonstrated for the Norwich Policy Area using the JCS as its base, the SHMA assessment, which is the most up to date method of assessing housing needs, reports a housing surplus and should be applied when considering this application
- This application is premature and prejudicial to the Greater Norwich Local Plan process to 2036, for which no preferred options have been established for Mulbarton
- Bracon Ash, which is included in our joint area for planning purposes, has already been granted 20 new homes
- The LLFA and Historic England have also objected to this proposed development and other major organisations have also expressed great reservations about their ability to accommodate the development
- Understand our neighbouring Parish Councils will also be objecting to the proposed development as they have an interest in using our existing services and have major concerns about the increase in traffic and pumping of flood / surface water from our parish into theirs

Ecological report also submitted on behalf of Mulbarton Parish Council suggesting the application should be screened under the Habitat Regulations; additional bat surveys are produced; the presence of other amphibians such as the common toad are considered; hydrological effects of the drainage on the catchment and sensitive receptors within it such as the River Mul are fully considered, and that stronger guarantees that any ecological corridors within the site would be managed in perpetuity.

	Bracon Ash Parish Council	<u>Comments on amended plans</u> No comments received <u>Comments on original plans</u> Refuse <ul style="list-style-type: none"> • Unsuitable for this location impacting on traffic, schools and health provision
	Swardeston Parish Council	<u>Comments on amended plans</u> No comments received <u>Comments on original plans</u> Refuse <ul style="list-style-type: none"> • The development would greatly reduce the band of open space currently separating Swardeston and Mulbarton • It is outside of the planning boundary and as there is an existing 5 year land supply there is no reason to overlook this significant aspect • The B1113 is already congested and this proposed development would create additional traffic through Swardeston which is adversely impacting on the safety of residents
3.2	District Councillors: Cllr Foulger	<u>Comments on amended plans</u> Must be determined by Committee To Committee <ul style="list-style-type: none"> • Major development
	Cllr Legg	<u>Comments on original plans</u> Must be submitted to and considered by Planning Committee To Committee <ul style="list-style-type: none"> • Major application. Outside development boundary
3.3	Anglian Water Services Ltd	<u>Comments on amended plans</u> No comments received <u>Comments on original plans</u> No objections <ul style="list-style-type: none"> • Sewerage system and water recycling centre have available capacity for flows from this development
3.4	Campaign for the Protection of Rural England	<u>Comments on amended plans</u> Object <ul style="list-style-type: none"> • Given the existence of the JCS of sufficient allocated sites to fulfil housing targets, along with the current Regulation 18 consultation for the emerging new Local Plan, which will allow for further planned growth, there is no need for large-scale unplanned speculative growth • The applicant states that little weight should be given to the SHMA; we content that the SHMA provides significant new evidence on housing need • Concerns remain over upgrading of the footpath and if anything are increased by the high-handed nature of the applicant's assertion that such as 'upgrade' could be imposed

- we suggest that the impacts of the proposed development on the landscape character would be greater than suggested by the LVIA
- the proposed development would be contrary to the considerations of the landscape character areas identified in the South Norfolk Local Landscape Designations Review, not least through the adverse effects on the current rural undeveloped character of the site

Comments on original plans

Object

- Application site is not earmarked for housing.
- Policy 15 of the JCS identifies as Mulbarton and Bracon Ash as a service village with allocations within the range of 10-20 dwellings
- Even with the need in the JCS to provide 1800 across smaller sites an application for 170 dwellings in one service village is excessive
- SHMA demonstrates a 5-year land supply can be demonstrated
- Comments made about Wymondham Rugby Club appeal are irrelevant as they are before the most recent AMR
- Mulbarton Neighbourhood Plan does not direct development to the north of the village as stated, it just states not towards the south and clearly does not anticipate development of this scale
- Concerns with traffic assessment accompanying the application as the estimated number of journeys are too low, the estimate impact on traffic at the proposed new roundabout is underestimated and there is an unrealistic expectation about the amount and length of journeys by foot
- Impact on setting of church and open rural landscape to the east, and harm from the 'upgrade' of the footpath through the churchyard
- Loss of productive agricultural farmland which should be considered classified as subgrade 3b given recent crops

3.5 Historic England

Comments on amended plans

Concerns regarding the application

- Despite amendments development on the application site would result in harm to the significance of the conservation area and the listed parish church
- We consider that the issues and safeguards outlined in our advice need to be addressed in order for the application to meet the requirements of paragraphs 7, 8, 193 and 194
- In determining this application you should bear in mind the statutory duty of section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess and section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas

		<u>Comments on original plans</u> Object on heritage grounds <ul style="list-style-type: none"> • Development of the site would result in harm to the significance of the conservation area and listed parish church and does not constitute sustainable development in terms of the NPPF • We consider the application does not meet the requirements of the NPPF.
3.6	Mulbarton Surgery (Humbleyard Practice)	<u>Comments on amended plans</u> No comments received <u>Comments on original plans</u> <ul style="list-style-type: none"> • We were asked for feedback ahead of this planning application and are disappointed our feedback was not fully understood • Building a new GP practice is very expensive and is not something which there is current funding for • Although the developer can provide land, they are not able to ensure funding is provided • The current plan is to develop the current site rather than relocate • An additional 170 homes will put significant pressure on the GP practice • The car parking near the surgery and school is already an issue and will only get worse as the village expands
3.7	Natural England	No comments received
3.8	NCC Historic Environment Service	<u>Comments on amended plans</u> Advice remains unchanged from that given previously <u>Comments on original plans</u> Conditional support <ul style="list-style-type: none"> • Based on the existing archaeological information and the results of the assessment undertaken to date there is potential that for heritage assets with archaeological interest (buried remains) • The baseline information submitted suggests that the significance of the heritage assets at the proposed development is likely to be such that the impact upon them could be effectively managed through appropriate planning conditions
3.9	NCC Ecologist	<u>Comments on amended plans</u> <ul style="list-style-type: none"> • A full appropriate assessment is not needed so South Norfolk Council as the competent authority can screen out the need for an appropriate assessment • Sufficient information has been provided to demonstrate that the favourable conservation status of great crested newts in their natural range can be maintained • We support the proposed circular walk which will help reduce the number of people making use of the Mulbarton Common Wildlife Site and the proposed financial contribution towards the on-going management of Mulbarton Common • If approved, conditions requiring great crested newt population assessment surveys, Construction Environmental Management Plan and a Landscape and Ecology Management Plan should be submitted

Comments on original plans

- Proposed development needs to have a greater ecological focus
- Site is described as favourable for great crested newts, so it is possible that they would venture from ponds onto the site
- The diagram shows the fragmented narrow hedgerows and tree-lines are maintained; in our opinion the plans need to include coherent and ecological corridors to allow continued movement of great crested newts and other wildlife across the site
- Change in use of the site will result in long term loss of habitat for farmland species; we would like to see mitigation for this
- The adjoining Mulbarton Common is a County Wildlife Site and it likely to be impacted from an increase in use from the development; a circular walk within the site should be provided for dog walkers and runners which is likely to reduce the numbers of people making use of the County Wildlife Site, although it is unlikely to reduce the impact of the proposed development on Mulbarton Common to acceptable levels
- The suggested financial contribution to the ongoing management of Mulbarton Common could be used to restore the ponds on site for great crested newts and other features of the County Wildlife Site

3.10 NCC Lead Local
Flood AuthorityComments on amended plans

Conditional support

- Removed objection following submission of further details regarding infiltration and a Management and Maintenance Plan
- Considered independent report submitted on behalf of the Mulbarton Residents Group. The issues raised in the report should be addressed by any conditions to be set for the detailed design stage

Comments on original plans

Object

- Proposed dwellings and drainage features located in areas shown to be at risk of flooding
- No consideration for future maintenance
- Urban creep allowance

3.11 NCC Highways

Comments on amended plans

Conditional support

Comments on original plans

Further information required in regard to assessment of walking routes, size of the access road, assessment of the junctions and design of the roundabout

3.12 NCC Public Rights of
Way OfficerComments on amended plans

No comments received

Comments on original plans

Mulbarton Footpath 8, which runs along the southern boundary of the site, should remain open and accessible for the duration of the development and subsequent occupation

We welcome the proposed links from Mulbarton Footpath 8 which will encourage the integration of the development and encourage use of the public right of way

3.13 NCC Planning
Obligations Co
Ordinator

Comments on amended plans

- The site for this proposed development is outside of the local plan. The number of children generated from the proposed development would put pressure on the surrounding schools. There is spare capacity at high school level but, if necessary, Norfolk County Council will be seeking CIL funding for primary education
- 3 fire hydrants would be required
- Inclusion of recreation opportunities and links to public rights of ways are welcomed. However, as there would be an increase in users of the footpaths we would require improvements to the surfaces of these public rights of way

3.14 NHS England

Comments on amended plans

- The proposed development is likely to have an impact of the local branch surgery and on NHS funding programme for the delivery of primary healthcare provision in the area
- Need for an increased clinical capacity at the existing site
- Existing practice does not have the capacity to accommodate additional growth resulting from the proposed development. The development could generate approximately 311 residents and subsequently increase demand upon existing constrained services
- A developer contribution will be required to mitigate the impacts of the proposal of £49,049.

3.15 Norfolk Police
Architectural Liaison
Officer

Comments on amended plans

- Latest proposals identify a number of public footpaths through the development, in particular through woodland where there is a potential increased fear of crime for users. Such footpaths should be constructed to be as wide and straight as possible, well-lit where possible and devoid of hiding places
- Orchard in north-eastern corner would be without active room surveillance and therefore could attract anti-social behaviour

Comments on original plans

- Adequate and appropriate natural surveillance needs to be provide for public open spaces, play areas and street furniture
- Public open spaces require protection from unauthorised vehicular access
- Illustrative site plan shows no less than 7 footpaths which could be used for criminal access and potentially encouraging anti-social; behaviour
- Adequate fencing, gating, doors and lighting should be provided to prevent crime

3.16 Norfolk Fire Service

No comments received

3.17 Norfolk Wildlife Trust

Comments on amended plans
No comments received

Comments on original plans

Concerns with the survey findings of the Ecological Report

- Shows the presence of great crested newts to the north and south of the site; the masterplan shows substantial vegetation clearance around one of these ponds
- Green space around the development needs to be designed to be an attractive alternative to Mulbarton Common and to be suitable for circular walks for dog-owners with a financial contribution made to the management of the County Wildlife Site
- Farmland birds were shown to be present on the site and off-site mitigation is required to ensure that impact on these species are minimised
- Biodiversity enhancement measures are also proposed in the Ecological Report; these measures should be fully incorporated into the Landscape and Ecology Management Plan
- Approval should only be given if all of the mitigation measures recommended in the Ecology Report and by ourselves can be put into place and are enforceable

3.18 SNC Senior
Conservation and
Design Officer

Comments on amended plans

Although the changes made to the layout do assist in reducing the level of harm of the proposed development on the setting of the identified heritage assets, the changes do not overcome that harm. The level of harm identified, which can be considered to be less than substantial, requires clear and convincing justification and needs to be taken into account in the planning balance and weighed against the public benefits of the proposals. Considerable weight should be attached to the desirability of preserving the heritage assets when carrying out that assessment.

Comments on original plans

The development will result in a significant change in character to the northern part of the settlement, a part of the village where the historic character of the village has been preserved with limited modern development. Consequently, to the north of the village the boundary of the village extends out to the edge of the countryside and includes Paddock Farm.

It is accepted by the applicant that the setting of heritage assets will be adversely affected and consequently areas of open space have been left. Nevertheless, the degree of harm to the setting of heritage assets, Paddock Farmhouse and its associated Barn and the conservation area, and also the setting of the church, should be factored into the planning balance and given great weight.

In design terms there is a significant concern with the lack of connectivity between the proposed development and the existing settlement. The vehicle connection is some distance to the north of the village, and although pedestrian access is possible using the footpath to the south of the church the relatively informal nature of the path would require upgrading to the detriment of the character of the churchyard in turn affecting the setting of the church.

3.19 SNC Environmental
Waste Strategy

To be reported if appropriate

- | | | |
|------|---|---|
| 3.20 | SNC Community Services - Environmental Quality Team | To be reported if appropriate |
| 3.21 | SNC Housing Enabling & Strategy Manager | <p>No objection to either original or amended plans</p> <p>The affordable housing mix of sizes is acceptable but with some changes of housing types suggested</p> <p>Welcome that 10% of the private market plots are to be made available as self-build plots</p> |
| 3.22 | SNC Landscape Architect | <p><u>Comments on amended plans</u></p> <p>Two main concerns</p> <ul style="list-style-type: none"> • Consider that the visual impact from the east will be greater than the LVIA concludes • Loss of sections of important hedgerow contrary to Policy DM4.8 |
| 3.23 | SNC Play & Amenities Officer | To be reported if appropriate |
| 3.24 | SNC Water Management Officer | This is a major application and therefore the Lead Local Flood Authority is the statutory consultee for providing the technical assessment for this application |
| 3.25 | The Ramblers | No comments received |
| 3.26 | <p>Other Representations</p> <p>Mulbarton Residents Group</p> <p><u>Comments on amended plans</u></p> <p>Application must be refused</p> <ul style="list-style-type: none"> • Policy DM1.1 states that development proposals should be in accordance with the Neighbourhood Plan; this application is outside the development boundary and does not adhere to the Neighbourhood Plan • Misinterprets the Neighbourhood Plan; it does not say new development should be to the north of the village, rather it talks of developments of 5 or more dwellings not being to the south and to focus on the common and the facilities in the heart of the village • The applicant states that the public open space in the development should be a benefit; given that Mulbarton has a large village common and many other open spaces within easy reach it should not be seen as a benefit • The NHS money should not be seen as a benefit unless a business case can show how it will offer improved services to the residents of Mulbarton • Historic England continue to object to their application, stating the harms caused do not constitute sustainable development • Senior Conservation and Design Officer for SNC reports that the development would cause harm to the setting of the Church, Paddock Farmhouse, the conservation area and Tower Mill • Both the Senior Conservation and Design Officer and CPRE note that the setting of the church and conservation area would be harmed by the proposed upgrade of the footpath through the church grounds. | |

- The large roundabout is totally out of character with the rural countryside and approach to the village
- Houses to the north of the site continue to experience flooding due to poor drainage on these fields
- The applicant has had extended periods of times to rectify concerns raised and these have not been addressed; the LLFA have again objected to these proposals
- Latest report by our consultants highlights that the infiltration basin does not have a suitable spillway location or maintenance route around it; a route free from houses should be provided from the basin to the area of natural surface water; the foul drainage system
- design suggests the need for a pumping station but there is no allowance on the layout for the cordon sanitaire of at least 15 metres
- Roundabout will prejudice the free flow of traffic with resulting pollution for existing residents from queueing traffic
- Single country lanes around the area will become rat runs; of particular concern is Catbridge Lane
- Site visit for Road Safety Assessment was in August and therefore cannot be deemed representative of normal traffic flows
- Street lighting to be incorporated would be contrary to Mubarton Neighbourhood Plan
- Planning permission has been granted for further houses in Mulbarton, Bracon Ash and Swardston which would generate more traffic
- Footpath link is not overseen and is unlit and therefore making it an undesirable / unsafe route for pedestrians
- Alternative pedestrian route is on the east side of Norwich Road, which includes very narrow sections of pavement. If the pavements are widened the road will be narrowed to less than 6 metres which is the minimum standard for this type of road
- Suggested alternative pedestrian route around Todd's Pond is used by refuse vehicles and lorries and therefore cannot be considered a safe alternative
- The railings at the pond cannot be changed to widen the pavement as they date back as far as 1906 and are part of the heritage of Mulbarton
- Narrow section of road between the pond and World's End Public House has been the location of numerous road traffic accidents in the past
- Need for increased ecological connectivity, EPSM licence, great crested newt population size class assessment survey, Habitat Regulations assessment screening and further bat surveys identified by NCC Ecologist and Norfolk Wildlife Services has not been done and are concerned about the loss of habitat for these rare species
- New footpaths behind existing houses could result in anti-social behaviour and crime. Architectural Liaison Officer predicts the need for extra policing
- Local residents remember the site being used for the burial of cattle carcasses during outbreaks of Foot and Mouth Disease in the 1950s and 1960s – why has this not been investigated further?
- Applicant classes the land as Grade 3 agricultural land; however CPRE report grades this land as 3a due to recent crops including sugar beet, potatoes and various cereals. SNC should identify more appropriate areas of poorer quality land for development, rather than sacrificing this higher quality land.

Further reports submitted noting heritage concerns about footpath link and noting that delivery cannot be secured without the benefit of a faculty granted by the Consistory Court of the Diocese of Norwich, under the Ecclesiastical Jurisdiction and Care of Churches Measure 2018 and the associated Faculty Jurisdiction Rules 2015. This would be required for any widening or resurfacing of the footpath, removing the stile and the picket fence at the end of the churchyard or for removing any memorials or grave markers within the churchyard. An application opposed by the PCC (as this would be) would have little prospect of success.

Comments on original plans

Application should be refused

- Harm has been identified to the setting of heritage assets by Historic England, the Council's Conservation and Design Officer and CPRE that outweighs any benefits
- Drainage report prepared by our consultants show that the site is located in the valley of a wider catchment which is much larger than the development site and therefore the natural surface water run-off from this area must be considered in any drainage strategy for the site
- The report also states the applicant's report should make allowance for urban creep at an allowance of an additional 10% due to the site's density
- The report also states that the drainage and infiltration basin should be redesigned to a location outside the surface water flooding area and infiltration testing checked in the relocated area of the basin to ensure the design will work
- New roundabout will result in queueing traffic through the village towards Norwich resulting in noise and pollution and use of rat-runs to avoid it
- Roundabout will be totally out of character
- County Wildlife Site will be negatively impacted
- Mitigation measures suggested to reduce impact on CWS will be at odds with the recommendation of the Police Architectural Liaison Officer
- Contrary to Mulbarton Neighbourhood Plan policies TRA1 (does not provide safe and convenient walking routes), Key Statement 1 (street lighting requirements conflict with this statement), ENV2 (impact on the common from increased use) and ENV4 (will increase flood risk)
- It has been made clear the Humbleyard (Mulbarton) surgery has no intention of moving to a new site within the proposed development
- It is therefore not acceptable that Lanpro is presenting the provision of a site for a GP surgery as a benefit for the wider community of Mulbarton
- We have been made aware that the lands has been used historically for burying the carcasses of cattle infected with Foot and Mouth Disease

Petition with 612 signatures against amended plans and any further housing development in Mulbarton unless it involves 5 houses or less

Letters from individual residents

123 letters of objections to amended plans

- Does not address any of our concerns
- Still consider that Mulbarton has had enough development
- Consider garden villages away from existing settlements as a way of providing new housing not 'bolt on housing'
- Continues to conflict with the Neighbourhood Plan
- Mulbarton Parochial Church Council continue to strongly object to the use of the existing footpath through the Churchyard, which is primarily a burial ground, as a pedestrian access route to and from the proposed development
- Many concerns repeated from previous letters regarding loss of village character
- The entrance into Mulbarton is of beautiful historic buildings set in lovely countryside which would be significantly impacted by a modern housing estate
- Continued concerns about setting of church and listed buildings
- Many concerns repeated from previous letters relating to standard of B1113, junction of B1113 and A140, impact of roundabout on traffic flow, impact on lanes through East Carleton and parking problems associated with the school
- Road surfaces are falling apart
- Traffic survey was not carried out at peak time flows
- Transport Technical Note demonstrates that existing footways are inadequate
- Pedestrians using the footways would have to cross and then re-cross a busy road to access services

- Plan includes footpaths that simply go nowhere
- Why is roundabout even bigger for fewer houses?
- Continued concern about impact on local services such as doctor's surgery and school
- Contribution to doctor's surgery is not enough
- Concerns repeated about impact on churchyard users
- Still unsold houses in the village
- Loss of privacy to adjoining properties on St Omer Close, plans are misleading when it shows relationship with new properties
- Anti-social behaviour continuing to rise
- Continued concern about loss of valuable farming land
- Impact on farmland birds from loss of agricultural land
- Concerns repeated about burial of cattle during foot and mouth outbreaks
- Further concerns about trust in the planning system

4 letters of support to original plans

- the extra housing is much needed in this village, hope it's affordable
- disagree with people who say there is no demand for houses in the village, we have been outbid every time a bungalow has come onto the market
- hope bungalows form part of the development
- massive housing shortage around Norwich which needs to be addressed to allow young people to buy their own properties and stay in the locality
- will help re-balance the village which has seen significant development to the south of the common
- the new roundabout will address one of the biggest road safety issues in the area
- businesses in the area will welcome possible increase in their custom

385 letters of objection to original plans

- development is unreasonable and disproportionate
- already been two large developments recently in Mulbarton
- the number of houses has increased by approximately 50% since 2000 (from approximately 1200 homes in 2000 to nearly 1800 today), plus more houses permitted in Bracon Ash and Swardeston
- village has grown from fewer than 700 people to over 3000 people in less than 50 years
- SHMA demonstrates a 8.08 year housing land supply
- plenty of homes for sale, let's sell these first before building new ones
- village has already done its bit to help with the housing crisis
- brownfield sites in Norwich available that could provide new housing
- development to the south of the village has created a town like suburb to the south, the north retains its rural character
- will link Mulbarton and Swardeston into one settlement
- homes that are built are of poor quality
- new developments are too dense
- lots of disruption during construction
- new housing developments never seem to include starter homes
- new homes around Norwich need to be planned around larger capacity roads, such as the NDR
- will no longer be a village if this development does ahead
- what is the point of a development boundary if it is not adhered to?
- comment from owner of holiday cottages that people visiting expect to find a village not suburbia
- level of development is contrary to Mulbarton Neighbourhood Plan which supports small level of housing growth of 10-20 dwellings
- what was the point of preparing a Neighbourhood Plan if its totally ignored?
- concerned about traffic along B1113 which is over capacity
- in the morning rush hour there are always long queues from the A140 junction

- roundabout would hold up traffic going into Norwich
- access is on a dangerous corner
- B1113 to Swardeston is narrow and winding
- improving safety on this bit of road could be achieved by lowering speed limit without the need for a roundabout
- pedestrians will have to navigate narrow paths where passing push chairs is impossible
- transport assessment does not cover other rural roads such as Catbridge Lane which would be used as shortcut to the A11 and A47
- suggested traffic increase has been underestimated
- very difficult driving round the village during the school run
- village has parking problems around the school which this development would make worse
- bus timetables are not currently fit for purposes
- bus routes do not extend into the evenings
- services cannot cope
- waiting for doctors appointments for 3-6 weeks
- no taker for proposed surgery so that won't happen
- similar promises were made about the Flordon Long Lane development
- distance to new site for doctor's surgery is much further than the existing site for where the majority of elderly residents in the site
- dentist unable to accept new NHS patients
- the school is full
- we need another school before new houses
- chairman of local scout group advises they have waiting lists for every section and are turning kids away
- detrimental impact on surrounding villages which rely on Mulbarton for services
- promise for new community facilities is worthless without the necessary funding
- co-op is not in close walking distance of the estate
- village hall has been extended twice to keep up with demand, it seems doubtful that further extensions will be tolerated
- are the electrical and telecommunications capable of taking these extra residents?
- would harm setting of Paddock Farm and properties around Todd's pond
- the Old Hall is a Grade II listed building sitting in the conservation area which would be adversely affected by large developments
- would ruin the approach to the village
- would completely destroy the historic character of the north end of the village that previous decades a careful planning have worked so hard to protect
- use of churchyard as a pedestrian access to the site would be detrimental to its character
- would also be upsetting to relatives of those buried in the churchyard
- putting hosing behind the churchyard would destroy its quiet, contemplative nature
- this footpath is intended for walkers to enjoy the countryside not as an access to a housing estate
- would need the permission of the Diocese?
- Parochial Church Council object to use of the use the existing footpath through the churchyard
- would also cross common land
- detrimental to the ecology and environment of the common
- impact on special wildlife habitats
- noise, air and light pollution will have a negative effect on the natural environment
- Anglian Water infrastructure struggling to maintain system pressure at peak times
- drainage is an issue in the area
- seen the field extremely water logged
- loss of farmland to grow our food
- after Brexit we will have to be more food self-sufficient

- loss of more green space
- impact on privacy of residents of St Omer Close by proposed footpath
- will affect the amenities of adjoining residents
- would proximity of new dwellings to the church result in complaints about noise from the bells?
- people feel they are not being listened to
- democracy is supposed to be out what the majority of people want but when applications for large building sites it seems peoples views fall on deaf ears
- where are all these people expected to work?
- disturbance to horses in adjoining paddock
- is this an attempt to re-enter the awful plans for a greater Mangreen new town?

4 Assessment

Background

- 4.1 This application was previously reported on the 31st January 2019 DMC agenda however was deferred prior to DMC consideration at the request of the applicant in order to address matters raised in the report relating to outstanding flood risk and ecology.
- 4.2 The following report fully re-considers the proposal against Development Plan policies and material considerations, including any new material considerations since the last report was published. A key material consideration following the last report is the changed housing land supply position as the Councils able to demonstrate a 5 year housing land supply. This is set out further in the report.
- 4.3 The application is an outline application with access for formal consideration. All other matters are reserved. The application is for up to 135 dwellings, public open space and associated drainage and highways infrastructure. Affordable housing is to be provided at 33%. As originally submitted, the application was for 170 dwellings and included a doctor's surgery, however the level of housing was reduced to attempt to address some of the concerns raised, whilst the doctor's surgery site was removed as it was unlikely to be delivered.
- 4.4 The site relates to an area of agricultural land 13.2 hectares in size. It lies to the north of the existing village of Mulbarton with some existing residential development to the southern part of the western boundary and the church and more historic development to the south and south west of the site. Open countryside adjoins the site to the north and east with a public footpath (Public Footpath 8) running along the southern boundary of the site.
- 4.5 The applicant has argued as part of their submission that the proposal would bring forward the following benefits:
- Delivery of 135 homes in an area with an out of date Local Plan and no confirmed 5YLS;
 - Delivery of policy compliant (45) affordable units in an area which has seen under delivery of affordable homes;
 - Delivery of 10 self-build plots, in an area where there are over 300 people on the self-build register;
 - Over delivery of public open space and new walking routes and improved connectivity to existing PROW network in an area where there has been an identified deficiency in Green Infrastructure;
 - Delivery of footway improvements and signage to PROWs to benefit new and existing residents;
 - Delivery of new roundabout and extended 30mph limit which will help slow down traffic on the approach to the village Conservation Area;
 - Delivery of health care contribution to increase capacity in GP catchment area;
 - Delivery of extension to Church burial ground;

- Delivery of employment opportunities through construction phase and support to local shops and businesses through increased customers;

Principle

- 4.6 Planning law (section 38(6) of the Planning and Compulsory Purchase Act 2004) requires that applications be determined in accordance with the Development Plan, unless material considerations indicate otherwise. Material considerations include the National Planning Policy Framework (NPPF).
- 4.7 In accordance with both the Council's adopted development plan and the NPPF, in cases where there are no overriding material considerations to the contrary, development proposals for housing that accord with the development plan should be approved without delay.
- 4.8 In this regard, consideration should be given to Policy DM1.3 which makes provision for development to be granted outside of development boundaries, such as this, where one of two criteria are met: either c) where specific development management policies allow; or, d) where there are overriding benefits in terms of economic, social and environmental dimensions of sustainable development, as set out in Policy DM1.1.
- 4.9 In terms of c), the current proposal is not considered to meet the requirements of this criterion. In terms of d), establishing whether there are any overriding benefits will be confirmed following an assessment of all harms and benefits of the scheme.
- 4.10 Where development proposals do not accord with the development plan, consideration should be given to whether there are material considerations that otherwise indicate that development should be approved.
- 4.11 On 12th April 2019 the Council published an Interim Greater Norwich area housing land supply statement for the position at 1st April 2018 (this can be found at Appendix A at page 126 of this agenda.) This showed that the Council could demonstrate a housing land supply of 6.63 years. This sets out the housing land supply position for Greater Norwich for the period 1 April 2018 to 31 March 2024. The interim statement has not been formally endorsed by all three Local Planning Authorities and is not the final statement that will be published in the Annual Monitoring Report (AMR) of the Joint Core Strategy for Broadland, Norwich and South Norfolk. The AMR will be published in due course.
- 4.12 The housing forecasts included within the housing land supply statement have been based on the Councils' detailed knowledge of sites and discussions and correspondence with the relevant developers and site promoters. The housing forecast is considered to be fully justified although some signed statements are still outstanding and will be published in due course. In addition, the Councils continue to work with developers and site promoters to establish the deliverability of some additional sites where information is not currently available and have not therefore been included in the current calculated supply.
- 4.13 Notwithstanding the interim status of the statement, it is considered to be a credible assessment of housing land supply in Greater Norwich and has been carried out in a manner that is consistent with the expectations of the National Planning Policy Framework and Planning Practice Guidance. As such, the statement justifies the conclusion that a five year housing land supply can be demonstrated across the Greater Norwich area.
- 4.14 Taking account of the above, the following assessment seeks to establish the benefits of the scheme and any harm that would be caused in the context of the relevant development plan policies, with reference to the three dimensions of sustainable development (economic role, social role and environmental role). These three headings form a convenient basis for structuring the assessment of the proposal against development plan policies.

- 4.15 Mulbarton has a made Neighbourhood Plan and therefore the policies within that Plan also need to be taken into account when considering this application.
- 4.16 Policy HOU1 of the Neighbourhood Plan states that permission will be granted for new development of five or more dwellings where it will rebalance the development pattern of the village by improving the focus on The Common and adjacent facilities. It then states that proposals for five or more dwellings that result in the growth of the village further southward will not generally be acceptable. As this development is to the north of the village, it is not considered that the proposal conflicts with the intended aim of the policy to direct development away from the south of the village. The policy goes on to note that any new development should also respect the character and appearance of the Mulbarton Conservation Area and the setting of listed buildings which is considered elsewhere in the report.

Economic objective

- 4.17 The NPPF defines the economic objective as "to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure."
- 4.18 The scheme would result in some short term economic benefits as part of any construction work and in the longer term by local spending from future occupants.
- 4.19 It should also be noted that the development would be subject to Community Infrastructure Levy (CIL).

Summary of economic objective

- 4.20 It is therefore considered that the scheme would bring forward a level of economic benefit.

Social objective

- 4.21 The NPPF defines the social objective as "to support, strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being."
- 4.22 The proposed scheme provides a significant amount of new housing. However, a 5-year housing land supply can be demonstrated and therefore this benefit is of limited weight. Another benefit the scheme provides is 45 affordable housing units which is fully policy compliant under the JCS and in excess of the SHMA requirement of 28%. The market and affordable housing therefore represents a social benefit.
- 4.23 The application also notes that 10% of the plots are to be self-build. The NPPF requires Councils to plan for people wishing to build their own homes and therefore this is another benefit and material consideration, of which limited weight should be given as the Council is meeting its requirements in regard to provision of self-build plots.

Indicative Layout and density

- 4.24 Policy 2 of the JCS and Policy DM3.8 of the Local Plan require new development to be of a high standard of design. Policy HOU3 of the Neighbourhood Plan states that new development should reflect the overall character of Mulbarton and take account of its rural setting and that densities for new housing development on any given site should be consistent and compatible with the existing and prevailing density in that local context and

reflect the locally distinctive character of the locality in which the new development is proposed so that the village feel is retained.

- 4.25 The indicative layout has been amended following discussions to try and better integrate with the site and its context. The resultant layout, notwithstanding other concerns about the context of the development, is considered be an acceptable approach to developing the site and in this respect complies with Policy DM3.8.
- 4.26 The scheme has an average net density of 21 dwellings per hectare which is relatively low. The northern end of Mulbarton has looser grain compared to the estate developments to the south of the village which would result in a higher density being inappropriate. Nonetheless, whilst the density of the proposed development is not particularly high there are concerns in terms of form and character which is considered in later in the report in regard to the impact of the development on heritage assets.

Access and Impact on the Local Highway Network

- 4.27 Many concerns have been raised about the ability of the local highway network to accommodate the development. In particular concerns have been raised about the nature of the B1113 past the site at this point, congestion issues at the junction where the B1113 meets the A140, increased traffic along Catbridge Lane and through East Carleton to access the A11 and parking issues within Mulbarton. In addition, the safety of pedestrians along the B1113 between the site and services within the village has been questioned.
- 4.28 The applicant has been in contact with Norfolk County Council as the Highway Authority to achieve a safe means of access to the site. This is to take the form of a roundabout forming the main vehicular access to the site, which will also have the benefit of reducing traffic speeds on this section of the B1113. The Highway Authority consider this is an acceptable strategy for accessing the site, although it should be noted that the urbanising effect of the roundabout causes other concerns considered in other sections of this report.
- 4.29 In regard to the issues of traffic congestion at the junction of the B1113 and the A140, along Catbridge Lane and parking within the village, these concerns are appreciated. A separate application for development at Keswick is to deliver a major improvement to the junction of the B1113 and the A140, although clearly delivery of that cannot be relied upon for this application. However, in regard to all these issues the Highway Authority do not consider that the additional impact of this development on what are existing issues would not be significant enough to warrant refusal.
- 4.30 In regard to pedestrian access, a Transport Technical Note was submitted in response to concerns raised about the local footways along the B1113. This includes an assessment of the existing situation and proposes improvements to connect footways on the site to the existing footway network north of St Omer Close. No objection has been received by the Highway Authority who would require these improvements to be secured by condition on any planning approval.
- 4.31 A more direct pedestrian access is provided by Public Footpath 8, which is currently an unmade path that passes through the churchyard and over common land to reach footways along The Common. It is proposed to upgrade this to create a more all-weather footpath which can be delivered and, subject to details of its construction, could be achieved without having a detrimental effect on the character of the churchyard. This would be deficient in what would ideally be sought in terms of achieving satisfactory connectivity as it would not provide a cycle link, however it is questionable as to whether such an upgrade that provided a cycle link could be delivered and in any event this level of upgrade would be likely to detrimental to the character of the churchyard and the setting of the church.

Education

- 4.32 Norfolk County Council have commented that whilst there is capacity at Hethersett Academy for high school level education there is a shortfall in capacity at Mulbarton Primary School and therefore, if necessary, the County Council would be seeking CIL funding for Primary Education provision.

Healthcare

- 4.33 As noted above, it was initially proposed that a site for a doctors surgery would be delivered as part of this application. That was withdrawn after the offer to the existing surgery was declined. In response to the amended scheme NHS England have requested a contribution to the provision of healthcare in the area. The applicant has stated that this is a benefit to be delivered from the application, although the amount calculated for the contribution is based on the number of residents likely to be generated by the development and therefore is only to mitigate for the additional development. As such, the proposed and requested contribution is afforded limited weight in the planning balance. Furthermore, the Council questions whether such an obligation without a policy basis can be secured through a Section 106 agreement having regard to regulation 122 of the Community Infrastructure Levy Regulations 2010.

Residential amenity

- 4.34 Some comments have expressed concerns about the positioning of dwellings or other details shown on the indicative layout. However it should be remembered that as noted above this application is an outline application with all matters reserved except access. The precise position of dwellings, and their size and potential for overlooking would be considered at the reserved matters stage in the event that outline planning permission were to be granted. Given the size of the site and its boundaries with existing development there is no reason to believe that development could not be achieved in accordance with Policy DM3.13.

Provision of open space

- 4.35 The application provides a significant amount of open space that considerably exceeds the level that would be required by the Council's SPD for a development of this scale and this has been proposed to help mitigate the impact of the new built form on the approach to the village and in regard to the setting of the church. The applicant has contended that this help meets an identified shortfall of green infrastructure in the district. It is accepted that this provides a benefit that should be taken into account when balancing the harms and benefits of the development.
- 4.36 The applicant has also offered to gift land for an extension to the Church burial ground. However, the Church have objected to the proposal and declined to be part of the legal agreement. As such, only limited weight can be given to this given the considerable doubt this causes over its delivery.

Summary of social objective

- 4.37 The proposal provides a substantial amount of additional housing. However, the Council can demonstrate a 5-year land supply and therefore limited weight is given to this benefit.
- 4.38 The proposal also provides policy compliant levels of affordable housing to meet the JCS requirement of 33%, which is now in excess of the recent need set out in the SHMA of 28%. There are also a number of other benefits such as public open space that exceeds policy requirements with connectivity to the public right of way network. There are therefore a number of social benefits resulting from the proposal.

Environmental objective

- 4.39 The NPPF defines the environmental objective as "to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy."

Landscape Impact

- 4.40 Policy DM4.5 states that all development should respect, conserve and where possible, enhance the landscape character of its immediate and wider environment. Development proposals that would cause a significant adverse impact on the distinctive landscape characteristics of an area will be refused. The northern section of the site is within C1: Yare Tributary with Parkland whilst the southern part of the site is within D1: Wymondham Settled Plateau Farmland.
- 4.41 The submitted Landscape and Visual Impact Assessment (LVIA) identifies that the most significant visual effects will be for the users of the public footpaths and the Council's Landscape Architect concurs with this. Notwithstanding this, his judgement is that the effects from the east (and Footpath 8 in particular) will be greater than the LVIA concludes (Moderate to Slight Adverse upon completion, reducing to Slight Adverse after 15 years). The Illustrative masterplan includes new hedgerow and tree planting along the eastern boundary. It is proposed that these will be managed as a single entity which will help ensure its delivery and long-term retention.
- 4.42 However, the LVIA concedes that even assuming the proposed enhancements to the field boundary vegetation on the eastern edge are successfully delivered, maintained and help to filter some of the views of the site, they will not screen the site entirely. It is currently the case that even in winter the settlement of Mulbarton is barely visible in views from the east. As such the proposed development will present a notable change in character from a rural undeveloped landscape other than views of the church tower over the treeline to views of a more developed landscape through the introduction of a substantial amount of housing and would erode the open countryside identified within the landscape character area. Contrary to the findings of the submitted LVIA, it is the view of the Council's Landscape Architect who has had clarified in further comments that even with an established scheme as shown on the masterplan the impact 15 years after implementation is likely to have a 'Moderate' or possibly 'Moderate / Major' adverse visual effect when viewed from Footpath 8. This would result in a significant adverse impact on the landscape character and landscape setting and views of the village, particularly users of the public footpath approaching from the east for whom the experience of walking through attractive undeveloped countryside with no sense of built development other than views of the church tower will change to that of one of approaching modern estate development.
- 4.43 The northern section of the application site is within the C1 Yare Tributary with Parkland. The published landscape character assessment for this cautions against the potential urbanising effects of highway proposals on the lane network citing "*Incremental change including upgrading of the rural lane network (e.g. kerbing and lighting) plus isolated developments (e.g. institutions) resulting in a more urban character*" among the sensitivities and vulnerabilities, with a development consideration reinforcing the issue by the guidance: "*consider impact of proposals on the intricate rural lane network – avoid widening, kerbing, lighting, which will quickly impart a more urban character*". The proposed introduction of a roundabout and highways works (including widened footpaths) at Catbridge Lane will necessitate removal of sections of hedgerow to achieve the necessary widening and alignment (which in turn is potentially contrary to ENV4.8), and the additional signage and potential lighting will also have an urbanising effect on the lane and townscape character of the local area. The secondary access necessitates a footpath link to St Omer Close, which will further urbanise this approach to Mulbarton.

- 4.44 The application states that the existing hedgerow H6 is important when assessed against the Hedgerow Regulations; as such the Council's policy is in favour of retention. The proposed scheme necessitates the removal of two sections from this substantially intact feature. Each breach will necessitate a gap of at least 9.1 metres (the width of a 5.5m carriageway plus a 1.8m path each side), but this does not include any further margins required for construction purposes/service corridors or the installation of the wildlife underpasses. No detailed assessment against the 'importance criteria' of the Hedgerows Regulations is provided, but from maps available online via the county records indicate that it is a feature on the Tithe map and as such is likely to be important for historic reasons at least. Furthermore, the offer to provide wildlife 'underpasses' indicates that the hedgerow in its current form has a clear role to play as a wildlife connection. The proposed tunnels are long features, so may not suit all species and could therefore amount to severance of the hedgerow for some, and loss of connectivity. These proposed losses of sections of important hedgerow are therefore contrary to Policy DM4.8 of the Local Plan and represents a harm in the planning balance.

Impact on Heritage Assets

- 4.45 Paragraph 193 of the NPPF states that great weight should be given to the conservation of a heritage asset, irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.
- 4.46 Policy DM4.10 of the Local Plan Policy states that all development proposals must have regard to the historic environment and take account of the contribution to which heritage assets make to the significance of an area and its sense of place, as defined by reference to the national and local evidence base relating to heritage. It also states that considerable importance and weight must be given to the desirability of preserving listed buildings, their settings and the character and appearance of conservation areas. The policy notes that where less than substantial harm is identified this will only be justified where there are public benefits that outweigh the harm and furthermore that in carrying out this planning balance less than substantial harm will be afforded considerable importance and weight.
- 4.47 The Mulbarton Neighbourhood Plan also includes a policy in relation to heritage assets. This states that new development in or adjacent to the Conservation Area and near important features identified within the Neighbourhood Plan should take account of the historic fabric of the area and should enhance the character or appearance of the area.
- 4.48 The development is in close proximity to a number of heritage assets, to which concerns have been raised by both the Council's Senior Conservation and Design Officer and Historic England. The assets identified as being directly affected include the Grade II* listed Church of St Mary Magdalen, Grade II listed Paddock Farmhouse and an adjacent barn, and the conservation area as well as the Tower Mill as an undesignated heritage asset visible to the north of the site.
- 4.49 In regard to the church, during all seasons the church tower is visible above the tree line and clearly visible from the footpath approach to the village along the historic track / footpath that approaches Mulbarton from the east. With the winter thinning of vegetation there are additional glimpsed views of the lower part of the church tower through the vegetation close to the church, where the tower is not seen above the tree line. Amendments have been made to the layout so that the more immediate setting of the church remains undeveloped and is planted with more trees. This will however be managed recreational open space and not open countryside in terms of rural character. The direct approach from open countryside along the track, through the tree thicket passing close to the Old Hall and entering the church yard, and then progressing to the Common is well preserved and an important element in the character and appearance of this part of the conservation area. Although the additional landscaping is appreciated, the new estate development will still be visible in the views when walking along the footpath and will result change to the setting to the church. This change will result in a harmful effect on the

significance of the Church because that significance is drawn in part from the rural character of the setting of which this site forms an important part. Historic England have also identified development on this site as resulting in harm to the setting of the church.

- 4.50 The northern part of the site is adjacent to the Grade II listed Paddock Farmhouse. The fields to the east of the farmhouse contribute to its setting, with the farmhouse historically looking towards the fields with views over open countryside. The setting is well preserved, with the existing relatively modern development of St Omer Close at the current edge of the village well screened by a deep thicket of mature landscaping. The farmhouse in particular is an important historic landmark on the approach to the village and its setting will be harmed by the proposed development. The layout has been amended so that the field immediately to the east of the farmhouse is turned into open space with residential development behind the hedge on the eastern boundary of the field. However, development will still be visible, and this will harm the rural setting of the farmhouse in terms of its connection to, and views over, open countryside. The change to the character of the field immediately to the east of the farmhouse itself could also have a detrimental impact on the setting of the farmhouse, changing the character of the setting from the more functional rural and agricultural worked landscape that has historically been associated with the landscape. The result of the development would therefore be to erode the rural character of the setting of the listed farmhouse that contributes to its significance.
- 4.51 The site falls outside of the conservation area for Mulbarton, but is in close proximity to it and abuts it in places. Whilst there has been some modern development in this part of the village, the character and appearance of this part of the conservation area remains largely unchanged and retains the character of a small rural settlement to the north and east side of the Common with the church and the Old Hall and their landscaped settings characterising the approach to the settlement.
- 4.52 The conservation area appraisal describes the character of the area in terms of setting on page 5:
- “There is a larger area of modern estate housing immediately to the south of the conservation area but to the north, east and west sides there are stronger links with the open countryside. At the far northern end of the conservation area Paddock Farm stands rather separate from the built-up part of the village which extends north from the pond and it is only modern housing that provides a stronger link between the farm and the main part of the settlement. The village of Mulbarton is not visible along the road on approach towards Paddock Farm which very much has the appearance of an historic farm site within the open countryside. The open rural setting here at the east side of the road on approach to the village forms a very important part of the setting of the listed farmhouse, which fronts the road and needs to be retained.”*
- 4.53 The Senior Conservation and Design Officer has commented that the addition of a new area of estate housing to the north east of the village in this location, however well designed in urban design terms, will have a significant impact in terms of the change to the rural setting of this part of the conservation area in terms of its rural connections and setting within open countryside. Although there is some modern development, this is very limited in comparison to the large areas of modern estate housing that characterises the setting to the south of the conservation area. Whilst it is accepted that an attempt has been made to replicate the more informal rural character of the village with more irregular layout of streets, the spacing of buildings and design of open spaces, the modern housing density and extent of new housing will change the settlement grain and the character of this part of the village and can be considered harmful to the setting of the conservation area.
- 4.54 There are two parts of the conservation area where harm from the development to its setting has been specifically identified: the approach along Norwich Road, and the area around the Church and Old Hall, which a rural footpath passes through in the approach to the village from the east.

- 4.55 The approach along Norwich Road is notable because of views of Paddock Farmhouse and the barns within open countryside, and the existing tree thicket screening St Omer Close in views. This approach into the village and conservation area has therefore remained relatively well preserved. Although the current plans leave the field to the east opposite the Paddock Farmhouse undeveloped, with housing behind the hedge to the east, the density of modern development will be very visible. This represents a change and results in harm from the loss of open countryside and the rural setting of the conservation area in the approach to the village. The other significant alteration in this part of the village will be the introduction of the roundabout. This will introduce a more urban feature within an existing rural approach to the village. As noted above, it is also likely that the design of the open space itself will be very different in character to the rural agricultural farmland which forms part of the current setting of the farmhouse and barns within the conservation area, and will create a very different transition from the current open countryside to the built up settlement.
- 4.56 Within the part of the village where the Church and Old Hall are situated, the experience of the conservation area as a heritage asset is from the track and footpath which connects the common and the village through the churchyard and then the wooded landscape to the fields and open countryside beyond. Within that area the historic buildings are to a significant extent screened within the landscaping, although in winter months they are more visible. The development of the field with housing in a more open setting will dramatically alter the experience of the village through introducing a more built up element within the setting of this part of the conservation area. Although the current proposal indicates that an area of land to the south west will be preserved as an open space, it will change in character to a managed open space rather than a rural field. This will change the transitional character of the area as experienced when walking in either direction along the relatively informal rural footpath, from open fields and hedge boundaries, through woodland planting associated with the church and Old Hall, in the historic churchyard and through to the Common, and is consequently considered to be harmful to the setting of the conservation area as a heritage asset. Historic England have also noted that despite the amendments to the scheme it remains their view that development at the northern end of the conservation area would, by introducing development between the historic edge of Mulbarton Common and its countryside setting, result in harm to the conservation area in terms of the NPPF with the creation of the roundabout being an additional negative feature.
- 4.57 It is therefore clear that part of the significance of the conservation area is the loose pattern of development that has historically developed over time and its relationship with the surrounding open countryside. By introducing modern estate development of the scale proposed into part of this countryside setting, the significance of the conservation area is clearly diminished.
- 4.58 Comments have also been raised about the Old Hall to the south of the site, and the impact on longer distance views to Swardeston church to the north. In regard to the Old Hall there is significant mature landscaping and a large utilitarian agricultural building that affect inter-visibility between the Old Hall and the site despite their relative proximity. Whilst the winter thinning of vegetation allows for glimpsed views of the Old Hall from the public footpath, the orientation of the building faces south-east and north-west with no direct views from the house towards the site. The Senior Conservation and Design Officer does not therefore consider that the development will have a harmful impact on the setting of the building in terms of how it is experienced and appreciated. In regard to Swardeston Church, the church is visible from the public footpath running along the southern boundary of the site. However, it is not a prominent landmark due to the distance with intervening undeveloped fields beyond the site and intervening features and as such these views are not considered by the Senior Conservation and Design Officer to contribute to the significance of the heritage asset. As such, it is not considered that there is identified harm to the setting which effects the significance of either the Old Hall or Swardeston Church.

- 4.59 Overall however, harm has been identified to a number of heritage assets, albeit harm that is less than substantial. Paragraph 196 of the NPPF requires less than substantial harm to be balanced against the public benefits of a development. Paragraph 193 of the NPPF also states that when considering the impact of a proposed development great weight should be given to the heritage asset's conservation. This level of harm to each of the heritage assets can be considered as moderate within the scale of less than substantial but the cumulative harm identified is therefore higher and should be afforded significant weight in the planning balance. Balancing this with the public benefits is carried out later in the report.
- 4.60 In consideration of the Council's duties under Sections 66(1) and 72 of the Listed Buildings Act 1990 assessment is required of the affect upon listed buildings and its setting and the impacts of development upon Conservation Areas. It is considered for the reasons set out above that there is a degree of harm to the setting of three listed buildings and the conservation area. The assessment above reflects consideration on the impact on the setting of these buildings and the conservation area.

Drainage and Flood Risk

- 4.61 The site is within Flood Risk Zone 1 and therefore is not at risk of fluvial flooding. However, the northern most part of the site is identified at being at risk of surface water flooding.
- 4.62 Surface water drainage was designed to be through infiltration via an attenuation lagoon. The Lead Local Flood Authority objected to the scheme as originally proposed due to the drainage features and dwellings being located in areas shown to be at risk of flooding. Revisions were made including the relocation of the attenuation basin from areas of surface water flood risk and the removal of any housing in this area, with this area instead proposed as a location for an orchard.
- 4.63 The Lead Local Flood Authority are now satisfied the information submitted is acceptable. As such, the scheme as considered to accord with Policy DM4.2.
- 4.64 In regard to foul drainage, Anglian Water have commented that Swardeston Common Water Recycling Centre has capacity for flows from this development, as does the sewerage system. A report prepared by consultants acting on behalf of the Mulbarton Residents Group notes that there is a reference to potential foul water pump. The consultants note that this could need a cordon sanitaire of at least 15 metres from the nearest dwelling. However, the site contains considerable open space and which should allow for such a pump to be accommodated on the site.

Ecology

- 4.65 A Preliminary Ecological Appraisal was submitted with the application. This identified that there are some risks of minor impacts to protected species including great crested newts which will need to addressed through mitigation. These included a circular walk within the site for dog walkers and runners to reduce pressure on Mulbarton Common which is a County Wildlife Site. In addition, a financial contribution is proposed towards the on-going management of Mubarton Common which if permission were granted would be secured by the Section 106.
- 4.66 Norfolk County Council's Ecologist welcomes the provision of the circular walk and the proposed financial contribution. However they would still like to see increased connectivity for great crested newts and had previously recommended that population size class assessment surveys are carried out to fully assess the extent to which greater crested newts could be affected by the proposed development. The scheme has now been amended to increase connectivity and as a consequence this requirement for further surveys is no longer required prior to determination.

Agricultural Land

- 4.67 A number of comments have been made in regard to the loss of agricultural land. The land is classified as Grade 3 and it has been asserted that due to previous crop production it is likely to be Grade 3a. Whilst Grade 3a soil is relatively high quality soil for agriculture, it is not considered that even if the land were proved to be Grade 3a the loss of such land would in itself be a reason to refuse the application.

Summary of environmental objective

- 4.68 The development would result in harm to the landscape from introducing development into public views which are currently rural in nature. The development would also result in harm to the setting of three designated heritage assets which should be given significant weight.

Accordance with Development Plan

- 4.69 The applicant has identified a number of benefits from the scheme which need to be considered in the context of criteria 2d) of Policy DM1.3.
- 4.70 The proposal provides a substantial amount of additional housing. However, as a 5-year land supply can be demonstrated this is given limited weight.
- 4.71 Policy compliant levels of affordable housing to meet the JCS requirement of 33% is proposed, which is now in excess of the recent need set out in the SHMA of 28%. Affordable housing provision in excess of the most recent evidence of need therefore presents a social benefit.
- 4.72 In addition, 10% of plots are to be made available for self-build plots although this is afforded limited weight as the Council is currently meeting its requirements in terms of the delivery of plots. There are also a number of other benefits such as public open space in excess of policy requirements with connectivity to the public right of way network. As noted above, some of the other stated benefits have more limited value as they are only required to mitigate the development or there is considerable doubt as to whether they would be delivered such as the offer of land for an extension to the Church burial ground. Whilst the applicant has contended that more weight should be given to the healthcare contribution, it is considered that even if this could be secured it would not outweigh the identified harms.
- 4.73 The benefits are not therefore considered to constitute overriding economic, social or environmental benefits. As such, the development is considered to conflict with Policy DM1.3 of the Local Plan.
- 4.74 The proposal is also considered to be contrary to Policy 2 of the Joint Core Strategy and Policy DM3.8 of the Local Plan as the development would be detrimental to the form and character of this part of Mulbarton.
- 4.75 Furthermore, for the reasons outlined previously the proposal is also considered to be contrary to Policy DM4.5 of the Local Plan as the development would have an adverse impact on the landscape through the introduction of built development in a rural environment. The partial loss of an important hedgerow is also contrary to Policy DM4.8 of the Local Plan.
- 4.76 Finally the proposal is considered to be contrary to Policy DM4.10 of the Local Plan and Policy ENV1 of the Mulbarton Neighbourhood Plan due to the harm it would result in the setting of three designated heritage assets, each of which would be a moderate harm that should be given significant weight, which should be given very significant weight when considered cumulatively.

Other Material Considerations

- 4.77 The NPPF reinforces the Section 38(6) requirements of the Planning and Compulsory Purchase Act 2004 and at Para 12 clarifies that the presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making. It confirms that where a planning application conflicts with an up to date development plan, permission should not usually be granted, unless material considerations indicate the plan should not be followed. The NPPF is a key material consideration.
- 4.78 Para 11c of the NPPF sets out the presumption in favour of sustainable development for decision taking advising this means approving development proposals that accord with an up to date development plan without delay. Paragraph 11d i) and ii) are not engaged as the Council is able to demonstrate a 5 year housing land supply and accordingly the policies which are most important for determining the application cannot be considered out of date.
- 4.79 Having determined that the proposal does not accord with the development plan and Para 11 of the NPPF is not engaged (i.e. the tilted balance), consideration is now had as to whether there are any material considerations that would indicate that the Local Planning Authority should depart from the plan and the conflicts identified.
- 4.80 Paragraph 196 of the NPPF states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal.
- 4.81 The proposal results in less than substantial harm to three designated heritage assets – the Grade II* listed St Mary Magdalen Church, the Grade II listed Paddock Farmhouse and Mulbarton Conservation Area. Considerable weight should be attached to the individual harm to each of these assets in their own right.
- 4.82 Whilst some weight can be given to the provision of housing including affordable housing provided in excess of the requirements identified in the SHMA along with the other identified benefits it is not considered that these benefits outweigh this cumulative harm or when considered individually.
- 4.83 This reinforces the conflict identified with the relevant policies of the development plan and the refusal of the application.
- 4.84 In all other respects it is not considered that the NPPF as a material consideration raises any matters that would lead officers to depart from determination in accordance with the development plan.
- 4.85 Furthermore, there are not considered to be any other material considerations that would direct officers to depart from determination in accordance with the development plan.

Other Issues

- 4.86 Concern has been raised that the site was used for the burial of cattle carcasses during outbreaks of Foot and Mouth Disease in the 1950s and 1960s. However, in the event that planning permission was granted this could be dealt with through standard contamination conditions.
- 4.87 It is noted that there has been a considerable number of objections to the proposal. All comments received have been taken into account if not all explicitly referred to with the key concerns outlined in the assessment above.

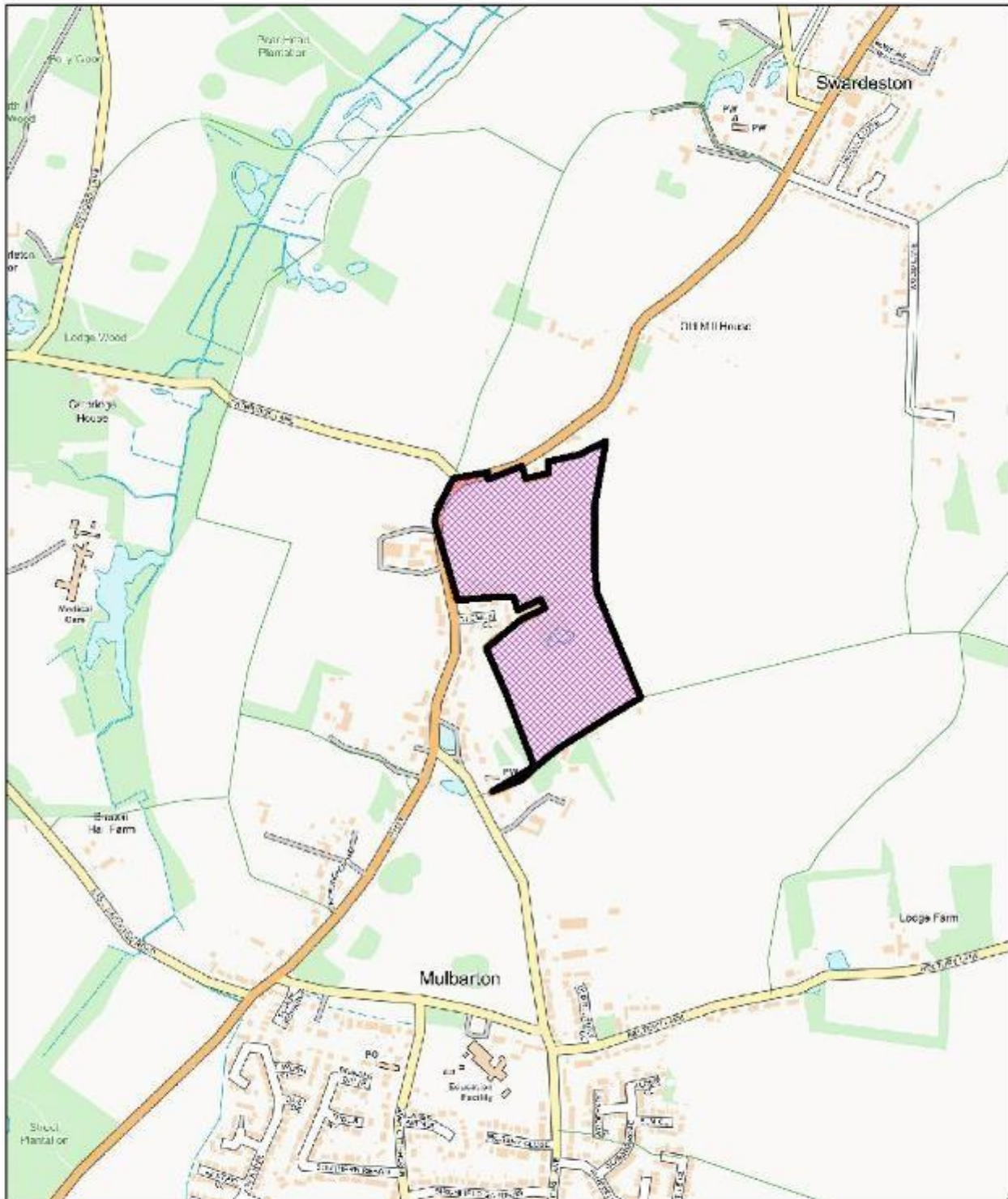
- 4.88 An Environmental Impact Assessment screening has been undertaken as part of the application. The environmental, social and economic impacts have all been considered and are adequately addressed as detailed in the above report and the proposal was not considered to require an Environmental Statement as it would not be likely to have significant effects on the environment singularly as an application or cumulatively.
- 4.89 The application is liable for CIL although this would be calculated at the reserved matters stage where floor spaces would be known. Should consent be granted a section 106 agreement would need to be entered into to ensure the provision of affordable housing and in regard to the provision and management of open space.
- 4.90 Under Section 143 of the Localism Act the council is required to consider the impact on local finances. This can be a material consideration but in the instance of this application the other material planning considerations detailed above are of greater significance.
5. Conclusion
- 5.1 The proposed development is outside of the development boundary for Mulbarton and would negatively impact on the setting of three designated heritage assets including the form and character of the settlement, and on the open rural landscape when viewed from the east. As a result it is considered contrary to Policies DM1.3, DM3.8, DM4.5 and DM4.10, Policy 2 of the Joint Core Strategy and relevant policies of the NPPF.
6. Reasons for Refusal
- 6.1 The proposed development is not considered to present sufficient public benefits to justify causing less than substantial harm to the setting of the Grade II* St Mary Magdalen Church where new estate development will be visible in currently rural and undeveloped views of the church when approaching the village on Public Footpath 8 from the east and is therefore contrary to Policy DM4.10 of the South Norfolk Local Plan 2015.
- 6.2 In addition the development will have less than substantial harm on the Grade II listed building known as Paddock Farmhouse and its associated listed Barn by the change to the landscape in the field immediately to the east of the farmhouse, the introduction of estate in the wider historic setting to the east of the farmhouse and by the introduction of urbanising features such as the roundabout immediately to the north of the farmhouse. The harm is not outweighed by public benefits and is contrary to Policy DM4.10.
- 6.3 Furthermore, the development will introduce modern estate development out of scale to the surrounding development and urbanising features such as the roundabout on the northern and eastern fringe of the village which forms part of the conservation area and which has remained largely unchanged, retaining the character of a small settlement when approaching the village on the B1113 Norwich Road and Public Footpath 8. The harm is not outweighed by the public benefits and conflicts with Policy 2 of the JCS as the proposed development would detract from a strong sense of place, Policy DM3.8 of the Local Plan as the proposed development would not protect the existing locally distinctive character of this part of Mulbarton, and Policy DM4.10 of the Local Plan and Policy ENV1 of the Mulbarton Neighbourhood Plan as the development would not preserve or enhance the character and appearance of the Conservation Area.
- 6.4 The development would result in a significant harm to the rural character of the landscape including views from the public footpath to the east of the site, thereby conflicting with Policy 2 of the Joint Core Strategy and Policy DM4.5 of the South Norfolk Local Plan. In particular, the development, which would be apparent to users of public footpaths to the east of the site where there is currently little perception of development, would lead to a loss of the landscape's rural character.

- 6.5 The proposed development will result in removal of part of the hedgerow dividing the two most northerly fields that form part of the application site which is considered to be 'important' under the Hedgerow Regulations 1997, thereby conflicting with Policy DM4.8 of the South Norfolk Local Plan.
- 6.6 The proposed housing 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 caused to heritage assets and the adverse impact on the landscape and having regard to the benefits of the proposed scheme and as such does not satisfy the requirements of either 2 c) or d) of Policy DM1.3 of the South Norfolk Local Plan. The proposal therefore conflicts with Policy DM1.3.
- 6.7 As noted above, the proposal results in less than substantial harm to three designated heritage assets, one of which is a grade II* listed building. Whilst some weight is given to the provision of housing including affordable housing along with the other identified benefits it is not considered that these benefits outweigh this cumulative harm and therefore the proposal is contrary to paragraph 196 of the NPPF.

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2018/0872

Appendix 1



Scale 1:10,138

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

Major applications where South Norfolk Council has an interest

- 2 Appl. No : 2018/2783/D**
Parish : CRINGLEFORD
- Applicants Name : Big Sky Developments Ltd
 Site Address : Area BS1 South of Newmarket Road Cringleford Norfolk
 Proposal : Reserved Matters details of appearance, layout, scale and landscaping following outline permission 2017/2120, for RM-APP-1 comprising 67 dwellings together with associated landscaping and infrastructure. (The outline submission included an Environmental Statement)
- Recommendation : Authorise the Director of Growth & Business Development to approve
 1 In accordance with outline consent
 2 To accord with submitted plans
 3 Materials to accord with submitted details
- Subject to the carrying out of further ecological surveys, receipt of amended plans, arboricultural impact assessment and location of affordable housing units.

Reason for reporting to committee

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

- 1 Planning Policies**
- 1.1 National Planning Policy Framework (NPPF)**
 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
 NPPF 16 : Conserving and enhancing the historic environment
- 1.2 Joint Core Strategy (JCS)**
 Policy 1 : Addressing climate change and protecting environmental assets
 Policy 2 : Promoting good design
 Policy 3: Energy and water
 Policy 4 : Housing delivery
 Policy 5 : The Economy
 Policy 6 : Access and Transportation
 Policy 9 : Strategy for growth in the Norwich Policy Area
 Policy 10 : Locations for major new or expanded communities in the Norwich Policy Area
 Policy 12 : The remainder of the Norwich Urban area, including the fringe parishes
 Policy 20 : Implementation
- 1.3 South Norfolk Local Plan (SNLP)**
 South Norfolk Local Plan Development Management Policies
 DM1.1 : Ensuring Development Management contributes to achieving sustainable development in South Norfolk
 DM1.3 : The sustainable location of new development

DM1.4 : Environmental Quality and local distinctiveness
 DM3.1 : Meeting Housing requirements and needs
 DM3.8 : Design Principles applying to all development
 DM3.10 : Promotion of sustainable transport
 DM3.12 : Provision of vehicle parking
 DM3.13 : Amenity, noise, quality of life
 DM4.2 : Sustainable drainage and water management
 DM4.3 : Facilities for the collection of recycling and waste
 DM4.4 : Natural Environmental assets - designated and locally important open space
 DM4.8 : Protection of Trees and Hedgerows
 DM4.9 : Incorporating landscape into design
 DM4.10 : Heritage Assets

- 1.4 Cringleford Neighbourhood Plan
 GEN1 : Co-ordinated approach for delivering overall growth
 GEN3 : Protection of significant buildings
 GEN4 : Provision of infrastructure
 ENV3 : Protection of hedgerows
 ENV5 : Provision of sustainable drainage
 ENV6 : Provision of open space and community woodlands
 HOU1 : Housing Allocation
 HOU2 : Design Standards
 HOU3 : Building Densities
 HOU4 : Mix of property types
 HOU6 : Renewable Energy Sources
 HOU7 : Space standards
 HOU8 : Provision of garaging
 HOU9 : Provision of affordable housing
 SCC3 : Provision of walking/cycling routes
 SCC5 : Provision of playing field and play areas
 SCC6 : Provision of broadband connections
 SCC7 : Provision of library facilities
 TRA1 : Major estate roads
 TRA2 : Thickthorn interchange improvements
 TRA3 : Provision of walking / cycling routes
 TRA4 : Minimising use of private cars

- 1.5 Supplementary Planning Documents (SPD)
 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.

2. Planning History

- | | | | |
|-----|-----------|---|--------------|
| 2.1 | 2013/0552 | Request for Scoping Opinion for proposed residential development for up to 700 residential units, green infrastructure land, up to 2500 square metres of Class A1-A5 and D1 floorspace and access from the A11 roundabout | EIA Required |
|-----|-----------|---|--------------|

2.2	2013/1494	Outline planning application with all matters reserved (save access) for the creation of up to 650 residential dwellings (use class C3), up to 2,500 sq mtrs of use class A1, A2, A3, A4, A5 and D1 floorspace, together with highways works, landscaping, public realm, car parking and other associated works.	Refused Allowed at Appeal
2.3	2017/0196	Variation of conditions 5, 6, 11, 28, 35, 36, 37 and 38 of permission 2013/1494 (Outline planning application with all matters reserved (save access) for the creation of up to 650 residential dwellings (use class C3), up to 2,500 sq mtrs of use class A1, A2, A3, A4, A5 and D1 floorspace, together with highways works, landscaping, public realm, car parking and other associated works.) - to facilitate greater flexibility in the delivery of the scheme	Approved
2.4	2017/2120	Variation of conditions 1, 3, 4, 7, 10, 13, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 29, 30, 33, 36, 38, and 39 following application 2017/0196 which relates to - (Outline planning application with all matters reserved (save access) for the creation of up to 650 residential dwellings (use class C3), up to 2,500 sq mtrs of use class A1, A2, A3, A4, A5 and D1 floorspace, together with highways works, landscaping, public realm, car parking and other associated works.) - to facilitate the development coming forward on a phased basis.	Approved
2.5	2017/2207	Discharge of condition 5 - Landscape Strategy of permission 2013/1494 (Outline planning application with all matters reserved (save access) for the creation of up to 650 residential dwellings (use class C3), up to 2,500 sq mtrs of use class A1, A2, A3, A4, A5 and D1 floorspace, together with highways works, landscaping, public realm, car parking and other associated works.)	Withdrawn
2.6	2018/1703	Discharge of Condition 6 - Design Code of Planning Permission 2017/2120	Approved
2.7	2018/2205	Discharge of condition 25 from planning consent 2017/2120 - Off-site highway improvements.	Approved
2.8	2018/2303	Discharge of condition 6 following planning permission 2017/2120 - Design Code	Approved
2.9	2018/2404	Reserved matters application for appearance, landscaping layout and scale following outline permission 2017/2120 for	under consideration

		the first section of access road and 7 dwellings with associated landscaping. Kier Living	
2.10	2018/2683	Discharge of condition 21 of planning permission 2017/2120 - Details of highway design	Approved
2.11	2018/2704	Discharge of condition 31 following 2017/2120 - bus services	Withdrawn
2.12	2018/2784	Reserved Matters details of appearance, layout, scale and landscaping following outline permission 2017/2120, for RM-APP-2 comprising 79 dwellings together with associated landscaping and infrastructure. (The outline submission included an Environmental Statement)	under consideration
2.13	2018/2785	Reserved Matters details of appearance, layout, scale and landscaping following outline permission 2017/2120, for RM-APP-3 comprising 62 dwellings together with associated landscaping and infrastructure. (The outline submission included an Environmental Statement)	under consideration
2.14	2018/2786	Reserved Matters details of appearance, layout, scale and landscaping following outline permission 2017/2120, for RM-APP-4 comprising 56 dwellings together with associated landscaping and infrastructure. (The outline submission included an Environmental Statement)	under consideration
2.15	2018/2787	Reserved Matters details of appearance, layout, scale and landscaping following outline permission 2017/2120, for RM-APP-5 comprising 23 dwellings together with associated landscaping and infrastructure. (The outline submission included an Environmental Statement)	under consideration
2.16	2018/2788	Reserved Matters details of appearance, layout, scale and landscaping following outline permission 2017/2120, for RM-APP-6 comprising 21 dwellings together with associated landscaping and infrastructure. (The outline submission included an Environmental Statement)	under consideration
2.17	2018/2789	Reserved Matters details of appearance, layout, scale and landscaping following outline permission 2017/2120, for RM-APP-7 comprising 42 dwellings and approximately 500 sq metres of commercial floorspace, together with associated landscaping and	under consideration

		infrastructure. (The outline submission included an Environmental Statement)	
2.18	2018/2790	Reserved Matters details of appearance, layout, scale and landscaping following outline permission 2017/2120, for RM-APP-8 comprising 765 sq metres of commercial floorspace (Use classes A1,A2,A3,A4,A5,D1) together with associated landscaping and infrastructure. (The outline submission included an Environmental Statement)	under consideration
2.19	2018/2791	Reserved Matters details of appearance, layout, scale and landscaping following outline permission 2017/2120, for RM-APP-9 comprising of the formal and informal landscaping areas, including areas for formal sport pitches and a sports pavilion, and associated infrastructure. (The outline submission included an Environmental Statement)	under consideration
2.20	2019/0378	Discharge of condition 49 from planning consent 2017/2120 - Written scheme of investigation for archaeological works, South of Round House Way (Site B).	Approved
2.21	2019/0650	Discharge of conditions 10 - Tree protection plan, 32 - Bicycle and bin storage and collection facilities, 35 - Surface water drainage, 36 - Foul water drainage and 49 - Archaeology of permission 2017/2120	under consideration
2.22	2019/0656	Discharge of conditions 4 - Phasing, 13 - Minerals plan, 39 and 40 - contamination investigation and risk assessment of permission 2017/2120 (relating to the whole of Site A)	under consideration

Appeal History

2.23	14/00025/AGREFU	Outline planning application with all matters reserved (save access) for the creation of up to 650 residential dwellings (use class C3), up to 2,500 sq mtrs of use class A1, A2, A3, A4, A5 and D1 floorspace, together with highways works, landscaping, public realm, car parking and other associated works.	Allowed
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3. Consultations

3.1	Parish Councils	Cringleford Parish Council No comments received Hetherstett Parish Council No comments received
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- | | | |
|------|--|---|
| 3.2 | District Councillors:
Cllr Wheatley
Cllr Kemp
Cllr Dale

Cllr Bills | To be reported if appropriate
To be reported if appropriate
No comment as this is out of sight over the A47 to the north of Hethersett

To be reported if appropriate |
| 3.3 | Anglian Water Services Ltd | No comments received |
| 3.4 | SNC Conservation and Design | No objections |
| 3.5 | NCC Ecologist | Although condition 11 of the outline is subject to a discharge of conditions application, the habitat Management Plan element needs to be considered at this stage as it is a fundamental aspect of the design of the site. Require further surveys to be provided. |
| 3.6 | NCC Highways | Original submission <ul style="list-style-type: none"> • Amendments to the proposal required Amended proposal <ul style="list-style-type: none"> • Whilst majority of my previous comments have been accommodated, I would comment • Parking spaces in lay-bys located in the highway between the carriageway and footway cannot be allocated to plots • A cyclepath should be provided between the link to Cantley Lane and the main spine road through the development |
| 3.7 | SNC Housing Enabling & Strategy Manager | No objection in principle across the wider site, but detailed proposals for the number, tenure and location of affordable dwellings awaited before detailed comments can be made. |
| 3.8 | SNC Community Services - Environmental Quality Team | No objections to the reserved matters <ul style="list-style-type: none"> • Note that details in respect of conditions 39 to 44 of the outline will be subject to a discharge of conditions application |
| 3.9 | SNC Environmental Waste Strategy | To be reported if appropriate. |
| 3.10 | SNC Landscape Architect | Original submission <ul style="list-style-type: none"> • Raised a number of concerns regarding the proposed layout and The Green details Amended proposal <ul style="list-style-type: none"> • Arboricultural information is still outstanding to demonstrate that the existing trees (some of which are significant) will not be compromised by these detailed proposals. • The revised layout and scheme has addressed many of the previous concerns, however the scheme needs to re-visit the verges along the primary road through the site and the Design Code requirement of verges. |

		<ul style="list-style-type: none"> The car park at The Green is improved but detailed landscaping of this space needs further refinement. Further information is required on the detailed planting of the Eastern Open Space.
3.11	NCC Planning Obligations Co Ordinator	No comments received
3.12	Open Space and Amenities Officer	To be reported if appropriate
3.13	Norfolk Police Architectural Liaison Officer	<ul style="list-style-type: none"> Recommend that this development fully embraces the security standard and practice recommended in Secured by Design homes 2016 guidance. Considerable use of dark external materials makes for a significant dark mass of brickwork and tiling and overly foreboding appearance. Meandering roadways and bends can provide unintended benefit for the criminal prefer straighter roadways including cul-de-sacs Suggest the use of vehicle mitigation features to prevent unauthorised vehicular access onto/from connecting pedestrian pathways Timber fencing e.g. 1.8m close boarding fencing recommended to protect rear and side gardens Rear parking courts are not supported due to vehicle crime to occur due to natural surveillance being mostly absent or significantly reduced
3.14	NHS England	No comments received
3.15	NHSCCG	No comments received
3.16	Cringleford GP Surgery	No comments received
3.17	Norfolk And Waveney Local Medical Council	No comments received
3.18	NCC Lead Local Flood Authority	No objection to reserved matters <ul style="list-style-type: none"> Note that condition 35 will be subject to a discharge of conditions application
3.19	Natural England	No comments
3.20	Environment Agency	No comments
3.21	National Planning Casework Unit	No comments received
3.22	Historic Environment Service	No objections to the reserved matters <ul style="list-style-type: none"> Note that further archaeological field work is to be carried out as a requirement of condition 49 of the outline consent.

- 3.23 Highways England No objections
- 3.24 Norfolk Wildlife Trust Comments made on all the 9 reserved matter applications:
We note that all of the above applications are accompanied by a joint Preliminary Ecological Assessment (PEA). Whilst the PEA makes an appraisal of the existing site features and outlines some of the measures required to avoid or mitigate ecological impacts, it is not complete, as there is a need for further protected species surveys and information on the measures needed ensure impacts on the County Wildlife Site (CWS) network are avoided. These concerns have also been raised by the County Council's Natural Environment Team in their recent response.
- On the basis of the information submitted, we have the following detailed comments to make:
 - Need for further surveys - Great crested newts and bats - support the need for these and recommend that they are submitted before a decision is made
 - Hedgerows - ENV 3 CNDP requires the retention of hedgerows on the site but the accompanying landscaping plans appear to indicate the hedgerow in the northern section of the site will be served - recommend that further details are provided to ensure that they will enhance as a result of the development
 - Impacts on County Wildlife Sites - the proposal is adjacent to Meadow Farm CWS and near others. We note the commitment made via the s106 agreement for the outline permission to support management of CWS in the Yare Valley and request that the revised ecology report is updated to reflect this. Additionally, the PEA states in section 4.3.1 that 'subject to measure to protect ground water and prevent surface water run-off at Meadow Farm CWS the impact ... is assessed as being Neutral'. It is not stated, however, what these measures are and therefore, we request further information
 - Habitat Management Plan - support the recommendation by the County Council that the landscaping and habitat enhancement measures for this proposal should be co-ordinated through a joint Habitat Management Plan, to be provided at this stage.
- 3.25 Public Rights Of Way Comments made in respect of all 9 reserved matters applications as there is one Public Right of Way - Cringleford Public Footpath 1 affected by the development as a whole
Mains concerns are
- Northern part of Fp1 linking to the A11
 - Obstruction by plots, raised lawn, tree planting, access road
 - Not being aligned but diverted
 - The does not appear to be a pedestrian access in the north east corner of the site
- 3.26 The Ramblers No comments received
- 3.27 NCC Minerals And Waste Planning Officer No comments received

3.28 Other Representations

93 letters of objection and a petition to 'stop the St Giles development from creating access from the proposed estate to Cantley Lane' with 72 signatures

Comments made in respect of all the reserved matters applications

- Find it extraordinary that an access option will be provided to Cantley lane
- To submit a secondary access onto Cantley Lane at this late stage since the design was updated, knowingly goes against what residents have been objecting to since 2013
- Purchased our property in 2018 based on the detailed examination of the existing and approved plans and only in the knowledge that there was to be no access to Cantley lane
- Narrow Road with a considerable amount of parking, especially near the Cringleford surgery and veterinary practice where, patients parking overflows onto Cantley lane and causes congestion
- Cantley Lane is narrow, inadequately lit, has inadequate pavements, kerbing, verges and with its sub-standard drainage is liable to flash-flood in heavy storms
- Cantley lane is a quite residential Lane used by school children, elderly residents and cyclists; and is popular with horse riders and dog walkers
- Unacceptable risk to pedestrians
- Issues with parking
- Increased parking problems as hospital staff leave their cars there to get the local bus to the hospital
- Concerns with the increased traffic flow along Cantley lane
- Commercial vehicles will use Cantley Lane
- Noted that there will be a secondary access via the development onto Cantley Lane creating a 'cut through' and 'rat-run' from the A11 to Keswick Road to access Eaton, Horsford, Keswick and surrounding villages
- Road safety concerns for children from the land and Brettingham Avenue crossing Cantley Lane to make their journey to school
- Both Cantley lane and Keswick Road have sub-standard carriageway construction and likely to deteriorate quickly with increased traffic
- No evidence has been provided with documentation that there has been any consideration of the increased traffic along Keswick Road
- Problems over traffic needs to be considered in the context of the development as a whole, to avoid seeing as a whole would be a failure of responsibility at Council level
- Impact on amenity, noise, air quality and quality of life from additional vehicles
- Increased traffic driving down Cantley Lane headed to Cringleford and Eaton will be a blight on the already overcrowded intersection and Historic assets in that area
- In 2017 the local community successfully campaigned to halt the proposed North South Cantley Lane Tunnel and are detrimental to ensure that this access should not go ahead, as there is no benefit to the local community as a whole
- Such provisions were not allowed for access from the Roundhouse Estate onto Colney Lane and therefore the same should apply
- No mention of upgrades to Cantley lane to cope with the additional traffic

- Object to the statement 'is not considered to cause any adverse impact on highway safety'
- Highways England propose to connect the south Cantley Lane to the Cantley Lane and also the roundhouse roundabout - all of this will lead to an unacceptable increase in traffic flow
- Traffic coming from the centre of Norwich and Eaton
- Increasing number of vehicles already do not adhere to the speed limits on Cantley Lane
- In parts Cantley lane only has a pedestrian footpath/pavement on one side of the lane; where there is pavement it is very narrow
- People using wheelchairs or mobility scooters are not able to go from the top of Cantley lane to the vets, surgery or the footpath that leads to Newmarket Road crossing for the primary school without having to cross and cross back unless they use the road
- Conditions of the PIN's approval have not been taken into account for the reserved matters application for example there is no reserved matters for condition 27 (off-site highway works to Cantley Lane), object that the proposals should include a secondary access onto Cantley Lane not having taken due care to the conditions of the appeal
- Mr Nick Tupper's assertion that Cantley Lane currently has a 'good' accident record beggars' belief
- I have seen serious accidents living opposite a bend and a junction on Brettingham Avenue, on most days someone has to mount the pavement to pass
- New development with its retail/business element will also draw motorists from Cringleford and Keswick onto Cantley Lane. A similar and undesirable situation exists on Roundhouse with Tesco's
- Concerned that after a major public consultation undertaken by Highways England that they offer no objection or comment on the proposed link
- Need to lower the speed limit to 20 mph
- Cantley lane was given the status of 'Key Cycle Path' and 'Proposed Key Walking Route' approved by the Secretary of State
- Traffic figures indicating that the effect on the traffic in Cantley lane as not significant is misleading and unrepresentative
- The traffic figures have been wrongly calculated and do not reflect the significant increase that Cantley Lane and surrounding roads will be subject to if the new access is allowed
- Local area saturated with housing development
- Detrimental impact on character of the village
- Trees and hedgerow need to be retained
- Apartment blocks are out of character with Cringleford - no other apartment blocks in Cringleford
- Contrary to DM3.8, DM3.10, DM3.11, DM3.13 and DM4.10
- Proposal will not improve the character and quality of the area
- Impact on the surrounding environment which the proposal will have
- Conflict of interests as Big Sky is owned by South Norfolk Council, the planning proposal needs to be scrutinised by an independent agency outside of SNC as neither party can independently and transparently engage in a planning process
- Totally unacceptable that this whole process is effectively 'in-house'
- The development company is associated with SNDC so approval seems assured whatever the objections

- Is not the developer effectively seeking approval from itself?
- The leaflet about the public event at the Willow centre on 22 January does not indicate that comments have closed before the event takes place and this is misleading
- Event should have been held somewhere nearer the site, a second event is called for on the south side of A11 - not everyone has a car to attend local events
- Consultations sent out over Christmas when people were away
- Plan with the proposal appears incorrect in regard to the borders of our and our neighbours
- Shows our trees within the site
- Loss of value of property
- In the recent past there has been flooding on Cantley lane which has impacted on Brettingham Avenue and this was attributed to the proposed development site being 'ploughed in the wrong direction' - concreting over the whole site will exacerbate this problem
- Main drain from Roundhouse runs down Brettingham Avenue - who has calculated the total volume of water now being focused in this area?
- Concern re flooding from the new development
- Catastrophic flooding on 23rd June 2016, NCC Water Management's report concluded that most of the flood water came from the fields immediately behind the doctor's surgery
- What are the arrangements for overspill from the East Pond and other parts of the new development
- A flood and water drainage situation should be understood, measured, documented and monitored into the future with accountability
- Existing trees and hedgerows should be retained and enhanced including the Veteran tree close to where the new road crosses Cantley lane
- Capacity issues at Cantley Lane surgery and local school
- Loss of post office
- Neighbourhood plan has been completely ignored
- This development will be subject to a judicial review if it goes ahead as currently proposed
- Is there a coach turning area planned for the playing fields? Coach traffic will increase noise and pollution and lower quality of life for residents
- Impacts on wildlife including bats, owls, birds and invertebrates

4 Assessment

Background

- 4.1 This application seeks reserved matters (RM) for the details of appearance, scale, landscaping and layout of the dwellings at land to the south of Newmarket Road, Cringleford. This reserved matters application is 1 of 9 applications submitted together for 350 dwellings, commercial up to 2,500 sq meters of use class A1, A2, A3, A4, A5 and D1 floorspace, together with highway works, landscaping, public realm, car parking and other associated works. This application is being referred to as an RM-App-1.
- 4.2 The application site consists of land on the edge of Cringleford. The approved site is two distinct parcels separated by Newmarket Road and benefits from outline planning permission for a large mixed-use development including up to 650 dwellings granted consent at appeal on 7 January 2016 (2013/1494) and a subsequent variation of conditions application (2017/2120).

- 4.3 The site subject to this application forms part of the land which lies directly adjacent to Roundhouse Way and extends south from the A11, with the A47 bypass to the west and existing residential development to the east. The whole site comprises of approximately 27 hectares of grade 3 agricultural land with undulating gradient falling in various directions. The southern parcel is outside of Cringleford Conservation Area and the closest listed buildings are a 19th century Round House, on the opposite side of the A11 to the application site and The Farmhouse located adjacent to the boundary to the southeast corner at the end of Meadow Farm Drive.
- 4.4 This application RM-App-1 proposes 67 residential units, comprising the bulk of the eastern part of the site between the A11 and Cantley Lane, including the connections to the off-site strategic highways network.

Principle

- 4.5 The principle of the development on the site has been accepted by the grant of the outline consent. The site is included within the development boundary and is a Housing Site Allocation area as set out in the Cringleford Neighbourhood Development Plan. As such the principle is established for residential development. It is therefore only the details reserved at that outline that are now for consideration. With this in mind the following assessment focuses on the site-specific planning issues and how the scheme complies with the requirements of the outline consent.
- 4.6 Having regards to the above, the main consideration of this application is the layout, design/appearance/scale and landscaping.

Layout and Design

- 4.7 Both JCS Policy 2 and Section 12 of the NPPF require high quality design with importance being attached to the design of the built environment, which is seen as a key aspect of sustainable development.
- 4.8 Firstly, a Design Code has been agreed for the site covered by the outline consent. It is essential that the scheme complies with this document. The application is supported by a Planning Compliance Document to support how the scheme meets the requirements of the Design Code. It includes a Design Code checklist and provides in depth detail to illustrate how the design concept and each principle of the code have been applied to the detailed design of the scheme to achieve a high quality residentially led development. Having considered this document and the scheme as amended, officers are satisfied that the scheme does comply. Equally, following the revised submission it is considered to be compliant with the South Norfolk Place Making Guide and will meet the test of 12 greens for Building for Life 12.
- 4.9 The Development structure follows perimeter block principles as set out in the design code, and provides adequate pedestrian and cycling connections through this part of the development. There is good and legible access for all properties to the village green at the entrance to the estate which is the main focal point and gateway for the estate and will also provide the local service centre and access to public transport. There is a mix of house types across this part of the site. The aim is to create a character that is based on the scale and form of traditional housing, but in a more contemporary style, which will lend the area a more distinctive character. The use of traditional materials ensures that the contemporary style ties in with traditional building character and attention has been given to detailing such as variety in fenestration and contrasting brickwork to create architectural interest.
- 4.10 The existing landscaping of Cantley Lane has been retained and forms a key feature at the south end of the site. The Green provides a suitable gateway responding to the main entry to the estate of the A11 roundabout.

- 4.11 The organisation of the road hierarchy is in line with the design code. The primary street will have good width, with landscaped verges and footpath. Around The Green the three-storey element will create a good sense of enclosure to the roads around the space and will have landscaped verges to lend the area a more rural feel. Secondary roads are shorter in length which will assist in reducing vehicle speeds, and private drives will create more intimate spaces which will allow them to function more as social spaces. There is a mix of parking provision. Parking is generally on plot and to the side for the majority of semi-detached and detached dwellings. Frontage parking is limited to relatively small areas. Parking courts have been made smaller, and shaped and landscaped so that they efficiently use the space and do not just appear as one large car parking area.
- 4.12 There is clear definition between public and private space, with public space including car parking being well overlooked, and back gardens generally backing onto back gardens, or where they do back onto public space, having a good level of surveillance. Where buildings have boundary treatment to street walls are brick.
- 4.13 In view of the above, it is considered that the proposed layout and design of the house types would result in a sufficiently high-quality development. Overall, the scheme results in a development with its own distinctive character with a strong green network that relates positively to its surroundings and Cringleford.
- 4.14 The densities of the proposed development are based on the wider local context and overall reflect the density framework plan part of the design code. The proposal does not exceed the maximum density of 25 dph gross across the housing allocation area as required by condition 7 of the outline consent. It should also be noted that the HOU 3 of the Cringleford Neighbourhood Plan requires an average approximate density of 25 dwellings per hectare (gross) across the Housing Site Allocation Area (HSAA).
- 4.15 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 and GEN1, HOU2 and HOU3 of the Cringleford Neighbourhood Plan.

Highways

- 4.16 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.
- 4.17 The primary access is from the existing roundabout on the A11 to the north of the site and a secondary access will be via Cantley lane, the vehicular access will be restricted at a point west of Brettingham Avenue, where the route will continue to allow for cyclists and pedestrians. These access points were considered at the outline stage and subject to the appropriate conditions, it was considered acceptable.
- 4.18 There has been significant concerns raised as set out above from local residents in respect of the use of Cantley Lane as an access into the proposed development. Whilst the concerns raised are fully appreciated, the original application included as part of its proposal the accesses to the site. These were the access from the existing roundabout on the A11 and from the eastern part of Cantley Lane. The Planning Inspector considered these as part of the appeal, which was a Public Inquiry procedure and refers to them to within his decision letter and included the access as part of the approved plans. In view of the above, the access from Cantley Lane has already been accepted and therefore cannot be a reason to refuse this reserved matters application.
- 4.19 In terms of the internal road network, the detailed specifications of its construction and drainage etc. will be dealt with under a discharge of conditions application. However,

details have been submitted and amended as required by NCC Highways to ensure that the road can be constructed to adoptable standard. The Highway officer subject to some further minor amendments, which the applicants are in the process of providing, has raised no objections to the proposal.

- 4.20 In view of the above, the proposal therefore accords with Policy DM3.11 and DM3.12 of the Development Management Policies document.
- 4.21 A number of concerns have been raised as set above by local residents in addition to the use of Cantley Lane, regarding the impact of the development on the surrounding road network, highway safety issues, congestion and out of date data etc. However as set out above this application is for reserved matters consent following the principle of the development being accepted, together with its traffic implications and access points. As part of the outline consent off-site highway works were conditioned to protect the environment of the local highway corridor and to ensure that the highway network is adequate to cater for the development proposed.
- 4.22 As such, whilst I fully appreciate the concerns raised, I do not consider the application should be refused on the grounds raised, particularly in the absence of an objection from NCC Highways or Highways England, 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

- 4.23 Policy DM4.5 requires all development to respect, conserve and where possible, enhance the landscape character surrounding the development. Policy DM4.9 advises that the Council will promote the retention and conservation of significant trees, woodlands and traditional orchards
- 4.24 In respect of the proposed overall landscape strategy this is considered acceptable and accords with the approved design code.
- 4.25 However, how the layout has responded to existing landscape features needs further consideration. An Arboricultural implications assessment is outstanding to ensure that the proposed layout will not compromise these existing features. Officers consider that these can be accommodated with relatively minor amendments to the scheme.
- 4.26 Furthermore Officers consider that further consideration needs to be had to the Design Code criteria of achieving verges along the primary road through the site, and clarification and refinement on the detailed landscaping proposals for both The Green and the Eastern Open Space within the development.
- 4.27 Therefore in respect of the landscape strategy and arboricultural implications, delegated authority to approve is sought to enable officers to negotiate and seek amendments where necessary to secure overall compliance with the Design Code and the policy.

Ecology

- 4.28 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
- 4.29 In terms of ecology, ecology was considered under the outline consent and the development was considered acceptable in this respect subject to the imposition of a

condition requiring ecology and biodiversity mitigation and enhancement measures to be submitted and agreed under a discharge of conditions application, prior to the commencement of the development. In establishing the proposed layout at this reserved matters stage, Officers consider that it is important to understand the overarching principles of the habitat management of the site and how this affects the layout coming forward. The applicant has submitted an ecological appraisal in support of their reserved matters submission which identifies that further survey work is required prior to commencement (including great crested newts eDNA sampling, assessment of the potential for mature trees affected by the development to support roosting bats, an assessment of bat activity on site and a badger walkover). These surveys will be carried between April to end of June and therefore it is requested that Members delegate authority to Officers to negotiate any minor changes to the layout following the conclusion of these additional surveys. This will ensure that the layout has appropriately responded to the required habitat management of the site.

- 4.30 Subject to any minor amendments necessary following updated surveys, the proposal would accord with DM4.4 of the Development Management Policies document and Section 15 of the NPPF.

Impact on Residential Amenity

- 4.31 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.
- 4.32 The principle of the development, access point, and number of dwellings is established through the outline consent and the impacts on general residential amenity in this respect has already been considered. The scheme would adequately protect the amenities of future residents when having regard to the layout of the scheme, the position of the dwellings within it and the positioning of openings within the dwellings. The nearest existing residential properties to the proposal are separated by Cantley Lane and therefore are a sufficient distance away as to not be affected by overlooking, overshadowing, overbearing impact etc.
- 4.33 As such, the proposed development would not 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

- 4.34 Both the foul water and surface water drainage strategy for the whole site will be subject to discharge of conditions application, which follows conditions imposed under the outline consent. A drainage strategy has however been submitted in support of the reserved matters application and the Lead Local Flood Authority has raised no objections. A specific drainage strategy for the site will still be required to be submitted and agreed as a discharge of conditions. As such the proposal is considered to accord with JCS Policy 1 and DM4.2.
- 4.35 Concerns have been raised as set above by local residents in respect of recent flooding and concerns regarding the drainage strategy for the whole site. Drainage was considered under the outline consent and it has been demonstrated as part of this application that a suitable drainage strategy can be provided and in view of this I do not consider that the application can be refused on the grounds raised.

Affordable housing

- 4.36 JCS Policy 4 requires housing proposals to contribute to the mix of housing required to provide balanced communities and meet the needs of the area as set out in the most up to

date study of housing need and/or Housing Market Assessment. The most up to date assessment of housing need is detailed the Strategic Housing Market Assessment (SHMA).

- 4.37 The proposed number, housing types and tenure of the affordable housing mix for the site as a whole is in accordance with requirements of the S106. The scheme will deliver 115 affordable dwellings which equates to 33% of the total proposed dwellings. The location of the affordable dwellings will be dispersed through the site with a maximum cluster size of no more than 25 dwellings. This phase will include affordable units, however at the time of writing the report, the exact number and positions have not yet been provided. It is anticipated that these will be provided for the committee meeting. The Housing Enabling and Strategy officer has verbally raised no objections to the proposal as the site as a whole will provided the required amount of affordable units as set out in the S106 agreement. Members will be orally updated at committee.

Public Open Space

- 4.38 In terms of open space, the development caters for children play by including several play areas, namely one Local Area for Play (LAPs) located within The Green. The location and size of the play space is considered acceptable and accords with the requirements set out in the S106 agreement. The final details for these spaces such as how it is equipped is to be agreed with the Council as per the provisions of the S106 agreement.
- 4.39 The proposal is considered to comply with the requirements of comply with the requirements of Policy 1 of JCS, DM3.15 and DM4.9 of the Development Management Policies document and HOU2 of the Cringleford Neighbourhood Plan.

Listed Buildings

- 4.40 This reserved matters application is a significant distance from the two listed buildings within the vicinity of the outline site, separated by the A11 and the proposed development to the south of this particular application and therefore it has no impact at all on those two listed buildings identified above.

Other matters

- 4.41 For the avoidance of doubt, the provision of 10% renewable energy, water efficiency, detailed landscaping scheme, tree protection, travel plan, parking and traffic access routing for construction, provision of fire hydrants, land contamination, noise and dust from construction, air quality, protection of new dwellings form noise from surrounding roads for example have been conditioned as part of the outline consent for details to be submitted as a discharge of conditions application.
- 4.42 An Environmental Statement (ES) was submitted under the Town and Country Planning (Environmental Impact Assessment) Regulations for the outline application. Due consideration has been given to the information submitted in the Environmental Statement when assessing the environmental impact of this reserved matters proposal, to ensure that the level of information provided in the ES was appropriate to the nature of this specific application. I consider that the ES satisfactorily considered the environmental impact of layout, design/appearance/scale of the built form and landscaping.
- 4.43 Under Section 143 of the Localism Act the council is required to consider the impact on local finances. This can be a material consideration but in the instance of this application the other material planning considerations detailed above are of greater significance.
- 4.44 This application is liable for Community Infrastructure Levy (CIL)

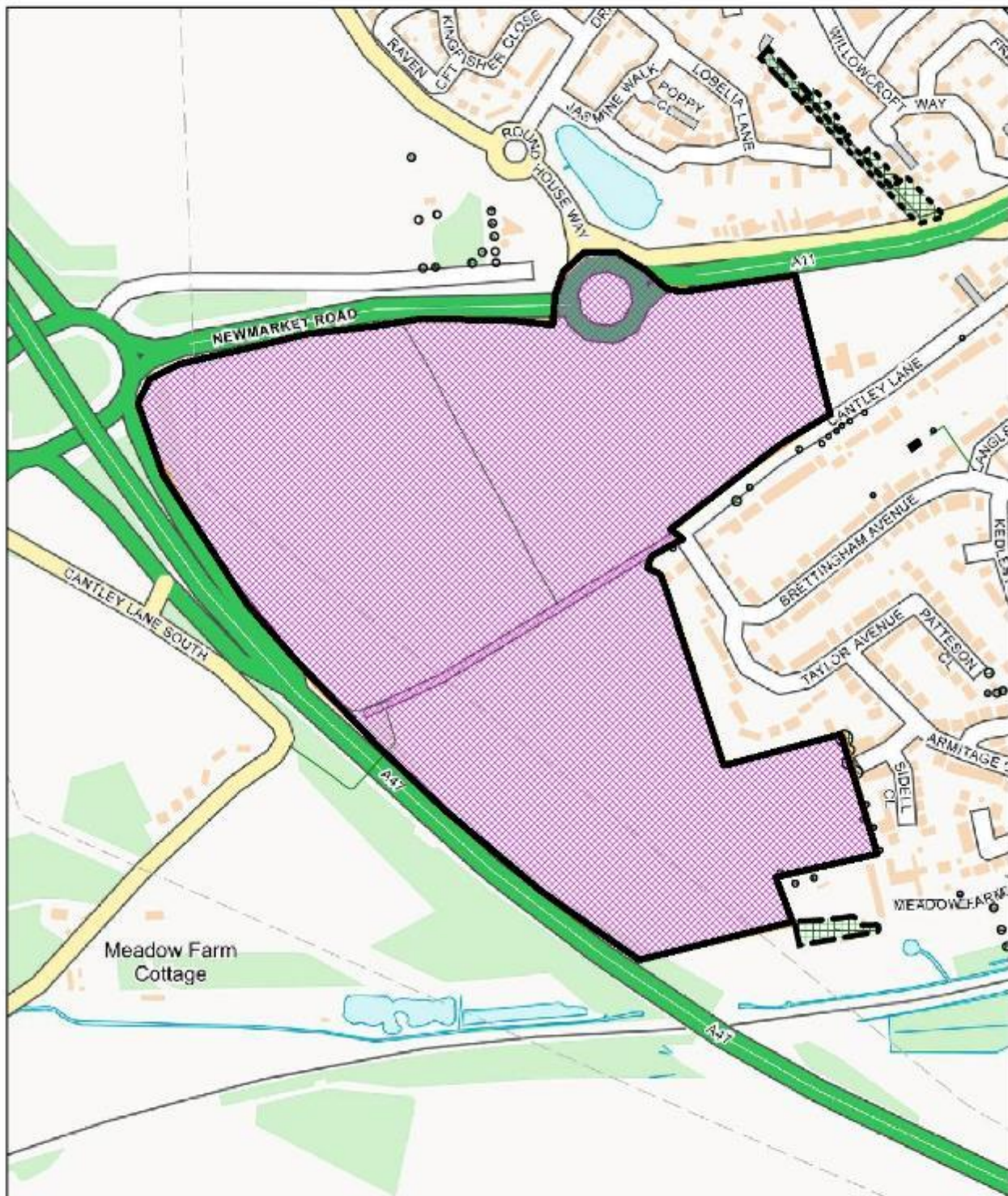
5 Conclusion

- 5.1 The principle and number of dwellings have already been established by the grant of outline consent 2013/1494. The proposal is considered acceptable in terms of design and layout, character and appearance of the area and amenities of neighbouring properties, subject to minor revisions as set out in the report based on outstanding information. Delegated authority to approve the application is therefore sought subject to resolution of outstanding issues of ecology, landscaping, trees, and affordable housing and any minor revisions to the scheme necessary.

Contact Officer, Telephone Number Claire Curtis 01508 533788
and E-mail: ccurtis@s-norfolk.gov.uk

2018/2783

Appendix 1



South Norfolk
COUNCIL

Scale 1:5,352

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

Other Applications

- 3 Appl. No : 2018/2645/F**
Parish : TACOLNESTON
- Applicants Name : Mr & Mrs Maginn
Site Address : Land to the rear of The Pelican Public House, Norwich Road,
 Tacolneston
Proposal : Erection of 2 dwellings with associated access, parking and
 landscaping
- Recommendation : Refusal
 1 Out of character
 2 Harm to conservation area
 3 Impact on trees
 4 No overriding benefits

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 in section 3 below.

1 Planning Policies

- 1.1 National Planning Policy Framework (NPPF)**
NPPF 02 : Achieving sustainable development
NPPF 04 : Decision-making
NPPF 05 : Delivering a sufficient supply of homes
NPPF 11 : Making effective use of land
NPPF 12 : Achieving well-designed places
NPPF 14 : Meeting the challenge of climate change, flooding and coastal
change
NPPF 15 : Conserving and enhancing the natural environment
NPPF 16 : Conserving and enhancing the historic environment
- 1.2 Joint Core Strategy (JCS)**
Policy 1 : Addressing climate change and protecting environmental assets
Policy 2 : Promoting good design
Policy 3: Energy and water
Policy 4 : Housing delivery
Policy 6 : Access and Transportation
Policy 15 : Service Villages
- 1.3 South Norfolk Local Plan Development Management Policies Document 2015**
DM1.1 : Ensuring Development Management contributes to achieving sustainable
development in South Norfolk
DM1.3 : The sustainable location of new development
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
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 and conservation areas:

Section 66(1) 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.

Section 72 Planning (Listed Buildings and Conservation Areas) Act 1990 provides: "In the exercise, with respect to any buildings or other land in a conservation area, of any functions under or by virtue of [the Planning Acts], special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area."

2. Relevant Planning History

2.1	2016/0842	Proposed accommodation block for additional bed and breakfast facility.	Withdrawn
2.2	2016/2642	Rear extension to provide Use Class C1 accommodation	Approved
2.3	2016/2643	Rear extension to provide Use Class C1 accommodation (listed building consent)	Approved
2.4	2018/0043	Change of use of part of public house to create single dwelling and alteration to rear elevation	Refused
2.5	2018/0044	Alterations to the public house (listed building consent)	Approved
2.6	2018/0119	Residential development for erection of 6 no. dwelling houses with associated access, parking and landscaping.	Withdrawn
2.7	2018/1379	Erection of 2 dwellings with associated access, parking and landscaping.	Withdrawn

3. Consultations

3.1	Parish Council	No comments received.
3.2	District Councillor Cllr B Duffin	The site being in a generally sustainable location, it will have an acceptable impact on the character and appearance of the area so if you are minded to refuse, I would like the application to be referred to Committee.
3.3	SNC Water Management Officer	Conditions recommended in relation to foul drainage and surface water drainage. Advisory comment made in relation to finished floor levels of Plot 2 as this part of the site is at low risk from surface water flooding.
3.4	NCC Highways	Planning conditions recommended in relation to the construction of the vehicular access, the gradient of the access, the provision of visibility splays, the provision and retention of the parking and turning areas, and the submission of a scheme the secures off-site highway works i.e. provision of a footpath.

3.5 NCC Ecologist

Comments on originally submitted plans:

The Ecology Report (NWS; June 2018) states “If great crested newts are breeding within Pond 4, they could be killed/injured if

present within the site at the time of the proposed works, and there will be a loss of terrestrial habitat for this species. It is recommended that a Habitat Suitability Index (HSI) assessment is undertaken on Pond 4. If the pond is found to be suitable for great crested newt further surveys may be required to ascertain presence/absence of the species. Based on the information acquired to date, there may be a requirement for European Protected Species Licences (EPSLs) for the development if further surveys of pond 4 show it to have a population of great crested newt.”

An HSI assessment needs to be carried out on pond 4. If access is not granted, we have to assume great crested newt presence in pond 4 and appropriate mitigation measures need to be proposed. No attempt to access the pond has been highlighted in the Ecology Report (Finnemore Associates; October 2018).

Comments on amended plans:

Reptiles

We recommend that a reptile method statement is conditioned to reduce the likelihood of impacts on this species.

Great crested newts

We agree with the report that great crested newts are unlikely to be impacted by the development proposals. If you are minded to approve this application, we recommend conditioning the following:

- The development needs to proceed in-line with the mitigation measures outlined in section 6.1 of the Ecological Report (Norfolk Wildlife Services; January 2018).
- Enhancement measures outlined in section 7 of the Ecology Report (Finnemore Associates; February 2019) needs to be incorporated into the site's design.

Protected Species Method Statement - No development shall take place (including any demolition or ground works or site clearance) until a method statement for reptiles has been submitted to and approved in writing by the local planning authority. The works shall be carried out strictly in accordance with the approved details.

3.6 Arboricultural Officer

I cannot give my approval to this report as the following issues remain:

- The clearance from T37 has been adjusted to allow 1.2m between the fencing and the foundation edge. During foundation construction it is normal for digger and dumper trucks to require access around the foundation area. 1.2m is not adequate space for machinery to drive to the west of the foundation pinch point with T37 and will also not allow space for all other construction requirements (e.g. scaffolding).

- The no-dig system between T13 and T18 has been stated as a requirement in point 3.4 of the AMS as needing to be installed prior to construction work starting. However it is not mentioned in the AMS point 2 - Sequence of events. A no-dig construction roadway is only effective if installed prior to compaction occurring and this will include bringing materials on or off the site. The report states there shall be an 'auditable system of arboricultural site monitoring'. This must extend to the implementation of this no-dig area as it is within the RPA of two trees.
- Location of soakaways – this position needs defining.

Officer note: At the time of writing this report, discussions between the Arboricultural Officer and the applicants' arboriculturalist are ongoing. Where possible, Members will be updated on the outcome of these discussion either in the update sheet or at Committee.

3.7 SNC Conservation and Design

Comments on originally submitted plans:

The principle of development of the site was discussed at pre-application stage and a small development which referenced the historic and traditional form of agricultural barns/outbuildings was considered to be appropriate for the context.

The general forms are acceptable. With regard to the fenestration, it would be preferable to design the dwelling with fenestration which would be similar to more functional outbuildings, for example windows with thinner vertical to match historic door opening or stable opening for example. First floor windows could take the form of hatch openings. Generally, being outbuildings, windows would have less symmetrically organised, although some symmetry was sometimes applied. It would be better if windows sat under eaves.

The roof of the side barn could be lowered - cartsheds/stables often had lower eaves and could be hipped - so no objection to this.

Comments on amended plans:

No further comments.

Conditions should ensure they cover materials (including eaves and verge details) as this will be important in a rural location and in the setting of heritage assets, including Grade II listed buildings and the conservation area.

3.8 Other Representations

Comments on originally submitted plans:

Objections received from five residents of Tacolneston raising the following issues:-

- The site is outside of the development boundary.
- The development will not preserve the setting of adjacent listed buildings and will not preserve or enhance the character and appearance of the conservation area.
- Design is not in keeping with the area.

- There are water management issues in respect of drainage.
- Loss of amenity at properties to west as a result of overlooking and overshadowing, particularly during winter months.
- Trees have been removed to make way for the access road. Remaining trees should be protected.
- Loss of trees, particularly the veteran Yew Tree identified as T13. T17 and T18 are healthy Sycamores which should also be retained.
- Eastern boundary of site falls under separate ownership.
- Loss of pub garden will impinge upon its viability.
- Reference was made to an appeal that dismissed for a dwelling at an adjacent (to north of 122 Norwich Road, Tacolneston).

Tree Warden for Tacolneston: Expressed concern about prospective impact on trees, particularly T13 (Yew) and T37 (Alder).

Comments on additional information and amended plans:

Objections received from six residents of Tacolneston making the following comments:

- Newly submitted information does not affect previous comments.
- Housing need in the village is being met by the provision of 21 dwellings at The Fields.
- Approval of this application may set a precedent to develop other sites outside of the development boundary.
- Disappointed that Parish Council has not responded to application.
- Concerned that if permission is granted for this application, it will result in overdevelopment of the site as The Pelican has permission for bed and breakfast accommodation too.
- Updated tree survey and report has not been submitted.
- Gradient to highway access.
- Loss of ecological habitat to bats and newts.

4 Assessment

- 4.1 This application seeks planning permission for the erection of two 3-bed dwellings with associated access, parking and landscaping on land to the south of The Pelican PH on Norwich Road in Tacolneston. The entrance to the site is approximately 190m by road outside of the development boundary that has been defined for Tacolneston and for the purposes of housing supply, is in the South Norfolk Rural Policy Area.

Principle of development

- 4.2 Planning law requires that applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise.
- 4.3 On 12th April 2019 the Council published an Interim Greater Norwich area housing land supply statement for the position at 1st April 2018 (this can be found at Appendix A at page 126 of this agenda.) This showed that the Council could demonstrate a housing land supply of 6.63 years. This sets out the housing land supply position for Greater Norwich for the period 1 April 2018 to 31 March 2024. The interim statement has not been formally endorsed by all three Local Planning Authorities and is not the final statement that will be published in the Annual Monitoring Report (AMR) of the Joint Core Strategy for Broadland, Norwich and South Norfolk. The AMR will be published in due course.
- 4.4 The housing forecasts included within the housing land supply statement have been based on the Councils' detailed knowledge of sites and discussions and correspondence with the

relevant developers and site promoters. The housing forecast is considered to be fully justified although some signed statements are still outstanding and will be published in due course. In addition, the Councils continue to work with developers and site promoters to establish the deliverability of some additional sites where information is not currently available and have not therefore been included in the current calculated supply.

- 4.5 Notwithstanding the interim status of the statement, it is considered to be a credible assessment of housing land supply in Greater Norwich and has been carried out in a manner that is consistent with the expectations of the National Planning Policy Framework and Planning Practice Guidance. As such, the statement justifies the conclusion that a five year housing land supply can be demonstrated across the Greater Norwich area.
- 4.6 For development proposals outside of development boundaries, Policy DM1.3 of the SNLP is relevant. It permits development outside of development boundaries where specific development management policies allow (criterion (c)) or where there are overriding benefits in terms of economic, social and environmental dimensions of sustainable development, as set out in Policy DM1.1 (criterion (d)).
- 4.7 In this case, criterion (c) is not considered to apply so instead, criterion (d) is triggered. In understanding the aims of this policy, it is useful to refer to paragraph 1.23 of the reasoned justification to this policy. It states that *"Only in exceptional cases consistent with specific development management policies or site allocations will development proposals in the countryside be supported by the Council. This could include agricultural buildings, development connected to outdoor sports facilities, small scale house extensions etc. In addition, development will generally be supported for school related development or other community facilities such as a GP surgery or a village hall where they are required and there are not suitable sites available within development boundaries"*.

Appearance and layout

- 4.8 The dwellings will be positioned behind The Pelican and to the east of a terrace of cottages at numbers 126 to 134 Norwich Road (evens only). They will be accessed via a new private drive to the northeast of The Pelican. The dwellings are attached to each other and are shown as being arranged in an L-shape. Plot 1 will be a single-storey dwelling while Plot 2 will be a two-storey dwelling. Their appearance will be that of a barn and attached outbuilding. In commenting on the application, the Senior Conservation and Design Officer set out his view that a small development which references the historic and traditional form of agricultural barns and outbuildings is considered appropriate for this context and he has not objected to the application.
- 4.9 However, although the appearance of the dwellings is acceptable, their positioning will lead to a form of development that is out of character with the area. There are no examples in the immediate area of dwellings being positioned behind each other in the arrangement shown and it is considered that the proposal will be contrary to the pattern of development in the area and will not make a positive contribution to local character. The application is therefore contrary to Policy 2 of the JCS and Policies DM1.4(d, i) and DM3.8 of the SNLP.

Impact on heritage assets

- 4.10 The Pelican PH, the dwellings to the southwest at numbers 116 and 122 Norwich Road and the dwellings to the northeast are all Grade II listed. The site is also within the Tacolneston conservation area. As such, regard must be had to sections 66(1) and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
- 4.11 In respect of listed buildings, those nearest are The Pelican and numbers 116 and 122 Norwich Road. The degree of separation between the proposed dwellings and these listed buildings is such that the setting of these buildings will be preserved, resulting in the

application meeting the test set by s66(1) of the Planning (Listed Buildings and Conservation Areas) Act.

- 4.12 In respect of the conservation area, it is characterised by traditional buildings of a variety of sizes with mature planting and trees in the spaces between small clusters of buildings. The area has a traditional and verdant character and appearance and the significance of the conservation area and the listed buildings within it is derived from the architectural quality and the groupings of the buildings as well as the spaces between them. Although views of the dwellings will be limited from Norwich Road and from the footpaths to the south and east, they will nevertheless introduce a significant bulk of development into the space to the rear of numbers 126 to 134 Norwich Road and The Pelican PH. This will contribute towards eroding the open space behind these properties and will cause harm to the character and appearance of the conservation area.
- 4.13 The development will result in less than substantial harm to the significance of designated heritage assets and therefore paragraph 196 of the NPPF is engaged. This requires any harm to be weighed against the public benefits of the proposal. In this case, it is considered that the public benefits of two dwellings and the provision of a footpath along the front of The Pelican on Norwich Road will not outweigh the harm arising. The application therefore does not meet the tests set by section 72 of the Planning (Listed Buildings and Conservation Areas) Act and paragraph 196 of the NPPF and does not comply with Policies 1 and 2 of the Joint Core Strategy or Policy 4.10 of the South Norfolk Local Plan Development Management Policies Document 2015.

Residential amenity

- 4.14 The dwellings will be visible to varying degrees from neighbouring properties. Plot 1 is a single-storey dwelling and Plot 2 a two-storey dwelling. No windows are proposed for the first-floor side/west of Plot 2. Despite the concerns raised, it is not considered that the development will result in direct overlooking of the terrace of houses to the west or of any other dwelling. Similarly, it is considered that the scale of development will not be overbearing to neighbouring properties.
- 4.15 Within the site, the layout is such that the dwellings relate appropriately to each other with each dwelling having generous garden areas and benefiting from private areas that will not be directly overlooked or experience a significant degree of shading from surrounding trees.
- 4.16 The site is next to the garden that will remain with The Pelican and the north/side elevation of Plot 1 will be approximately 18.5m from the part of The Pelican directly to the north. Although it is currently closed, if re-opened, scope exists for a degree of disturbance from the garden if used by customers of the pub. However, the outside seating area is immediately to the rear of the building and it is unlikely that the garden will be used at a high intensity throughout the year. Additionally, the only window in the north elevation of Plot 1 will serve the dressing room of bedroom 1, which will have two other windows facing the front.
- 4.17 Taking account of the paragraphs above in this section, it is considered that the application will result in acceptable living conditions for prospective future occupiers and neighbouring residents and so complies with Policy DM3.13 of the SNLP.

Highways

- 4.18 It is proposed that the development will be served by a new vehicular access that will be cut into the embankment to the northeast of The Pelican. The application also proposes to provide a new footpath that will link this access to the existing access that serves The Pelican and where the footpath into the rest of the village begins. Subject to the imposition

of conditions, Norfolk County Council has not objected to the application on the grounds of highway safety. The application complies with Policy DM3.11 of the SNLP.

- 4.19 Sufficient parking and turning is shown as being provided and therefore the application complies with Policy DM3.12 of the SNLP.

Trees

- 4.20 A number of trees are located along and adjacent to the side and rear boundaries of the site. The trees of most relevance are two category B trees (a Yew and a Sycamore) between which the access drive into the site is intended to pass, and a category A Alder tree in the northwest corner of the site. For the reasons set out in section 3.6 of this report, the Arboricultural Officer does not support the application. However, there have been discussions between him and the applicants' arboriculturalist subsequent to these comments being submitted and where possible, Members will be updated on this. Based on the currently submitted information though, it has not been demonstrated that the impacts of the development on these trees can be adequately mitigated. The application therefore does not comply with Policy 1 of the JCS and Policy DM4.8 of the SNLP.

Ecology

- 4.21 An Ecology Report and an update to this were submitted in support of the application and considered potential impacts on bats, reptiles and Great Crested Newts. This report did not consider it likely that Great Crested Newts are present, that the trees proposed for removal have no bat roosting potential and following surveys, no common reptiles were recorded. Norfolk County Council's Ecologist has recommended the mitigation and enhancement measures suggested in the Ecology Report are secured by planning condition and these will be sufficient to ensure compliance with Policy 1 of the JCS.

Surface water drainage

- 4.22 The Council's Water Management Officer has recommended the use of conditions to require details of surface water drainage to be submitted for approval. She also noted that Plot 2 is at low risk from surface water flooding (between 0.1% and 1% and below 300mm) and recommended that finished floor levels are set a minimum of 300mm above ground level. To minimise flood risk, this floor level could be secured via a planning condition to ensure compliance with Policy 1 of the JCS.

Other matters

- 4.23 The construction and subsequent servicing of the dwellings will generate an economic benefit. However, since the application is for two dwellings, such benefits will be limited.
- 4.24 A resident raised the prospect that building the dwelling will impinge upon the viability of The Pelican. It is understood that the pub has been closed for at least three years but has retained its premises licence. For the reasons set out in the residential amenity section of this report, it is considered that the application will result in acceptable living conditions for occupiers of the dwellings. In addition, an adequate outside area will remain with the pub.
- 4.25 The Pelican benefits from an extant planning permission to construct ten rooms for hotel accommodation. This two and single storey building is shown as being provided to the southeast corner of the pub with the two-storey element closest to the pub and the single-storey element at the southern end. Despite concerns raised about that development and current application together representing overdevelopment of the wider site, the two-storey dwelling at Plot 2 will be approximately 20m from the single-storey part of the hotel accommodation and approximately 28m from the two-storey element of the accommodation. This is considered to be adequate in respect of the amount of separation although it does not alter officers' opinion on the harm that the current application would

cause to the character and appearance of the conservation area and the pattern of development in the vicinity.

- 4.26 Paragraph 68 of the NPPF states that small and medium sized sites can make an important contribution to meeting the housing requirement of an area. Although a material planning consideration, this is not considered to be a factor on which the success or failure of the application depends upon.
- 4.27 Under Section 143 of the Localism Act the council is required to consider the impact on local finances. This can be a material consideration but in the instance of this application the other material planning considerations detailed above are of greater significance.
- 4.28 The development is liable for the Community Infrastructure Levy.

5 Conclusion

- 5.1 In having regard to those matters raised, the proposal will be contrary to the pattern of development in this part of Tacolneston and will result in harm to the character and appearance of the conservation area. At the time of writing this report, it has also not been adequately demonstrated that the impact on trees cannot be adequately mitigated. Although the proposal is acceptable in respect of its design, residential amenity and ecology and that the provision of a footpath along Norwich Road will improve connectivity to the rest of the village, when considering the harm arising, it is considered that any benefits are not overriding to either outweigh the less than substantial harm to the significance of designated heritage assets or to comply with Policy DM1.3 of the SNLP. The application is therefore recommended for refusal as it does not meet the tests set by s72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 or paragraph 196 of the NPPF and does not comply with Policies 1 and 2 of the JCS and Policies DM1.3, DM1.4(d, i), DM3.8, DM4.8 and DM4.10 of the SNLP.

6 Reasons for Refusal

- 6.1 The positioning of the dwellings will lead to a form of development that is out of character with the area and will not make a positive contribution to local character. The application is therefore contrary to Policy 2 of the Joint Core Strategy and Policies DM1.4(d, i) and DM3.8 of the South Norfolk Local Plan Development Management Policies Document 2015.
- 6.2 The conservation area is characterised by traditional buildings of a variety of sizes with mature planting and trees in the spaces between small clusters of buildings. The area has a traditional and verdant character and appearance and the significance of the conservation area and the listed buildings within it is derived from the architectural quality and the groupings of the buildings as well as the spaces between them. Although views of the dwellings will be limited from Norwich Road and from the footpaths to the south and east, they will nevertheless introduce a significant bulk of development into the space to the rear of numbers 126 to 134 Norwich Road and The Pelican PH. This will contribute towards eroding the open space behind these properties and will cause harm to the character and appearance of the conservation area. The development will result in less than substantial harm to the significance of designated heritage assets and when engaging paragraph 196 of the NPPF, it is considered that the public benefits of the development do not outweigh the harm arising. The application therefore does not meet the tests set by section 72 of the Planning (Listed Buildings and Conservation Areas) Act and paragraph 196 of the NPPF and does not comply with Policies 1 and 2 of the Joint Core Strategy or Policy 4.10 of the South Norfolk Local Plan Development Management Policies Document 2015.
- 6.3 It has not been demonstrated the impact of the development on adjacent trees have been adequately mitigated. The application does not comply with Policy 1 of the Joint Core Strategy and Policy DM4.8 of the South Norfolk Local Plan Development Management Policies Document 2015.

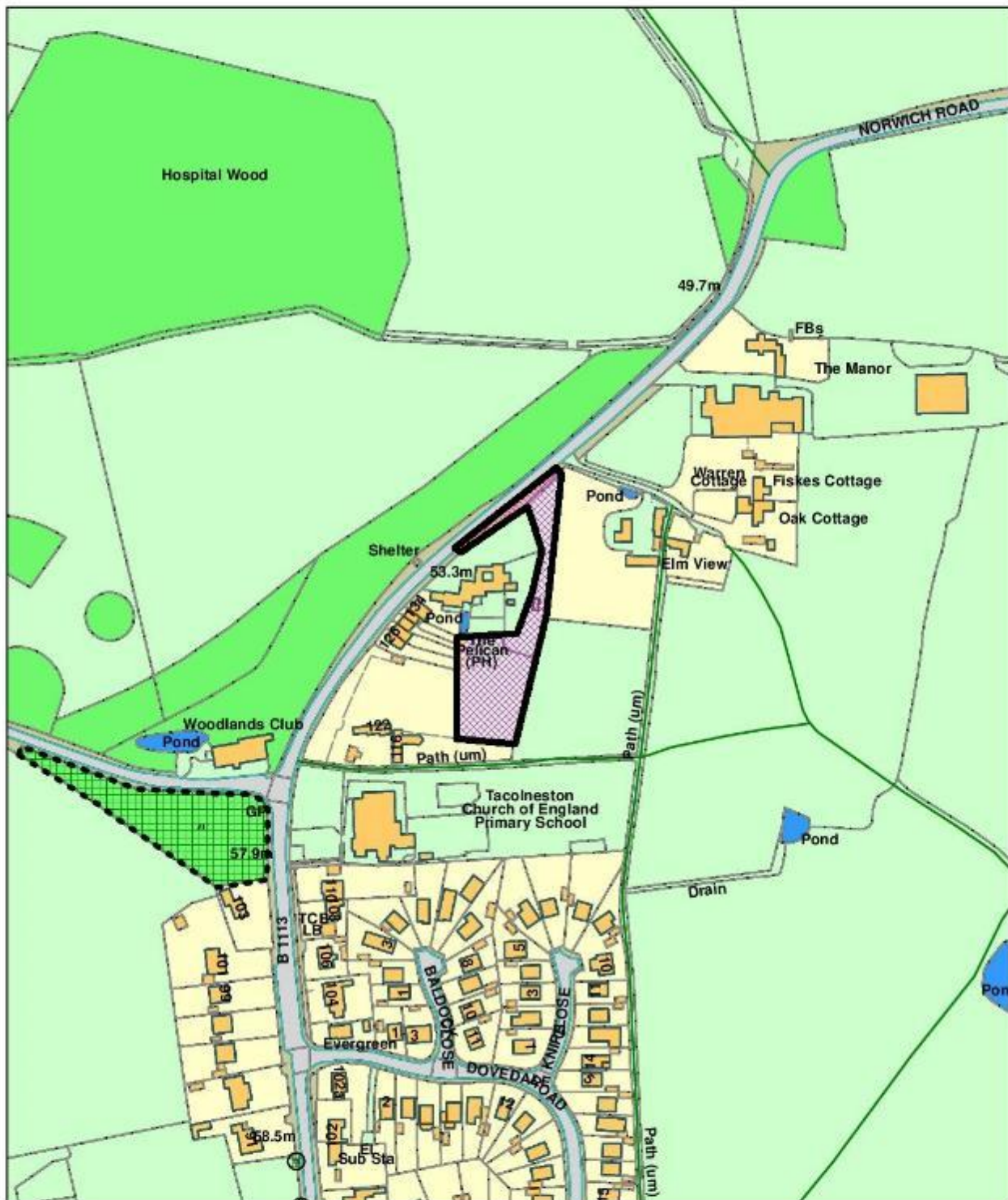
- 6.4 The proposed development is not supported by any specific Development Management policy which allows for development outside of the development boundary and nor does it represent overriding benefits when having regard to the harm identified above. As such, the application does not satisfy the requirements 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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2018/2645

Appendix 1

Not Set



Scale 1:2,500

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

2. Planning History

- 2.1 No relevant planning history

3. Consultations

- | | | |
|-----|---|---|
| 3.1 | Parish Council | No comments received |
| 3.2 | District Councillor | To be reported if appropriate |
| 3.3 | Historic Environment Service | No known archaeological implications |
| 3.4 | SNC Community Services - Environmental Quality Team | No comments received |
| 3.5 | NCC Highways | No objection subject to a condition in relation to access/ on-site car parking and turning being laid out prior to first occupation. |
| 3.6 | SNC Water Management Officer | No objection subject to the inclusion of a condition in relation to surface water drainage. |
| 3.7 | Other Representations | Two representations received. One representation raised concern in relation to disturbance during the construction period. Concern was also raised in relation to boundary treatment following demolition of the existing building and overshadowing from the proposed development.

A second representation related to the provision of hedgehog friendly fencing. |

4. Assessment

Background

- 4.1 The application proposes the change of use of the site from a builder's yard and offices to residential with the construction of 3no. 2-bedroom bungalows. The site is located within the Ditchingham development boundary on Loddon Road. It is surrounded by residential development on three sides and the village hall is located opposite.

Principle

- 4.2 The site is currently in an employment use and as such Policy DM 2.2 Protection of employment sites is of relevance to the determination of this application. This sets out that the Council will safeguard sites and buildings for employment use at criterion 2. Proposals leading to the loss of such sites and buildings will only be permitted where:
- a) *The possibility of re-using or redeveloping the site / premises for a range of alternative business purposes has been fully explored and it can be demonstrated that the site or premises is no longer economically viable or practical to retain for an employment use; or*
 - b) *There would be an overriding economic, environmental or community benefit from redevelopment or change to another use which outweighs the benefit of the current lawful use continuing.*

- 4.3 Through the design and access statement, the applicant has confirmed that due to the expansion of the business this site is no longer required. Contract management staff are now site based for every project, whilst office based staff who do still use this site would transfer to modern offices in Loddon. The applicant has confirmed that the business will continue to operate and no redundancies are foreseen as a result of this move.
- 4.4 As part of this application the applicant has submitted a valuation report and has provided evidence of marketing for the use for a period of 23 months. This evidence has shown that the site has been marketed both through an independent chartered surveyor and also online. The site has also been marketed for rent (including at a lower price during part of this time), however whilst there has been interest no one has proceeded with the site. Furthermore, there is concern that due to the site's location (surrounded by residential properties) alternative employment uses may not be compatible. This is also included within the applicants marketing information as a reason for other occupiers not considering the site suitable.
- 4.5 Having regard to the evidence submitted, it is considered that the tests in policy DM2.2 have been met.

Brownfield Land

- 4.6 The site is brownfield land and paragraph 121 of the NPPF supports the redevelopment of unallocated brownfield land in areas of high housing demand as long as it would not undermine key economic sectors or sites.

Design and Layout

- 4.7 The layout for the site proposes a single storey detached dwelling at the front of the site, with a semi-detached pair of dwellings located to the rear of the site. Policy DM3.8 Design Principles applying to all development requires all applications to protect and enhance the environment and existing locally distinctive character. The form and character of the area includes bungalows to the west of the site, and the proposal is considered to be in keeping with the surrounding street scene.
- 4.8 Furthermore, the adjacent properties include dwellings located to the rear.
- 4.9 The materials proposed for the bungalows include render and wood cladding. This is considered to be in keeping with the surrounding development and conform with the requirements of Policy DM 3.8.

Impact on Amenity

- 4.10 Policy DM 3.13 Amenity, Noise and Quality of Life is of relevance to this application. There is residential development adjoining the site to the north, north-west and east. The development proposed is for single storey dwellings. The properties to the south-west of the site are bungalows, whilst those adjacent to the site to the rear are two storey dwellings. Due to the scale of the proposed dwellings, they will not result in overlooking of the adjacent properties. They are also not considered to have an overbearing impact or overshadow the surrounding properties.
- 4.11 A representation has been received in relation to disturbance during the construction period and resultant nuisance. It is considered that this would be dealt with under separate legislation and a specific condition in relation to it would be overly onerous.

- 4.12 The application proposes the retention of the existing access position and widening it by 1m. Plot 1 is served by a separate access adjacent to the access to plots 2 and 3. NCC highways have been consulted on this application, and have not raised any objections subject to the inclusion in relation to the laying out of the access, turning and parking prior to the first occupation of the dwellings. Subject to the inclusion of the condition, the application is therefore considered to accord with the requirements of policies 3.11 and 3.12.
- 4.13 The widening of the access of the site will not impact on the bus stop which is located in front of the site.

Heritage Assets

- 4.14 The site is located within a site of special archaeological interest. As such, the historic environment service has been consulted on this application. They have set out that there are no known archaeological implications.

Drainage

- 4.15 The application states that surface water drainage will be dealt with via soakaway. The Water Management Officer has raised concern that infiltration is not always possible. A condition is proposed in relation to surface water drainage.

Contamination

- 4.16 A contaminated land report has not been submitted as part of this application. Due to the past use of the site, it is considered necessary to include this as a condition. A condition has also been added in relation to unexpected contamination. Having regard to the proposed conditions, the application is considered to meet the requirements of DM3.12.

Other Matters

- 4.17 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.
- 4.18 Under Section 143 of the Localism Act the council is required to consider the impact on local finances. This can be a material consideration but in the instance of this application the other material planning considerations detailed above are of greater significance.
- 4.19 This application is liable for Community Infrastructure Levy (CIL)

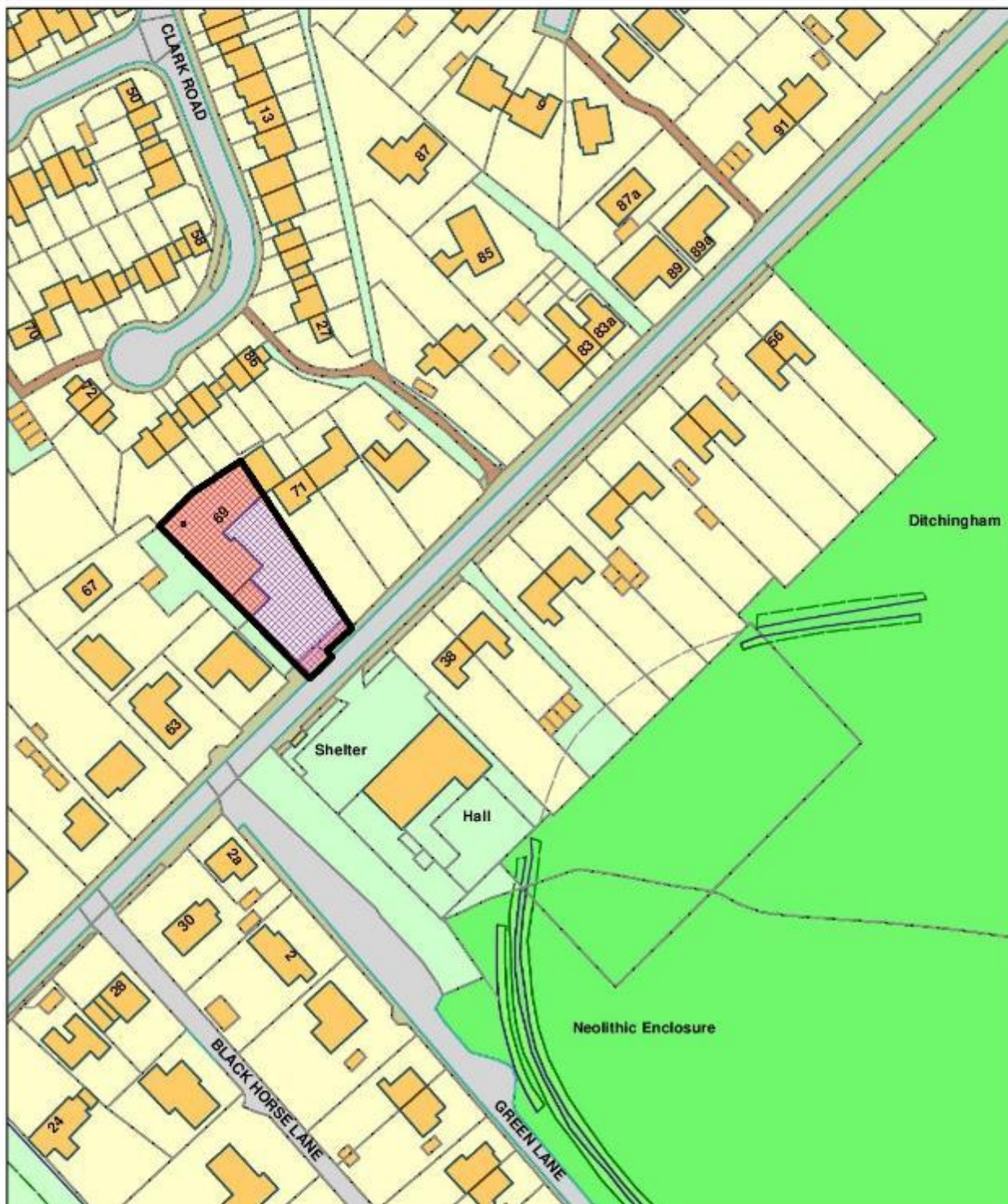
5 Conclusion

- 5.1 The application is considered to accord with the requirements of Policy DM 2.2 and has demonstrated that it is no longer practical or economical to retain it within an employment use. A residential re-use of the site is considered to be suitable and the application is considered to conform with the requirements of policy 2 of the Joint Core Strategy and DM Policies 3.8, 3.11, 3.12, 3.13, 3.14 and 4.2.

2019/0561

Appendix 1

Not Set



Scale 1:1,250

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

Major applications referred back to Committee

- 5 Appl. No : 2017/0810/F**
Parish : LONG STRATTON

Applicants Name : Orbit Homes (2020) Ltd
 Site Address : Land Off St Mary's Road Long Stratton Norfolk
 Proposal : Erection of 52 dwellings with associated car parking and amenity space, roads, public open space, landscaping and vehicular access off St Mary's Road.

1. Background

- 1.1 This application was considered by the Development Management Committee on the 12th September 2018 (a copy of the original committee report is attached as Appendix 1) and subsequently refused on the 14th September 2018 for the following reasons:

1. The proposed development does not represent a sustainable development, having regard to the three tests (social, economic and environmental) set out in the NPPF, by virtue of the harmful impact in respect of poor design by virtue of the failure to properly integrate the open space, encroachment into the open countryside, impact on landscape character, and loss of a prominent and significant category B oak tree , which significantly and demonstrably outweighs the benefit of housing, including affordable housing, in the Norwich Policy Area where there is not an up to date 5 year housing land supply, which is diminished by virtue of the evidence contained in the SHMA. Accordingly the proposal does not represent sustainable development, conflicting with Para 11 of the NPPF and also for the same reason fails to represent overriding benefits contrary to policies DM1.1 and DM1.3 of the South Norfolk Local Plan 2015.

2. The development would result in the loss of a prominent category B oak tree whereby its loss would not be outweighed by the benefits of the proposal contrary to policy DM4.8 of the South Norfolk Local Plan 2015.

3. The development would result in the erosion of rural undeveloped character of the area and lead to an encroachment on the open countryside and loss of an established hedgerow tree identified as a key characteristic for the E2 Great Moulton Plateau Farmland Landscape Character Area contrary to policy DM4.5 of the South Norfolk Local Plan 2015 and policy 2 of the Joint Core Strategy.

4. By virtue of the failure to properly/adequately integrate the open space into the scheme to allow adequate access to it from the existing wider settlement it fails to create a well designed, integrated, connected and accessible public open space to serve the intended wider residents of Long Stratton and will not support community cohesion nor be free of perceived anti social behaviour contrary to policy DM3.8 of the South Norfolk Local Plan 2015.

- 1.2 The application is now the subject of an appeal with a public inquiry scheduled to commence on the 02nd July 2019.
- 1.3 On 12th April 2019 the Council published an Interim Greater Norwich area housing land supply statement for the position at 1st April 2018 (this can be found at Appendix A at page 126 of this agenda.) This showed that the Council could demonstrate a housing land supply of 6.63 years. This sets out the housing land supply position for Greater Norwich for the period 1 April 2018 to 31 March 2024. The interim statement has not been formally endorsed by all three Local Planning Authorities and is not the final statement that will be published in the Annual Monitoring Report (AMR) of the Joint Core Strategy for Broadland, Norwich and South Norfolk. The AMR will be published in due course.
- 1.4 The housing forecasts included within the housing land supply statement have been based on the Councils' detailed knowledge of sites and discussions and correspondence with the

relevant developers and site promoters. The housing forecast is considered to be fully justified although some signed statements are still outstanding and will be published in due course. In addition, the Councils continue to work with developers and site promoters to establish the deliverability of some additional sites where information is not currently available and have not therefore been included in the current calculated supply.

- 1.5 Notwithstanding the interim status of the statement, it is considered to be a credible assessment of housing land supply in Greater Norwich and has been carried out in a manner that is consistent with the expectations of the National Planning Policy Framework and Planning Practice Guidance. As such, the statement justifies the conclusion that a five year housing land supply can be demonstrated across the Greater Norwich area.
- 1.6 Given the Council has published an interim Greater Norwich area housing land supply it is necessary for the Council to update the Planning Inspectorate of this significant material evidence /change. It will also be necessary to reflect this in the Council's position in respect of defending the appeal. Consequently, the following is the officers reassessment of the scheme in planning terms, mindful of the changing housing land supply position, and officers wish for Members to endorse this position which can then be relayed to the Planning Inspectorate as part of the planning appeal.

2. Assessment

- 2.1 Planning law (section 38(6) of the Planning and Compulsory Purchase Act 2004) requires that applications be determined in accordance with the Development Plan, unless material considerations indicate otherwise. Material considerations include the National Planning Policy Framework (NPPF).

In this instance it is evident that the site continues to lie outside of any defined development limit and as such Policy DM1.3 of the SNLP is directly applicable and confirms the following:

Permission for development in the Countryside outside of the defined development boundaries of Settlements will only be granted if:

c) Where specific Development Management Policies allow for development outside of development boundaries or

d) Otherwise demonstrates overriding benefits in terms of economic, social and environment dimensions as addressed in Policy 1.1.

- 2.2 It is not considered that the current scheme complies with any of the policies of the SNLP which could be considered to be applicable under criterion c) for example an agricultural and other occupational dwellings in the countryside as permissible under Policy DM2.11 of the SNLP.
- 2.3 Therefore it is necessary to establish whether the scheme complies with criterion d) by demonstrating overriding benefits in terms of economic, social and environment dimensions as addressed in Policy 1.1.
- 2.4 It is considered appropriate to be guided by the reasoned justification which accompanies Policy DM1.3 of the SNLP. This confirms at paragraph 1.23 that

Only in exceptional cases consistent with specific Development Management Policies or site allocations will development proposals in the countryside be supported by the Council. This could include agricultural buildings, development connected to outdoor sports facilities, small scale house extensions etc. In addition, development will generally be supported for school related development or other community facilities such as a GP surgery or a village hall where they are required and there are not suitable sites available within development boundaries.

2.5 It also states at paragraph 1.27 that:

South Norfolk is a diverse district that is comprised of vibrant market towns and many rural villages. In order to protect and enhance the vitality of these settlements and to protect the surrounding open countryside from inappropriate development, it is important to focus development in these settlements. Development boundaries are therefore proposed in which development will be encouraged, with more restrictive policies applying for land falling outside of these boundaries.

2.6 Furthermore, at paragraph 1.28 it states that:

Much of the rural area of the district comprises agricultural land which is an important resource in itself and provides an attractive setting and backdrop to settlements and The Broads. The rural area is a sensitive and multi-functional asset and contains many attractive natural and other features influenced by man such as field boundaries, including areas of notable landscape character and beauty, geological and biodiversity interest – of international, national and local importance. These are protected through the development boundaries referred to in paragraph 1.27 which focus development in existing settlements and only normally allow for development outside of these boundaries where it is necessary to meet specific needs of the rural economy or where development could not reasonably be located elsewhere and is carried out in accordance with the specific policy requirements of the Development Management Policies.(underline added by officer)

2.7 It is clear that development limits have been drawn on the basis of focusing development in locations that are close to facilities and amenities and so as to limit environmental/landscape impacts and these have been scrutinised by a Planning Inspector through a public examination and consequently should not be set aside lightly, namely when one of the two aforementioned criteria are met, or where material consideration indicate otherwise.

2.8 It is appropriate at this time to reflect on the revised housing land supply position. The previous assessment of this application correctly engaged the tilted balance of paragraph 11 of the NPPF on the basis that it did not have a demonstrable 5 year housing land supply in the Norwich Policy Area (NPA). Paragraph 11 stating:

where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date , granting permission unless:

- i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed ; or*
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.*

2.9 However, as the Council can now demonstrate a figure in excess of five years (6.63 years) it is not necessary to engage the tilted balance. It should be noted that this is a significantly different position to the one the Council was in when determining the application in September 2018.

2.10 In terms of the appeal it is considered appropriate to reconsider the reasons for refusal and the following looks at each in turn. It should be noted that the following considers the reasons for refusal out of sequence.

2.11 Reason 2

The development would result in the loss of a prominent category B oak tree whereby its loss would not be outweighed by the benefits of the proposal contrary to policy DM4.8 of the South Norfolk Local Plan 2015.

- 2.12 Since the refusal of the application the Council has sought further input on the landscape and visual impacts of the scheme from a consultant and this has included the consideration of the impact from the loss of the tree. It has been concluded from this work that given the tree is located at the settlement edge (on the boundary of the lane) rather than 'open countryside' and the appellants are presenting a scheme of betterment with many new trees on the application site that whilst the loss of the tree is regrettable it is not a matter that justifies refusal under Policy DM4.8 of the SNLP

2.13 Reason 3

The development would result in the erosion of rural undeveloped character of the area and lead to an encroachment on the open countryside and loss of an established hedgerow tree identified as a key characteristic for the E2 Great Moulton Plateau Farmland Landscape Character Area contrary to policy DM4.5 of the South Norfolk Local Plan 2015 and policy 2 of the Joint Core Strategy.

- 2.14 As part of its appeal, the Council has commissioned a consultant to further assess the landscape/visual impact and they have concluded that the developed part of the appeal site (the residential component of the scheme) is bordered by an exposed settlement edge of existing dwellings and would not extend out into countryside to a great degree, the settlement extends further south and west already. Likewise, it is evident that the landform is gently sloping down towards the village from the gentle ridge line and this helps to contain the urban edge and the application site would be similarly contained even though it extends out slightly. The proposed tree planting on the open space component of the scheme would serve to further reinforce the edge and provide more vegetation towards the 'ridge'. Whilst the scheme would encroach on open countryside by definition/location, its character and location is strongly influenced by the built edge and the landform which falls towards the village, resulting in the site feeling more part of the settlement edge rather than the wider rural landscape. Whilst it is concluded that there would be landscape and visual harm as a result if the development this is relatively limited, and not at a level whereby it equates to significant adverse impact as referred to in Policy DM4.5 of the SNLP. Consequently, it is suggested that the limited landscape/visual harm identified does not justify a stand alone reason for refusal under Policy DM4.5 of the SNLP or Policy 2 of the JCS as stated in the decision notice. Consequently, it is requested that Members endorse that this reason is not defended as part of the planning appeal.

- 2.15 Consequently, it is suggested that the limited landscape/visual harm identified does not justify a stand alone reason for refusal under Policy DM4.5 of the SNLP or Policy 2 of the JCS.

2.16 Reason 4

4. By virtue of the failure to properly/adequately integrate the open space into the scheme to allow adequate access to it from the existing wider settlement it fails to create a well designed, integrated, connected and accessible public open space to serve the intended wider residents of Long Stratton and will not support community cohesion nor be free of perceived anti social behaviour contrary to policy DM3.8 of the South Norfolk Local Plan 2015.

- 2.17 Having reconsidered this as part of working up the Council's case for the appeal, whilst its location on the edge of the development is not necessarily the optimal location to maximise its use for existing residents of the adjacent St Marys Road development it is not considered to be so poorly designed, integrated or connected so as to justify refusal under DM3.8 of the SNLP when considering the distance that local residents would have to walk to access it and when noting the continuous footpath links that would lead to it from the existing adjacent residential development. Consequently, it is requested that Members endorse that this reason is not defended as part of the planning appeal.

2.18 Reason 1

1. The proposed development does not represent a sustainable development, having regard to the three tests (social, economic and environmental) set out in the NPPF, by virtue of the harmful impact in respect of poor design by virtue of the failure to properly integrate the open space, encroachment into the open countryside, impact on landscape character, and loss of a prominent and significant category B oak tree, which significantly and demonstrably outweighs the benefit of housing, including affordable housing, in the Norwich Policy Area where there is not an up to date 5 year housing land supply, which is diminished by virtue of the evidence contained in the SHMA. Accordingly the proposal does not represent sustainable development, conflicting with Para 11 of the NPPF and also for the same reason fails to represent overriding benefits contrary to policies DM1.1 and DM1.3 of the South Norfolk Local Plan 2015.

2.19 This reason is no longer applicable as it makes reference to the tilted balance of paragraph 11 of the NPPF insofar as it is referring to significant and demonstrable harm being exhibited by the scheme. It is considered that this is no longer engaged in light of the Council having a demonstrable 5 year housing land supply.

2.20 It is evident that Policy DM1.3 of the SNLP remains applicable and in the context of this policy it is necessary for a scheme to present overriding benefits so as to comply with the policy. In this respect, the supporting text of the Policy makes it clear that development outside of the development limit should be strictly controlled and only permitted where there are good reasons to do so. In considering the benefits of the scheme, whilst new housing, including affordable housing in excess of 28%(33% equating to 17 dwellings) is considered a benefit, the weight of the benefit is considered to be diminished by virtue of the Council having a demonstrable housing land supply figure in excess of 5 years. The over-provision of open space, where there is an acknowledged shortfall within the Long Stratton Area Action Plan can be considered to represent a benefit, however, its less than optimal location and limited wider access coupled with the shortfall being envisaged to be being met through pending applications/allocations in Long Stratton.

2.21 In acknowledging that some benefit would arise from the development, it is necessary determine whether these represent overriding ones. In order to do this it is necessary to establish what harm would result as a consequence of the development.

2.22 Whilst accepting the landscape and visual harm is not significant as referred to/identified in Policy DM4.5 of the SNLP, there would be some harm caused.

2.23 In weighing the benefits identified above against this adverse impact it is considered that these are not overriding as required so as to comply with Policy DM1.3 of the SNLP.

2.24 In light of this it is considered that the reason for refusal is refined as follows:

2.25 *The benefits of the scheme in providing new housing, including affordable housing and the over provision of public open space does not override the landscape and character harm that would occur and consequently fails to comply with either criteria 2 c) or 2 d) of Policy DM1.3 of the South Norfolk Local Plan which are directly applicable to application sites located outside of a development limit.*

2.26 It is requested that members endorse that the current appeal is only defended on this revised single reason.

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Appendix 1

Development Management Committee

12 September 2018

Agenda Item No . 5

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

1. **Appl. No** : **2017/0810/F**
Parish : **LONG STRATTON**
- Applicants Name : Orbit Homes (2020) Ltd
 Site Address : Land off St Mary's Road Long Stratton Norfolk
 Proposal : Erection of 52 dwellings with associated car parking and amenity space, roads, public open space, landscaping and vehicular access off St Mary's Road.
- Recommendation : Approval with conditions
1. Reduced time Limit - 5 year supply and to bring forward the benefits of the scheme
 2. In accordance with plans
 3. Standard highways conditions
 4. Future management and maintenance of roads
 5. Details of construction of roads and footways
 6. Off-site highway works for footway
 7. Construction traffic management plan and worker parking
 8. Materials to be agreed
 9. Surface water drainage scheme
 10. Foul water to main sewer
 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. Biodiversity Management Plan to be submitted
 16. Contaminated land scheme
 17. Programme of archaeological work
 18. Renewable energy
 19. Water efficiency
- Subject to completion of S106 agreement to secure affordable housing and open space.

Reason for reporting to committee

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

- 1 **Planning Policies**
 - 1.1 National Planning Policy Framework 2018 (NPPF)
 NPPF 05 : Delivering a sufficient supply of homes
 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

Development Management Committee

12 September 2018

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

1.2 Joint Core Strategy (JCS)

- Policy 1 : Addressing climate change and protecting environmental assets
 Policy 2 : Promoting good design
 Policy 3: Energy and water
 Policy 4 : Housing delivery
 Policy 5 : The Economy
 Policy 6 : Access and Transportation
 Policy 7 : Supporting Communities
 Policy 9 : Strategy for growth in the Norwich Policy Area
 Policy 10 : Locations for major new or expanded communities in the Norwich Policy Area
 Policy 14 : Key Service Centres
 Policy 20 : Implementation

1.3 South Norfolk Local Plan Development Management Policies

- DM3.8 : Design principles
 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
 DM3.16 : Improving level of community facilities
 DM4.2 : Sustainable drainage and water management
 DM4.3 : Facilities for the collection of recycling and waste
 DM4.8 : Protection of Trees and Hedgerows
 DM4.9 : Incorporating landscape into design

1.4 Site Specific Allocations and Policies

Long Stratton Area Action Plan

1.5 Supplementary Planning Documents (SPD)

South Norfolk Place making Guide SPD

2. Planning History

2.1 None applicable.

3. Consultations

Summary of comments:

3.1 Parish Council Object

Comments on revised scheme:

- Do not support the application for the same reasons as previously provided.
- Long Stratton Council have not agreed to definitely take on the open space. They have stated that should the application be approved they would be interested in taking on the open spaces subject to terms and conditions being satisfactory.

Development Management Committee

12 September 2018

- Original comments:
- Highway access to the development site is not sufficient, there will be further traffic movements, the condition of the existing road is poor and the junction at flowerpot lane is still to see the full impact of Tharston Meadows and therefore is still a concern.
 - It is outside the area action plan when there is still sufficient land in the area action plan that could be an alternative site.
 - It is not an exception site.
- 3.2 District Councillor
Cllr Des Fulcher
- Comments on revised scheme:
- Determine by Planning Services unless it is likely that this revised application will be recommended for approval.
- Original comments:
- Determine by committee due to concerns brought to my attention from local residents in respect of access and potential flooding issues which could arise on this site.
- 3.3 SNC Senior
Conservation and
Design Officer
- No objection
- Comments on revised scheme:
- The layout is acceptable, with a good public space providing a focal point for the housing in terms of character and attractive and spacious entrance point.
 - A large public space to the west is accessible along the main spine road, which is relatively short.
 - Most housing is allocated along the two loop roads, which are spacious and well landscaped. Although there is parking to the front, it is broken up with landscaping.
 - It would be preferable to have a different surface treatment for parking spaces.
 - No further comments on general scheme.
- Original comments:
- The main area of POS is relatively detached from the housing, rather than being more integrated into the development.
 - Public and open spaces, together with the development around them, can often be designed to act as character generators.
 - Concerned at its long-term management and maintenance with the lack of 'sense of ownership' and it needs to be made clear how the space will be looked after.
 - The parking spaces associated with the POS could generate vehicle traffic. It is therefore unusual that it is only a type 6 road is proposed.
 - The smaller POS is more integrated, but still not that accessible from a number of properties. The overall site is big enough that a more central space would be of more benefit and more easily accessed by more residents.
 - The affordable units are to the east of the site and the north-west corner. With the higher density and
 - frontage carparking and smaller gardens, these properties would most benefit from being near to or overlooking the public space.

Development Management Committee

12 September 2018

- Avoiding the tandem parking areas are an improvement, however with the long runs of car parking spaces there is little relief from landscaping.
 - Recommend a more comprehensive re-planning of the scheme around a central POS which could become an easily accessible public space and focal point.
- 3.4 SNC Landscape Architect
- Comments on revised scheme:
- The site layout is better with regards to retention of the southern boundary trees, though it is not ideal as the road is shown exactly on the same line as the trees' RPAs, which will invariably mean that construction will breach them. We would need to condition Tree Protection.
 - The necessary loss of the prominent oak near the access from St Mary's Road is an unavoidable consequence of the scheme should it go ahead; arguably the proposal is contrary to DM4.8.
 - With regards to the new open space; there are a lot of different habitats and uses being proposed here, so this needs to be considered carefully. The details of the space need to be finalised by way of condition, ideally in conjunction with the Parish Council if it to be the adopting party.
 - Deliverability of the footpath connections is a key issue. Improved connections to the existing footpaths would be a clear Green Infrastructure benefit but it is still not clear as to the certainty of this. The agent notes that NCC could compulsorily dedicate new rights of way, but there is no definite undertaking that this would be done.
- Original comments:
- The LVIA has assessed the landscape and visual effects separately as required and demonstrates that a development could be acceptable in landscape and visual respects.
 - I am concerned about details of the scheme which impacts on some of the existing vegetation, and also results in the loss of an arguably locally-significant tree. (Policy DM4.8 is pertinent here, so the justification for the development needs to "clearly outweigh" the loss of this not-insignificant tree.)
 - I do not consider that the quality and opportunities presented by the proposed open space have been sufficiently demonstrated or maximised.
 - If the application is to be proposed for approval, then I would wish to see if improvements can be made to the scheme to minimise the identified conflicts and improve the situation regarding green infrastructure linkages.
- 3.5 SNC Housing Enabling & Strategy Officer
- No objection
- Comments on revised scheme:
- The applicants have now provided plans amending the mix of affordable homes, which provides a good mix of types and tenures to meet a range of housing needs.
 - I am now happy with the internal layout of all the affordable homes, and I have no objection to the application.

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Original comments:

- The affordable homes are over-concentrated on two bedroom units. This restricts the number of households requiring one or three bedrooms which could benefit from the affordable homes for rent.
- The floor plans of the bungalows show them all to be designed with baths. I would like all to have showers because there is a shortage of bungalows which comply with current Building Regulation standards and are therefore suitable for people who might struggle to use a bath.
- I propose an alternative tenure mix taking into account my comments and proposed mix.

3.6 SNC Environmental Quality Team To be reported

3.7 NCC Highways No objection

Comments on final revised scheme:

- Further to the e-mails below we have no further comments relating to the layout of the estate roads (drawing 6910-SL02-G)

Comments on revised scheme:

- The previously recommended contribution towards the delivery of the Long Stratton bypass will not be pursued.
- There are no other off-site highway works that would be required in direct mitigation of the proposals.
- The technical comments in our response of 22 May (Points 1-17) remain relevant.
- With regards to the installation of MOVA at the signal junction of A140 with Flowerpot Lane our Signals Team have been reviewing this junction. The signal timings have recently been altered and the impact of this on traffic flows is being monitored.

Original comments:

- Amendments required in respect of internal layout, visibility splays, junctions, visitor parking, turning heads, parking spaces, private drives, turning/manoeuvring and garages.
- Requested plans showing the footway improvements on Flowerpot Lane and confirming the level of visibility at the St Mary's Road / Flowerpot Lane junction. These should be secured via condition, not S106.
- In our view the road serving the POS should be upgraded to a type 3 road and a separate car park provided for the POS.
- No dig construction is not acceptable within adoptable carriageway. The existing tree east of where the proposed estate road meets St Mary's Road will need to be removed.
- The type 6 road along the southern boundary of the site will need to be relocated outside of the route protection areas of the trees along the southern boundary.
- Requests a pro rata contribution towards the delivery of the Long Stratton bypass.

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3.8 NCC Ecologist

No objection

Comments on revised scheme:

- No further specific ecological information has been submitted, however the I have reviewed the new Landscape Masterplan and Landscape Masterplan Context documents. They do not appear to conflict with my previous comments dated 12th June 2017. As such I have no further comments.

Original comments:

- This application is supported by a Preliminary Ecological Appraisal. This report recommended a Preliminary Bat Roost Assessment on any mature trees to be affected by proposed works and this has now been completed. The report appears fit for purpose and concludes that all trees to be removed / pruned had negligible potential for roosting bats apart from one, which had low bat roost potential. Recommendations were made, which I would like to see included as conditions. These relate to retaining boundary features, including bird and bat boxes and a timetable for implementation.

3.9 NCC Lead Local Flood Authority

No objection

Comments on revised scheme:

- We are now satisfied that sufficient information has been supplied to demonstrate that this site can drain in accordance with the NPPF, subject to conditions to ensure that the surface water drainage scheme is implemented as proposed.
- We are pleased to see now that a revised drainage strategy has been provided that considers the amended layout.
- We have reviewed the proposals as submitted and also clarified two points with the consultants Rossi Long relating to the calculations and Anglian Water consent.

Original comments:

- Insufficient information provided regarding the drainage hierarchy, detailed drainage design and future maintenance.
- No geotechnical investigation or infiltration testing undertaken on site.
- Insufficient information provided to support discharging to the watercourse.
- No detailed agreement from Anglian Water to discharge to their system.
- Insufficient modelling for the drainage network included the 1:1, 1:10 and 1:100 critical rainfall event plus 40 % climate change.
- No details of how all surface water management features to be designed in accordance with The SuDS Manual
- Insufficient information about groundwater levels.
- No plan for the management of flows in exceedance of the 1:100 rainfall event nor a management and maintenance plan.

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3.10 NCC Historic
Environment Service

No objection

Comments on revised scheme:

- Based on currently available information the proposed amendments will not have any significant impact on the historic environment and we do not wish to make any new recommendations for archaeological work.

Comments on original scheme:

- There is potential that heritage assets with archaeological interest (buried archaeological remains) will be present at the site and that their significance will be adversely affected by the proposed development.
- If planning permission is granted, we ask that this be subject to a programme of archaeological mitigatory work.

3.11 NCC Infrastructure
Development

No objection

Comments on revised scheme:

- There is sufficient places at local schools for children from this proposed (revised) development.
- Taking into consideration the permitted development in Long Stratton (2013/0265 and 2015/0385) although there is spare capacity within the school sectors, there will be large scale housing growth in the Long Stratton area and it is expected that the funding for additional places if necessary would be through CIL as this is covered on the District Council's Regulation 123 list.
- A development of 52 dwellings would place increased pressure on the library and mitigation is required to increase the capacity of Long Stratton library. This would be through CIL as this is covered on the District Council's Regulation 123 list.
- This development would require 2 fire hydrants at a total cost of £1,637, which should be dealt with through condition.
- We understand that opportunities to connect to the wider public rights of way network have been explored to the west and south of the site, but have proved to be undeliverable.
- If South Norfolk are minded to approve the application, they may wish to develop a project delivered through the Greater Norwich Growth Board GI program team towards strategic improvements on the wider public rights of way network. This will go towards mitigating the impacts of this and other/cumulative development in the area.

Comments on original scheme:

- There would be insufficient places at Manor Field Infant & Nursery School for children from this proposed development should it be approved. The funding for additional places if necessary would be through CIL as this is covered on the District Council's Regulation 123 list.
- The above funds would be needed to expand existing schools in situ.
- A development of 66 dwellings would place increased pressure on the library and mitigation is required to increase the capacity of Long Stratton library.
- This development would require 2 fire hydrants at a total cost of £1,630, which should be dealt with through condition.

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- Given that the proposed open space for this site is in proximity to Public Rights of Way (PRoW) and an Neighbourhood Green infrastructure Corridor, the development should facilitate the required local connections into the Green Infrastructure network.
 - A contribution will be sought in order to secure the necessary infrastructure as set out in the Area Action Plans.

- 3.12 Anglian Water Services Ltd

No objection

Comments on revised scheme:

 - The sewerage system at present has available capacity for foul drainage from this development.
 - The surface water strategy/flood risk assessment submitted with the planning application relevant to Anglian Water is acceptable.

Original comments:

 - The surface water strategy/flood risk assessment submitted with the planning application relevant to Anglian Water is unacceptable. No evidence has been provided to show that the surface water hierarchy has been followed as stipulated in Building Regulations Part H. This encompasses the trial pit logs from the infiltration tests and the investigations in to discharging to a watercourse. If these methods are deemed to be unfeasible for the site, we require confirmation of the intended manhole connection point and discharge rate proposed before a connection to the public surface water sewer is permitted.
 - The sewerage system at present has available capacity for foul drainage.

- 3.13 Norfolk Wildlife Trust

No comments received

- 3.14 Police Architectural Liaison Officer

Comments on revised scheme:

 - Recommends the principles of Crime Prevention through Environmental Design and security measures included in Secured by Design Homes 2016 guidance are adopted across this development.
 - Recommends measures to maximise surveillance of car parking and public open space.
 - Concerned that the proposed timber boardwalk over wetland zone introduces a potential water safety hazard and questions a 'trim trail' in this location.

Original comments:

 - Close potential gaps in boundary to POS adjoining plots.
 - Provide lockable vehicle access control at both POS locations for emergency/maintenance
 - Provide effective vehicle mitigation features for both POS's
 - Provide 1.8m boundary treatment to protect rear of properties
 - Provide similar sub-divisional boundary treatment across gardens
 - Include appropriate sensor security lighting Recommendation the principles of Crime Prevention through Environmental Design (CPTED) and security measures recommended in Secured by Design, Homes 2016 guidance are included across this development.

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3.15 NHS England

Comments on revised scheme:

- No comments received.

Original comments:

- NHS England would expect these impacts to be assessed and mitigated. There is 1 main GP practice within a 2km catchment of the proposed development. The practice does not have sufficient capacity for the additional growth resulting from this development and proposed cumulative development in the area.
- NHS England would suggest that healthcare contributions should be sought to contribute to the provision of sustainable primary care services in the area, particularly for the additional residents generated by development growth.
- South Norfolk Council has recently advised that Healthcare is not currently contained on their CIL123 list, consequently, until this policy is addressed, it is confirmed mitigation cannot be obtained for primary healthcare. NHS England understands this matter is now being addressed through the Greater Norwich Growth Board forum.
- Assuming the above is considered in conjunction with the current application process, NHS England would not wish to raise an objection to the proposed development.

3.16 GP Surgery

No comments received

3.17 Other Representations

67 letters of objection received, plus an additional 11 letters received following the most recent amendments, summarised as follows:

- Concerns about overlooking and loss of privacy
- Visibility on St Mary's Road is inadequate due to parked cars
- Additional traffic will further lengthen the time to drive through Long Stratton
- Further increase in noise and air pollution
- Development falls outside of development boundary
- Local GP surgery is already running to capacity
- Schools do not have the capacity to accommodate additional demand
- Access on St Mary's Road is too narrow and two vehicles are unable to pass
- Safety of pedestrians and residence of St Mary's Road will be put at risk
- Site not allocated in Long Stratton Area Action Plan
- Flowerpot Lane and the A 140 tail-backs of traffic makes crossing Flowerpot Lane dangerous
- Construction traffic and additional vehicles will have a dramatic effect on St Mary's road
- Local services and facilities can cope with additional demand
- Traffic will put significant safety risk on pedestrians crossing the junction of Flowerpot Lane & A140
- Concerns of risk of flooding as a direct result of development
- Local area is prone to flooding and the drainage systems will be insufficient
- Site is frequently subject to flooding during prolonged periods of rain

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- Anglian water concerns over foul water drainage on St Mary's Road
- Concerns over the capacity of the St Mary's road/Flowerpot Lane junction
- Development does not fit in with current look of the area
- Problems with the drainage ditch to the rear of properties at St Mary's Road by lack of maintenance
- Flowerpot Lane is liable to flooding
- St Mary's Road is hazardous to cross already due to parked cars
- How are heavy vehicles going to safely access the proposed site
- Traffic would be a hazard to children on their way to school
- Wildlife would be affected
- The extra traffic will add to a congested village and busy junction off the A140
- Public open space should be spread around the outside of the development to act as a buffer
- Loss of rural views
- Concerns about construction traffic access to the site
- Many ignore 20mph speed limits
- Concern about loss of value of property
- Existing road surface in poor condition
- Ignores 5 year Area Action Plan
- Existing pedestrian zebra crossing hazardous to pedestrians
- Concerns about the proposed public open space and potential traffic impacts

4. Assessment

Site description

- 4.1 The site is located in Long Stratton immediately south of St Mary's Road, outside the development boundary but within the Norwich Policy Area (NPA).
- 4.2 The site currently comprises of two agricultural fields of some 3.6 hectares that are contiguous with the south-western edge of the built up area of Long Stratton. The site is accessed from an existing vehicular link from St Mary's Road via a field gate. There are no Public Rights of Way which traverse or adjoin the site.

The application

- 4.3 The application is a full planning application and seeks approval for all matters including access, parking, public open space and associated infrastructure.
- 4.4 The application proposes the erection of 52 dwellings. Of these, 17 dwellings will be provided as affordable units (33%), 6 of which are bungalows.
- 4.5 The main issues for consideration are the principle of development in this location, access, design, layout; drainage; landscaping, ecology and residential amenity.

Principle of development

- 4.6 Planning law (section 38(6) of the Planning and Compulsory Purchase Act 2004) requires that applications be determined in accordance with the Development Plan, unless material considerations indicate otherwise. Material considerations include the National Planning Policy Framework (NPPF).

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- 4.7 In accordance with both the Council's adopted development plan and the NPPF, in cases where there are no overriding material considerations to the contrary, development proposals for housing that accord with the development plan should be approved without delay.
- 4.8 In this regard, consideration should be given to Policy DM1.3 which makes provision for development to be granted outside of Development Boundaries, such as this, where one of two criteria are met: either c) where specific development management policies allow; or, d) where there are overriding benefits in terms of economic, social and environmental dimensions of sustainable development, as set out in Policy DM1.1.
- 4.9 In terms of c), the current proposal is not considered to meet the requirements of this criterion. In terms of d), establishing whether there are any overriding benefits will be confirmed following an assessment of all the harms and benefits of the scheme.
- 4.10 Where development proposals do not accord with the development plan, consideration should be given to whether there are material considerations that otherwise indicate that development should be approved.
- 4.11 Of particular relevance to applications for housing development is paragraph 11 of the NPPF which states that:

For decision-taking this means:

c) approving development proposals that accord with an up-to-date development plan without delay; or

d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or

ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

- 4.12 It is considered that it is still appropriate to use the JCS housing requirement, having regard to the revised NPPF (Para 73) given that the JCS is less than 5 years old. The 2017 Greater Norwich Area Housing Land Supply Assessment, published as Appendix A of the Joint Core Strategy Annual Monitoring Report, shows that against the JCS requirements there is 4.61 years supply in the combined Norwich Policy Area (NPA), a shortfall of 1,187 dwellings. Consequently, the policies which are most important for determining the application in the NPA cannot be considered up-to-date and applications for housing should continue to be determined within the context of the titled balance referred to in paragraph 11 of the NPPF.
- 4.13 However, in June 2017 an updated Strategic Housing Market Assessment (SHMA) was published for Central Norfolk (the Greater Norwich authorities plus, North Norfolk and Breckland). The SHMA assesses the Objectively Assessed Need for housing between 2015 and 2036 using the most recent evidence available. Unlike the evidence underpinning the JCS, the SHMA also includes an assessment of the contribution made by student accommodation in line with the Planning Practice Guidance.
- 4.14 A housing land supply of 8.08 years can be demonstrated against the SHMA assessment of OAN, a surplus of 5,368 units. Whilst the guidance to which the Central Norfolk SHMA accords has now been superseded, it is considered, nevertheless, that the SHMA remains an intellectually credible assessment of housing need. Assessments such as the SHMA will continue to form the basis of local plans submitted ahead of January 2019, including some within the Central Norfolk Housing Market Area. The extant PPG guidance continues to state that "Considerable weight should be given to the housing requirement figures in adopted Local Plans ... unless significant new evidence comes to light. Therefore it remains entirely appropriate to give weight to the SHMA as a material consideration in the determination of planning applications.

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- 4.15 The abundant housing land supply that is apparent in relation to the most up-to-date evidence of housing needs (8.08 years) should therefore be given weight in the decision-making process as a material planning consideration. This factor effectively diminishes the weight that would otherwise be attached to the benefits of increased housing delivery in the context of Policy DM1.1 and NPPF Paragraph 11.
- 4.16 On the basis of the above, the following assessment seeks to establish the benefits of the scheme and any harm that would be caused in the context of the relevant development plan policies and the NPPF, with reference to the three dimensions of sustainable development (economic role, social role and environmental role). These three headings form a convenient basis for structuring the assessment of the proposal against development plan policies.

Economic role

- 4.17 The NPPF confirms the economic role as "contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure."
- 4.18 The construction of 52 dwellings would help enhance the economic viability through local spending from future occupants of the dwellings.
- 4.19 In addition to the above, the scheme would also provide some short term economic benefits from construction of the dwellings.
- 4.20 It should be noted that the development would be subject to the Community Infrastructure Levy.

Social Role

- 4.21 The NPPF confirms the social role as "supporting strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being."
- 4.22 The proposed scheme would provide housing in a location where the JCS identifies a shortfall in housing land supply against requirements which would represent a social benefit. However, the significance of this benefit is diminished by the most recent evidence of the updated SHMA which identifies a housing land supply in excess of 8 years and this is material consideration in determining this application.
- 4.23 The social role highlights the need for housing to have access to a range of accessible local services. Long Stratton is identified as a Key Service Centre and defined as having good access to a wide range of facilities and services. The site is also well located in relation to Long Stratton High School, Manor Field Infant School, Long Stratton Medical Partnership, and Long Stratton leisure centre. The site is also well located to existing bus stops.

Access and highway impacts

- 4.24 Access into the site is proposed off St Mary's Road located to the north of the site.
- 4.25 Off-site highway works have been requested by the Highway Authority, which include a new footway across the front of numbers 1 – 10 Glebe Close (Flowerpot Lane) to connect into the existing footway network as well as upgrading the nearby bus stop by making it DDA compliant. These improvements will be secured by condition. Information has also been provided by the applicant confirming the level of visibility at the St Mary's Road / Flowerpot Lane junction.

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- 4.26 The Highway Authority has carried out an assessment of the proposed access arrangements and the site layout and following amendments to the plans 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.
- 4.27 With regards to the wider impacts of the development on the surrounding highway network, the Highway Authority have confirmed that there are no other off-site highway works that would be required in direct mitigation to the development. They have also considered the impact of the proposals on the capacity of the signal junction of the A140 and Flowerpot Lane and confirmed that the signal timings of this junction have recently been altered and the impact of this on traffic flows is being monitored by the County Council to see if there is benefit in employing a scheme to further improve this junction. If a scheme to improve this junction is deemed necessary in the future then this would be employed as part of a financial contribution already secured from the Chequers Road, Tharston development towards improvements to this junction and traffic flows in Long Stratton. As such it is not considered necessary or appropriate to secure any additional contribution for this junction where mitigation has already been secured and no direct impact of this development have been identified.
- 4.28 In terms of exploring the potential for a financial contribution towards the Long Stratton by-pass, Members should note that this planning application falls outside of the allocation (LNGS1) and as such it is not reasonable to seek a contribution towards the by-pass. Policy LNGS1 makes it clear that contributions to the by-pass can only be secured for development within the allocation in accordance with the LSAAP and not from developments outside of this area. As such requiring a contribution towards the by-pass from this proposed development, which is not dependant on a by-pass coming forward, would not be justified in planning policy terms and therefore is not being sought by the Council.
- 4.29 In terms of car parking provision, this is proposed in accordance with current guidance contained in Norfolk County Council's Parking Standards for Norfolk. This equates to at least 1 space per one-bedroom dwelling, 2 spaces per two-bed and three-bed dwellings and 3 spaces per four and five-bed dwellings, totalling 118 spaces across the site. In addition a small carpark comprising of 6 spaces and cycle parking is proposed in the north-west corner of the public open space, for visiting members of the public.
- 4.30 The combination of different parking types proposed ensures that the street scenes are not overly dominated by car parking and helps create varied character across the site. This has led to tandem parking in some instances, but this is required to remove cars from the street scene and is considered to be acceptable in design terms. Where on-street parking has been proposed, this has been kept to a minimum and is well overlooked and broken down with landscaping to help enhance the character of the street. The layout of the development in respect of parking is therefore on balance considered acceptable.
- 4.31 Concerns have been raised by local residents and the Parish Council in respect of access to the site and the wider traffic impacts of the development. Whilst I fully appreciate the concerns raised, it is noted that the Highway Authority consider that the access arrangements are satisfactory and that the wider traffic impacts are acceptable for the reasons set out above. In view of the above, I do not consider that the application can be refused on the concerns raised and therefore the development is considered to comply with Policy DM3.11 and DM3.12.

Connectivity and Green Infrastructure

- 4.32 It is noted that there are no Public Rights of Way which traverse or adjoin the site.
- 4.33 With regards to the wider connections to the surrounding public rights of way and green infrastructure network, the applicant has explored options for footpath connections to provide connectivity to the Green Infrastructure corridor (LS6) between Long Stratton and Wacton Common.

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- 4.34 Having explored these options for wider connections, it is apparent that such connections require third party land. The land owner has advised the applicant that he would not be prepared to allow any further footpaths over his land. It is therefore clear that it will not be possible to secure a private agreement to secure such footpath connections between the site and wider connections.
- 4.35 With regards to the County Council powers to compulsorily dedicate public footpaths, it is considered that in this case the relatively limited benefit of delivering such connections in this location would not justify the County Council using its powers to compulsorily dedicate an additional connection and that no definite undertaking can be guaranteed by the County.
- 4.36 Should improvements be required with regards to the future long term planned growth in Long Stratton it is expected that the funding would be through CIL or other contributions as this is covered on the District Council's Regulation 123 list. On this basis it is considered that whilst improved connections to the existing footpaths would be desirable, on balance no objection can be substantiated in terms of a lack of wider connection to the surrounding green infrastructure network or public rights of way.

Affordable housing

- 4.37 The JCS requires the proportion of affordable housing and mix of tenure sought to be based on the most up to date needs assessment of the plan area, with the proportion to meet the demonstrated need at the adoption of the plan being 33% affordable housing on schemes of 16 or more.
- 4.38 The application proposes 33% affordable housing in accordance with the JCS and in excess of the need set out in the SHMA and is therefore acceptable.
- 4.39 In terms of the tenure mix, in line with the revised NPPF (2018) Para 64, major development involving the provision of housing is required to deliver at least 10% of the homes to be available for affordable home ownership unless this would exceed the level of affordable housing required in the area, or significantly prejudice the ability to meet the identified affordable housing needs of specific groups. Accordingly the mix now sought includes the requirements of Para 64 of the NPPF in the overall affordable housing mix and would secure affordable home ownership and affordable rent.

Residential Amenity

- 4.40 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.
- 4.41 The development site sits to the rear and side of properties on St Mary's Road and Lime Tree Avenue. These properties are largely characterised by semi-detached and detached bungalows/chalet bungalows to the north and detached two and two and a half storey properties to the east. The layout of the proposed development along the eastern boundary addresses the relationship with those properties with private gardens to the rear, separating both the proposed and existing houses from one another with good separation distances where back-to-back or side-to-side relationships are proposed. With regards to development along the northern boundary, existing properties are separated by both the public open space and existing private gardens/ parking areas to the rear of those properties. Where plots 1 and 36 side onto existing properties, these have been designed as bungalows with hipped roofs, to minimise their impact.
- 4.42 As such it is considered that the distances achieved, coupled with the retention of and further planting of landscaping along the boundaries would ensure that no significantly adverse impact on the amenities of those existing or proposed properties would result. It is therefore considered that the proposal satisfies policy requirements in respect of Policy 2 of the Joint Core Strategy and DM3.14 of the Development Management Policy Document.

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Education

- 4.43 In terms of the future capacity of educational facilities within the catchment area of the development, which include primary and secondary schools, it has been confirmed that there is currently spare capacity within the school sectors for both this development and other permitted developments in Long Stratton. In terms of the future long term planned growth in Long Stratton it is expected that the funding for additional places, if necessary, would be through CIL as this is covered on the District Council's Regulation 123 list. Therefore there is no objection in terms of school capacity to this application.

Healthcare

- 4.44 NHS England have commented that the local GP practice does not have sufficient capacity for the additional growth resulting from this development and proposed cumulative development in the area. Members should note that Healthcare is not currently contained on the District Council's Regulation 123 list, and as such mitigation cannot be obtained for primary healthcare. NHS England understands that this matter is being considered through the Greater Norwich Local Plan and that contributions cannot be sought directly from development in conjunction with this or other planning applications. On this basis NHS England have confirmed that they do not wish to raise an objection.
- 4.45 Whilst the concerns of NHS England are noted, GPs are independent contractors of the NHS and so are essentially private businesses and new surgeries are funded/instigated through the relevant primary health care body and are not provided by S106/CIL. As such there is no policy basis for seeking contributions by S106 or provision in the CIL Regulation 123 list, for primary healthcare facilities and it would not be possible to secure any contribution towards primary healthcare and could not be substantiated as a reason for refusal.

Summary of social role

- 4.46 In summary, Policy 14 of the JCS, identifies Long Stratton as a Key Service Centre having access to a good level of services and facilities. It is considered that the proposals fulfil the social role in the context of the NPPF as well as delivering housing on this site, including 33% affordable housing. It is therefore considered that the scheme meets the social role of the NPPF.

Environmental Role

- 4.47 The NPPF confirms the environmental role as "to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy."

Impact on landscape and form and character of the area

- 4.48 Paragraph 170 of the National Planning Policy Framework requires that planning decisions recognise the intrinsic character and beauty of the countryside, which is reflected in Policy DM1.3 of the Development Management Policies document. Planning Practice Guidance clarifies that conservation and enhancement of the landscape, not only designated landscapes, contributes to upholding this principle. Policy DM4.5 requires all development to respect, conserve and where possible enhance the landscape character of its immediate and wider environment.
- 4.49 The application is supported by a Landscape and Visual Impact Assessment (LVIA) that has been produced in accordance with recognised best practice. The LVIA has assessed the landscape and visual effects separately as required. The document refers to the published local landscape character assessment, but provides a more localised study in light of the site's close proximity to the settlement edge. The LVIA concludes that "the application site and receiving

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environment have the capacity to accommodate the proposal and that it will not result in significant harm to the landscape character or visual environment". The Council's Landscape Architect has assessed the LVIA and agrees with its conclusions.

- 4.50 With regards to Policy DM4.8, which seeks to protect trees and hedgerows, the scheme proposes to retain these along the majority of site boundaries, which includes the majority of existing trees and hedges along the east and southern boundaries. The Council's Landscape Architect is generally supportive of the proposals, however he has raised some concerns about the potential impact of the proposed road layout on the southern boundary of the site, which follows the same line as some of the trees root protection areas. Notwithstanding these concerns, he goes on to comment that provided the working margins of these trees can be kept to a minimum, then the potential encroachment is tolerable, subject to a condition detailing tree protection measures to ensure that the existing trees are maintained in good condition during construction. Therefore, subject to the above condition it is considered that the scheme is acceptable in this respect.
- 4.51 The only other notable loss of trees is a single oak tree near the access from St Mary's Road, which is necessary to facilitate access into the site. The submitted Arboricultural Impact Assessment identifies this tree as having moderate value (Category B). In considering this, the proposals must be assessed in conjunction with the desire to provide a suitable access into the site. The Highways Authority has indicated that the proposals will necessitate the removal of this tree to provide safe access into the site. Whilst recognising the status of the conflicting policies, I consider that in this instance greater weight should be afforded to the requirements of highway safety and access to the site which is specific for development in this location.
- 4.52 To mitigate against the loss of the tree it is recognised that the retention of other visually prominent trees along the site boundaries, and proposed replacement tree planting will help to retain the overall landscape character of the site boundaries. As such it is considered that on balance the loss of the tree is acceptable in recognising the weight afforded to the requirements of highway access and proposed mitigation measures.
- 4.53 With regards to the general form and character of the existing settlement of Long Stratton, it is considered that the proposed development is a logical extension to the village, which sits to the rear of an existing C20 estate development. With the nature of existing development and proposed development in the wider context, it is considered that the development would not result in any significant adverse impact on the form and character of the area or landscape character. The proposals are therefore, on balance, considered acceptable in respect to the impact on the landscape and form and character of the area.

Layout, appearance and scale

- 4.54 The site layout and house types have been subject to a detailed assessment by the Senior Conservation and Design Officer and following discussions with the applicant have been amended.
- 4.55 In considering the overall scale and layout of the development, regard has been given to the density and form of existing development in Long Stratton. The site layout comprises a mix of 1, 2, 3, 4 and 5 bedroom properties. These include a combination of two storey detached, semi-detached and terraced dwellings and six bungalows. The scale of the proposed development is considered to be appropriate for its context.
- 4.56 With regards to the overall design of the site it is considered that the creation of a simple layout around two loop roads and open space helps provide clear and legible routes across the site. The overall amended layout and design of the proposed development is therefore considered acceptable.

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- 4.57 In terms of the location of affordable housing, the application has separated the affordable units into two main areas. 11 are located in the north-west corner of the site and the remaining 6 are located along the eastern boundary of the site adjacent to an open space. Given that the affordable units have been dispersed and are located close to public open space, officers consider that the distribution of the affordable units as proposed is acceptable and accords with the Development Plan.
- 4.58 House types, both market and affordable, have been considered in the context of the wider surroundings to help reinforce and enhance the character of the proposals. The house types use traditional forms and materials, yet have a distinctive appearance. A variety of materials are proposed including red brick, render, pantiles and white uPVC windows. These are varied across the site and help to distinguish and define those areas.
- 4.59 Having assessed the overall scale, form and appearance of development it is considered that the proposed scheme would respect the existing character and arrangement of development as well as providing an acceptable transition between the existing built up area of Long Stratton and the open countryside to the south and west of the site.
- 4.60 Overall, it is considered that the amended scheme has been well thought out and results in a development with a locally inspired character that relates positively to its surroundings. Information has also been submitted that demonstrates how the proposals comply with the South Norfolk Place-Making Guide SPD, including a Building for Life assessment.
- 4.61 It is therefore considered that the scheme is acceptable in terms of its design, scale and relationship to the surrounding properties and accords with DM3.8 of SNLP, Policy 2 of JCS and Section 12 of NPPF.

Proposed public open space and landscaping

- 4.62 In terms of public open space, the Council's current adopted Recreational Open Space Standards for Residential Areas (1994), requires a minimum amount of outdoor play facilities and recreational open space to be provided, commensurate with the level of development proposed to meet the need of occupants.
- 4.63 The development proposes two areas of public open space. The first area is located to the east of the site entrance and backs onto existing development to the north. This space has been increased in size following discussions with the applicant, resulting in an area of open space that exceeds the amount of space required by the current open space standards. It is considered that following amendments, the space is now well integrated into the overall scheme and provides a good focal point for the new development.
- 4.64 The second area of public open space is located to the west of the proposed development and is intended to provide an area for older children/adult play in addition to significant ecological enhancements. Options for enhancing this area of open space have been submitted by the applicant, including a revised Landscape Masterplan for the site showing indicative proposals for ecological enhancements and a Context Masterplan showing how the proposed public open space could provide potential connections to the surrounding green infrastructure network and public rights of way.
- 4.65 Having regard to the options for enhancing public open space in this area, it is recognised that there is a broad body of evidence that demonstrates a shortage in the quantity of all types of open space in Long Stratton, with the shortfall worse in natural/semi-natural green space, followed by formal sports provision and informal amenity space. This is recognised in the South Norfolk Council – PPG17 Open Spaces, Indoor Sports and Community Recreation Assessment (2007) and also in the Long Stratton Area Action Plan (LSAAP) to some extent.

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- 4.66 In this context it is considered that the proposed options represent a benefit in the planning balance, in terms of the social and environmental dimensions set out in Policy DM1.1.
- 4.67 In respect to landscaping, the Council's Landscape Architect has confirmed that he has no objections to the proposals and that the general approach to the proposed open space and landscaping is acceptable, subject to a detailed landscaping and management scheme, to ensure that the details of the new open space are agreed at a later stage, ideally in conjunction with the Parish Council if it to be the adopting party. Therefore subject to conditions it is considered that the scheme would accord with the aims of Policy DM3.15 and DM4.9 of the South Norfolk Local Plan, JCS Policies 1 and 2 and section 15 of the NPPF.

Surface water drainage

- 4.68 A Flood Risk Assessment (FRA) and Drainage Strategy have been submitted with the application based on detailed site investigations carried out by the applicant. Further detailed information has also been provided regarding investigation into surface water infiltration and measures to control drainage within the site and to improve the existing drainage problems whereby the local water catchment and drainage ditches surrounding the site have led to localised above ground flooding events.
- 4.69 The Lead Local Flood Authority (LLFA) has carried out a detailed assessment of the information submitted and has subsequently confirmed that following amendments, the revised drainage strategy addresses the concerns raised in their previous responses and will result in a reduced rate and volume of run-off to the local ditch system and surrounding water network than at present.
- 4.70 Subsequently the drainage strategy follows the drainage hierarchy as set out in the Building Regulations and NPPF and proposes to discharge surface water into an existing Anglian Water sewer, having investigated and discounting surface water infiltration and connection to a watercourse.
- 4.71 Calculations have been supplied for the pipe network and attenuation features to demonstrate that there will be no above ground flooding and attenuation in the form of oversized pipes and tanked permeable paving has been specified to meet the required standards.
- 4.72 The surface water drainage system (including the attenuation system) is proposed to be constructed to adoptable standards by Anglian Water and a full maintenance plan is recommended to be conditioned and provided at the detailed design stage. Anglian Water have assessed the revised proposals and have subsequently confirmed that the proposed method of surface water disposal into an existing Anglian Water sewer is acceptable.
- 4.73 In summary, whilst it is acknowledged that concerns have been raised by residents and the Parish Council regarding drainage, it is noted that the LLFA considers that the above strategy provides a sustainable approach to surface water management, that will limit surface water run-off in accordance with the requirements of the NPPF and also result in a reduced rate and volume of run-off to the local ditch system and surrounding water network than at present.
- 4.74 Subject to conditions recommended by the LLFA, to implement the surface water drainage scheme in accordance with the agreed details, and to provide details of the maintenance and management regime for all aspects of the drainage scheme, the surface water drainage strategy is considered acceptable and accords with the NPPF and JCS Policy 1.

Foul water

- 4.75 The foul drainage from this development is in the catchment of Long Stratton Water Recycling Centre. A Statements and Conditions Report has been prepared by Anglian Water which confirms that the water recycling centre at present has available capacity for the proposed flows. If the

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applicant wishes to connect to the sewerage network they should serve notice under Section 106 of the Water Industry Act 1991. Subject to entering into such an agreement, the impacts on the foul water are considered acceptable and accords with Policy 1 of the JCS.

Ecology and Protected Species

- 4.76 This application is supported by a Preliminary Ecological Appraisal (Middlemarch Environmental, March 2017). The proposed site consists mainly of arable fields and as such, has limited ecological value. It is noted that there are some features which should be retained and / or enhanced as part of the development, and the substantial area of public open space offers a sizeable opportunity for biodiversity enhancement. It is recommended that a Biodiversity Management Plan (BMP) is conditioned providing details of enhancements for biodiversity, which includes a planting schedule for the open spaces.
- 4.77 The aforementioned report is also supported by a Preliminary Bat Roost Assessment on the mature trees to be affected by proposed works. The County Ecologist has assessed the report and has concluded that it is fit for purpose and that of those trees to be removed / pruned they have negligible potential for roosting bats apart from one, which had low bat roost potential. Subject to the imposition of conditions recommended by the County Ecologist, which include retaining and enhancing all boundary features, installing bird and bat boxes and providing details of enhancements for biodiversity for the area of open space, the proposals are considered acceptable.

Heritage assets

- 4.78 The proposed development site lies in an area which has been subject to much fieldwalking and metal-detecting, producing Roman pottery and Roman to medieval metal finds. It also lies close a major Roman road and the medieval core of Long Stratton. Consequently there is potential that heritage assets with archaeological interest (buried archaeological remains) could be present at the site and that their significance will be adversely affected by the proposed development.
- 4.79 The Historic Environment Service has recommended that this be subject to a programme of archaeological mitigatory work in accordance with National Planning Policy Framework. Subject to an appropriately worded condition, which requires details of a site investigation and post investigation assessment to be completed, it is considered that the proposals are acceptable.
- 4.80 There are no listed buildings located within the application site that will be affected by the proposals and the site is not within a Conservation Area.

Contamination

- 4.81 Policy DM3.14 has regard to development and contamination. The Council's Environmental Management Officer has confirmed that they have no objections to this planning application and has recommend that any approval includes a condition or informative note that in the event contamination that was not previously identified is found, it must be reported in writing immediately to the Local Planning Authority and a report submitted that includes results of an investigation and a risk assessment along with a remediation scheme to be agreed and carried out. Subject to the imposition of a condition or an informative note to have regard to contamination, it is considered that the proposal is acceptable and in accordance with policies DM3.14 of the South Norfolk Local Plan.

Sustainable construction/renewable energy

- 4.82 Policy 1 and 3 of the JCS require the sustainable construction of buildings and water conservation in addition to requiring 10% of the predicted energy requirements to be delivered by on site decentralised and renewable or low carbon energy. Precise details and compliance with the policy will be secured by condition.

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Summary of environmental role

- 4.83 Having due regard to the above assessment, it is considered that the scheme fulfils the requirements of the environmental role in the context of the NPPF, as well as providing benefits through the provision of public open space and ecological enhancements. It is therefore considered that the proposal accords with the requirements of the NPPF and also 1 d) of Policy DM1.3 of the South Norfolk Local Plan and JCS.
- 4.84 In relation to sustainable development it is considered that on balance the proposed development is acceptable in this instance and will not result in any adverse impact that would significantly and demonstrably outweigh the benefits of housing on this site.

*Other issues**Secured by design*

- 4.85 The Committee will note that the Police Architectural Liaison Officer has indicated that should the developer wish to achieve a 'secured by design' award, which is a voluntary award aimed at designing out crime in new developments, that a number of minor revisions would be required to the scheme achieve this. Since the award is voluntary and the design and layout of the development is satisfactory and achieves good levels of surveillance, the development is considered acceptable in this regard.
- 4.86 With regards to detailed comments regarding the proposed public open space and the potential timber boardwalk over the wetland zone and a trim trail, it is considered that these matters can be adequately dealt with as part of a condition requiring detailed designs of the open spaces to be agreed at a later stage as part of the landscape, ecology and management plan.

*Other considerations**Section 106 Agreement and Community Infrastructure Levy (CIL)*

- 4.87 The application is liable for CIL and a liability notice would be issued with any consent granted. Should consent be granted a S106 would need to be entered into to cover Affordable Housing and open space.

Financial Considerations

- 4.88 Under Section 143 of the Localism Act the council is required to consider the impact on local finances. This can be a material consideration but in the instance of this application the other material planning considerations detailed above are of greater significance.

5. Conclusion

- 5.1 The proposed development of the site would satisfy the three roles of sustainability (economic, social and environmental). It is evident that the proposal complies with the requirements of the relevant National and Development Management policies identified above. Whilst it is acknowledged that the proposal results in the loss of an oak tree near the access from St Mary's Road that has been identified as having moderate value, I consider that in this instance the overriding social and environmental benefits outweigh its loss and that greater weight should be afforded to the requirements of highway safety and access to the site which are required to develop in this location.

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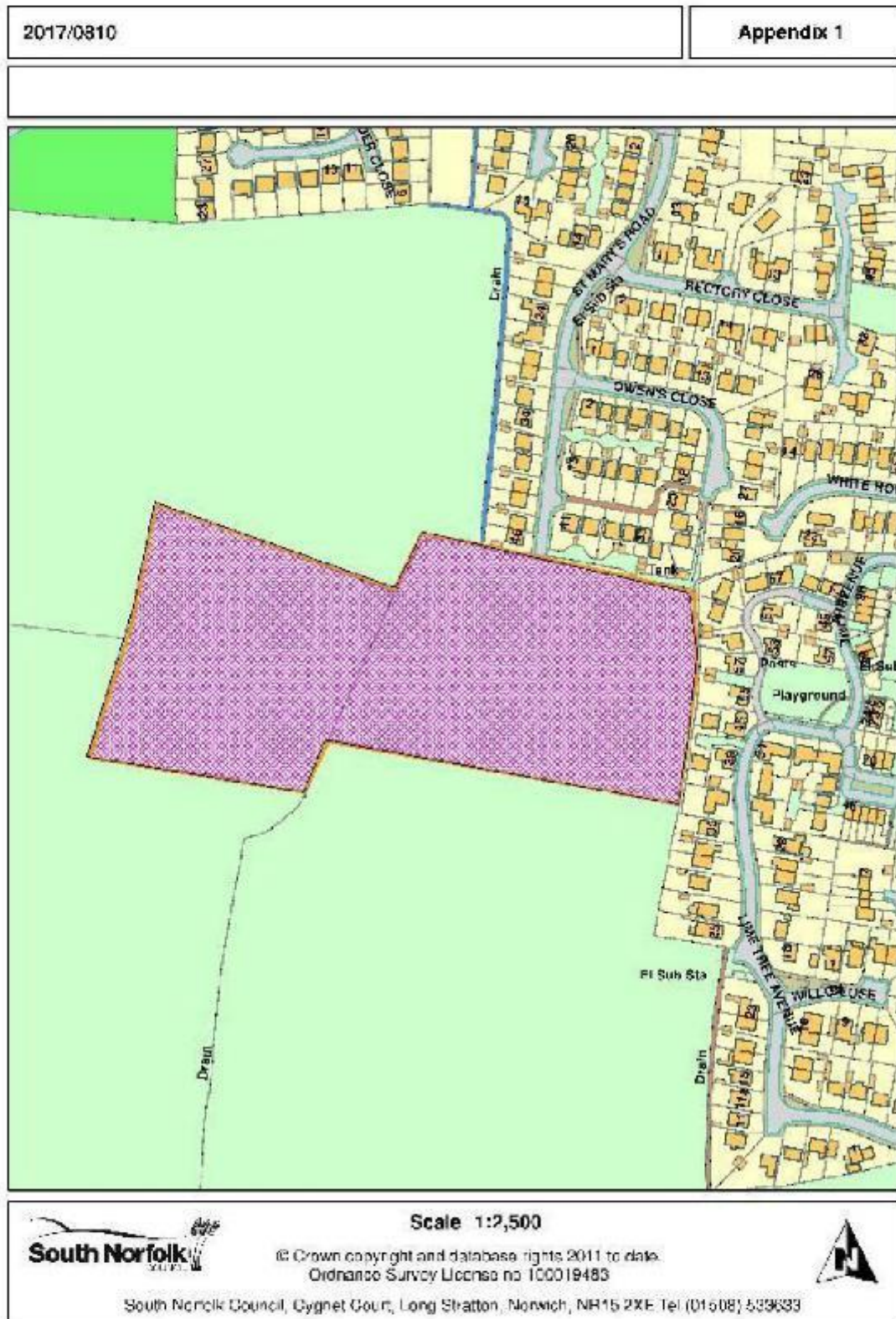
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- 5.2 No harm has been identified which is at a level that would significantly and demonstrably outweigh the benefits identified by the development of the site and of housing delivery and the substantial area of public open space, notwithstanding that the benefits of housing are diminished as a result of the SHMA 5 year supply figures as a material consideration. Accordingly, the application satisfies the requirements of Policy DM1.1 of the Development Management Policies and Para 11 of the NPPF (2018).
- 5.3 The application is therefore recommended for approval subject to the imposition of conditions.

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6 Appl. No : 2017/2652/O
Parish : PORINGLAND

Site Address : Land South of Burgate Lane Poringland Norfolk
 Proposal : Outline application for the erection of up to 165 dwellings with public open space, landscaping and sustainable drainage system (SuDS) and vehicular access point from Burgate Lane. All matters reserved except for means of access.

Recommendation : Refusal
 1 No overriding benefit contrary to DM1.3
 2 Landscape impact – rural character
 3 Loss of important hedgerow

1. Background

1.1 This application was considered by the Development Management Committee on the 25th April 2018 (report attached as Appendix 2) and subsequently refused for the following reasons:

- 1) *The proposed development does not represent a sustainable development, having regard to the three tests (social, economic and environmental) set out in the NPPF, by virtue of the detrimental impact the scheme would have on the rural landscape and loss of important hedgerows and likely ecological harm in the absence of sufficient information which significantly and demonstrably outweighs the benefit of housing in the Norwich Policy Area where there is not an up to date 5 year housing land supply, which is diminished by virtue of the evidence contained in the SHMA. Accordingly the proposal fails to comply with policy DM1.1 of the South Norfolk Local Plan and Paragraph 14 of the NPPF.*
- 2) *The proposed housing 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 caused in relation to the rural landscape and loss of important hedgerows and as such does not satisfy the requirements of either c) or d) of Policy DM1.3 of the South Norfolk Local Plan.*
- 3) *The development would result in a significant harm to the rural character of the landscape, thereby conflicting with Policy 2 of the Joint Core Strategy and Policy DM4.5 of the South Norfolk Local Plan. In particular, the development, which would not be of a density to respect the rural edge of the area, would be apparent from public viewpoints on public footpaths and Bungay Road to the south of the site where there is currently little perception of development thereby leading to a loss of the landscape's rural character.*
- 4) *The proposed development will result in removal of part of the hedgerow fronting Burgate Lane which is considered to be 'important' under the Hedgerow Regulations 1997, thereby conflicting with Policy DM4.8 of the South Norfolk Local Plan.*
- 5) *The application contains insufficient information to demonstrate that the development will not have an adverse impact on protected species. In particular, ponds in the vicinity of the site identified in the Ecological Appraisal submitted with the application as having the potential to support Great Crested Newts have not been surveyed to ensure the development would not result in a loss of habitat to these species contrary to Policy 1 of the Joint Core Strategy and Section 11 of the National Planning Policy Framework.*

1.2 The application is now the subject of an appeal with a public inquiry scheduled to commence on the 4th June 2019.

- 1.3 On 12th April 2019 the Council published an Interim Greater Norwich area housing land supply statement for the position at 1st April 2018 (this can be found at Appendix A at page 126 of this agenda.) This showed that the Council could demonstrate a housing land supply of 6.63 years. This sets out the housing land supply position for Greater Norwich for the period 1 April 2018 to 31 March 2024. The interim statement has not been formally endorsed by all three Local Planning Authorities and is not the final statement that will be published in the Annual Monitoring Report (AMR) of the Joint Core Strategy for Broadland, Norwich and South Norfolk. The AMR will be published in due course.
- 1.4 The housing forecasts included within the housing land supply statement have been based on the Councils' detailed knowledge of sites and discussions and correspondence with the relevant developers and site promoters. The housing forecast is considered to be fully justified although some signed statements are still outstanding and will be published in due course. In addition, the Councils continue to work with developers and site promoters to establish the deliverability of some additional sites where information is not currently available and have not therefore been included in the current calculated supply.
- 1.5 Notwithstanding the interim status of the statement, it is considered to be a credible assessment of housing land supply in Greater Norwich and has been carried out in a manner that is consistent with the expectations of the National Planning Policy Framework and Planning Practice Guidance. As such, the statement justifies the conclusion that a five year housing land supply can be demonstrated across the Greater Norwich area.
- 1.6 Given the Council has published an interim Greater Norwich area housing land supply it is necessary for the Council to update the Planning Inspectorate of this significant change in material evidence. It will also be necessary to reflect this in the Council's position in respect of defending the appeal. Consequently, the following is the officers reassessment of the scheme in planning terms, mindful of the changing housing land supply position, and officers wish for Members to endorse this position which can then be relayed to the Planning Inspectorate as part of the planning appeal.
- 2 Assessment
- 2.1 Planning law (section 236 of the Planning and Compulsory Purchase Act 2004) requires that applications be determined in accordance with the Development Plan, unless material considerations indicate otherwise. Material considerations include the National Planning Policy Framework (NPPF).
- 2.2 In this instance it is evident that the site continues to lie outside of any defined development limit and as such Policy DM1.3 of the Local Plan is directly applicable and confirms the following:
- Permission for development in the Countryside outside of the defined development boundaries of Settlements will only be granted if:*
- c) Where specific Development Management Policies allow for development outside of development boundaries or*
- d) Otherwise demonstrates overriding benefits in terms of economic, social and environment dimensions as addressed in Policy 1.1.*
- 2.3 It is not considered that the current scheme complies with any of the policies of the Local Plan which could be considered to be applicable under criterion c), for example where required for an agricultural or other occupational dwelling in the countryside which is allowed for under Policy DM2.11 of the Local Plan.

- 2.4 Therefore it is necessary to establish whether the scheme complies with criterion d) by demonstrating overriding benefits in terms of economic, social and environmental dimensions as addressed in Policy DM1.1.
- 2.5 It is considered appropriate to be guided by the reasoned justification which accompanies Policy DM1.3 of the Local Plan. This confirms at paragraph 1.23 that:

Only in exceptional cases consistent with specific Development Management Policies or site allocations will development proposals in the countryside be supported by the Council. This could include agricultural buildings, development connected to outdoor sports facilities, small scale house extensions etc. In addition, development will generally be supported for school related development or other community facilities such as a GP surgery or a village hall where they are required and there are not suitable sites available within development boundaries.

- 2.6 Furthermore ,it also states at paragraph 1.27 that:

South Norfolk is a diverse district that is comprised of vibrant market towns and many rural villages. In order to protect and enhance the vitality of these settlements and to protect the surrounding open countryside from inappropriate development, it is important to focus development in these settlements. Development boundaries are therefore proposed in which development will be encouraged, with more restrictive policies applying for land falling outside of these boundaries.

- 2.7 Furthermore, it also states at paragraph 1.28 that:

Much of the rural area of the district comprises agricultural land which is an important resource in itself and provides an attractive setting and backdrop to settlements and The Broads. The rural area is a sensitive and multi-functional asset and contains many attractive natural and other features influenced by man such as field boundaries, including areas of notable landscape character and beauty, geological and biodiversity interest – of international, national and local importance. These are protected through the development boundaries referred to in paragraph 1.27 which focus development in existing settlements and only normally allow for development outside of these boundaries where it is necessary to meet specific needs of the rural economy or where development could not reasonably be located elsewhere and is carried out in accordance with the specific policy requirements of the Development Management Policies.

- 2.8 The development boundary for Poringland has been scrutinised by a Planning Inspector through a public examination and should only be set aside where one of the two aforementioned criteria are met, or where material considerations indicate otherwise.

- 2.9 It is appropriate at this stage to reflect on the revised housing land position. The previous assessment of this application correctly engaged what was then paragraph 14 of the NPPF, but which now forms paragraph 11 of the revised NPPF, on the basis that the Council were not able to demonstrate a 5 year housing land supply in the Norwich Policy Area (NPA). Paragraph 11 states:

where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date , granting permission unless:

- i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed ; or*
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.*

- 2.10 However, as the Council can now demonstrate a figure in excess of five years (6.56 years) it is not necessary to engage the tilted balance. It should be noted that this is a significantly different position to the one the Council was in when determining the application in April 2018.
- 2.11 It is therefore appropriate consider each reason for refusal in turn.

Reason 1

The proposed development does not represent a sustainable development, having regard to the three tests (social, economic and environmental) set out in the NPPF, by virtue of the detrimental impact the scheme would have on the rural landscape and loss of important hedgerows and likely ecological harm in the absence of sufficient information which significantly and demonstrably outweighs the benefit of housing in the Norwich Policy Area where there is not an up to date 5 year housing land supply, which is diminished by virtue of the evidence contained in the SHMA. Accordingly the proposal fails to comply with policy DM1.1 of the South Norfolk Local Plan and Paragraph 14 of the NPPF.

- 2.12 This reason is no longer applicable as it refers to the tilted balance in paragraph 14 (now 11) of the NPPF insofar as it is referencing significant and demonstrable harm being exhibited by the scheme. It is considered that this is no longer necessary in light of the Council being able to demonstrate a 5 year housing land supply.

2.13 *Reason 2*

The proposed housing 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 caused in relation to the rural landscape and loss of important hedgerows and as such does not satisfy the requirements of either 2 c) or d) of Policy DM1.3 of the South Norfolk Local Plan.

- 2.14 It is evident that Policy DM1.3 of the SNLP remains applicable and in the context of this policy it is necessary for a scheme to present overriding benefits so as to comply with the policy. In this respect, the supporting text of the Policy makes it clear that development outside of the development limit should be strictly controlled and only permitted where there are good reasons to do so.

- 2.15 Harm is identified in relation to the rural landscape, including townscape and loss of important hedgerows.

- 2.16 In considering the benefits of the scheme, whilst new housing, including affordable housing in excess of 28%, is considered a benefit, the weight of the benefit is considered to be diminished by virtue of the Council having a demonstrable housing land supply figure in excess of 5 years. There is an over-provision of open space which can also be considered to represent a benefit, as can offsite highway improvements proposed as part of the scheme although these are primarily intended to mitigate the impact of the development. However, in this instance neither individually, or cumulatively, the benefits cannot be considered to present overriding benefits.

- 2.17 As such this reason for refusal should be retained and strengthened to make it clear that the proposed development conflicts with Policy DM1.3.

2.18 *Reason 3*

The development would result in a significant harm to the rural character of the landscape, thereby conflicting with Policy 2 of the Joint Core Strategy and Policy DM4.5 of the South Norfolk Local Plan. In particular, the development, which would not be of a density to

respect the rural edge of the area, would be apparent from public viewpoints on public footpaths and Bungay Road to the south of the site where there is currently little perception of development thereby leading to a loss of the landscape's rural character.

- 2.19 As documented in the previous Committee report in appendix 2, the Council consider that the development will have an unacceptable impact on the wider landscape. The proposal would result in the loss of land on a sensitive part of the plateau that forms part of the countryside setting of Poringland.
- 2.20 In terms of landscape setting, the site forms a key element of the landscape setting of the village with the soft village edge appears to be well integrated by vegetation on its eastern edge creating a well-defined transition between the settlement and rural landscape. A key part of this landscape setting would be lost by extending the built-form into the open countryside and introducing development that encroaches into the distinctive plateau edge. As such, development would not maintain or enhance the special landscape qualities of the area or harmonise with the landscape setting as required by Policy DM4.5 of the Local Plan.
- 2.21 As noted in the reason for refusal, there remains a particular concern about the visual impact in views from public rights of way to the south where experiences of views across open landscape would be permanently altered by the loss of key features and where the submitted LVIA has underestimated the harm caused from a number of these receptors.
- 2.22 As such, the third reason for refusal still remains applicable.
- 2.23 *Reason 4*
- The proposed development will result in removal of part of the hedgerow fronting Burgate Lane which is considered to be 'important' under the Hedgerow Regulations 1997, thereby conflicting with Policy DM4.8 of the South Norfolk Local Plan.*
- 2.24 Further work by the Landscape Architect has strengthened our view that this hedgerow can be considered 'important' under the Hedgerow Regulations 1997. As such this reason for refusal should be retained.
- 2.25 *Reason 5*
- The application contains insufficient information to demonstrate that the development will not have an adverse impact on protected species. In particular, ponds in the vicinity of the site identified in the Ecological Appraisal submitted with the application as having the potential to support Great Crested Newts have not been surveyed to ensure the development would not result in a loss of habitat to these species contrary to Policy 1 of the Joint Core Strategy and Section 11 of the National Planning Policy Framework.*
- 2.26 The application included an Ecological Appraisal that Norfolk County Council's Ecologist considered to be broadly fit for purpose. At the time of the application previously being considered by Development Management Committee, the report identified a number of ponds within the area and recognised that these ponds have the potential to support great crested newts and stated that "further assessment, initially in the form of Habitat Suitability Index (HSI) assessment to determine the suitability of the waterbodies to support great crested newts and further eDNA sampling and / or aquatic presence / absence, population class surveys as required, will be undertaken to inform the proposals." Subsequent to the previous consideration of the application, these surveys have been submitted to the satisfaction of Norfolk County Council's Ecologist. Therefore, this reason for refusal relating to insufficient ecological information is no longer applicable and is recommended to be removed.

3. Conclusion

- 3.1 A 5 year housing land supply can be demonstrated (6.63 years), accordingly, Paragraph 11 of the NPPF is no longer engaged and the Council's case in defending the appeal therefore reflects this revised position. Local Plans are the key to sustainable development and the clear aim of the plan-led system is to direct development to where it is needed. The Council's housing supply policies are up to date and the proposal therefore falls to be determined by policy DM 1.3 of the development plan.
- 3.2 The proposed development is outside of the development boundary for Poringland and would have an adverse impact on the landscape setting of Poringland, particularly when viewed from the south. In addition the development would result in the partial loss of a hedgerow that the applicant has not demonstrated is not 'important'. As a result it is considered contrary to Policies DM1.3, DM4.5 and DM4.8, Policy 2 of the Joint Core Strategy and relevant policies of the NPPF and there are no material considerations that outweigh these conflicts. Therefore the recommendation remains to refuse the application with the following amended reasons for refusal. Subject to agreement by members, we will therefore defend the appeal on these reasons.

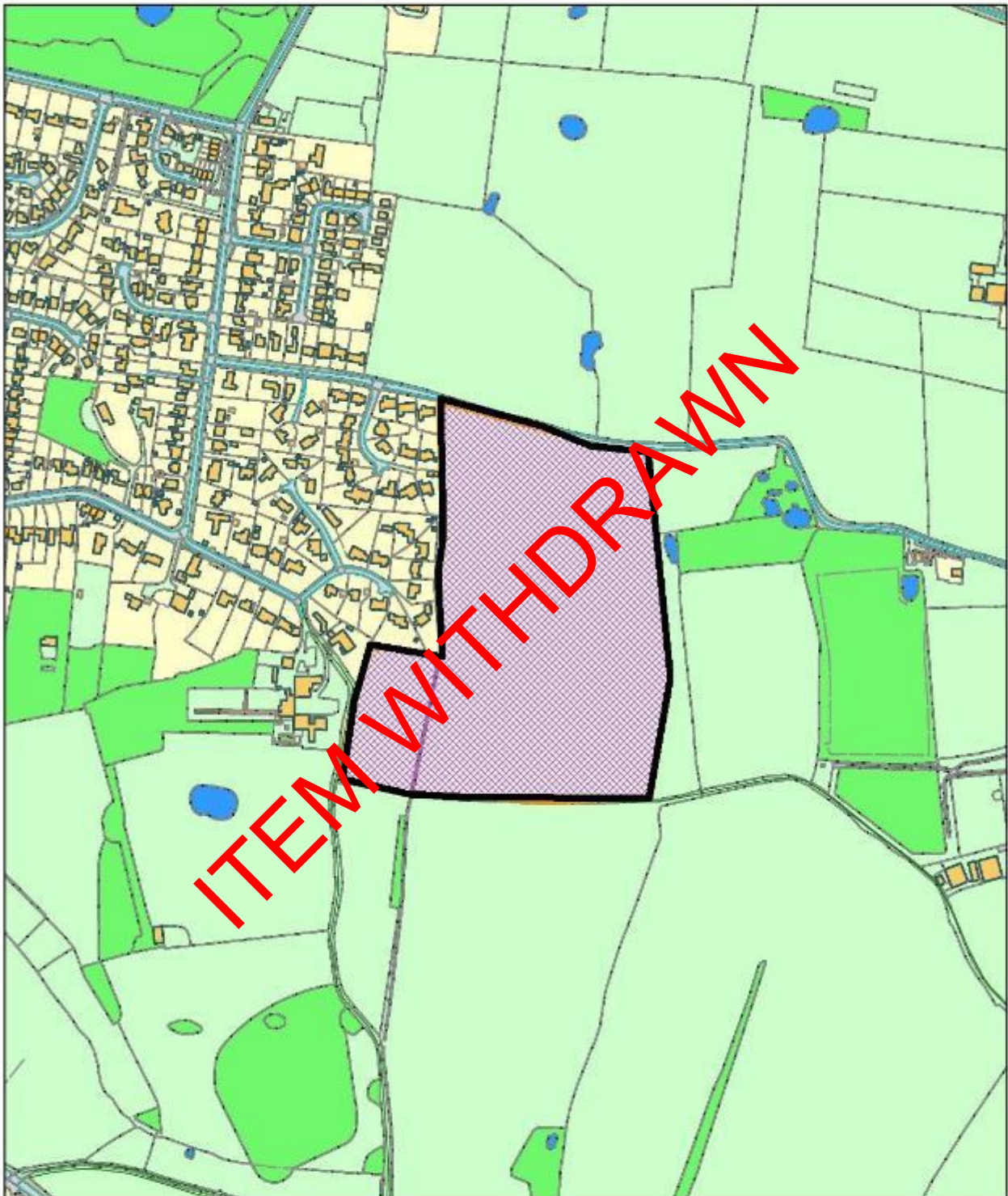
4. Reasons for Refusal

- 4.1 The proposal is contrary to the South Norfolk Local Plan and specifically Policy DM1.3 as the proposed housing 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 caused in relation to the rural landscape and loss of important hedgerows and as such does not satisfy the requirements of either 2 c) or d) of Policy DM1.3 of the South Norfolk Local Plan.
- 4.2 Furthermore, the development would result in a significant harm to the rural character of the landscape, thereby conflicting with Policy 2 of the Joint Core Strategy and Policy DM4.5 of the South Norfolk Local Plan. In particular, the development, which would not be of a density to respect the rural edge of the area, would be apparent from public viewpoints on public footpaths and Bungay Road to the south of the site where there is currently little perception of development thereby leading to a loss of the landscape's rural character.
- 4.3 The proposed development will also result in removal of part of the hedgerow fronting Burgate Lane which is considered to be 'important' under the Hedgerow Regulations 1997, thereby conflicting with Policy DM4.8 of the South Norfolk Local Plan.

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2017/2652

Appendix 1



Scale 1:5,000

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

Development Management Committee

25 April 2018

Agenda Item No. _____

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

1. **Appl. No** : **2017/2652/O**
Parish : **PORINGLAND**
- Site Address : Land South of Burgate Lane Poringland Norfolk
 Proposal : Outline application for the erection of up to 165 dwellings with public open space, landscaping and sustainable drainage system (SuDS) and vehicular access point from Burgate Lane. All matters reserved except for means of access.

Recommendation : Refusal

- 1 Not sustainable development contrary to DM1.1 and NPPF 14
 2 No overriding benefit contrary to DM1.3
 2 Landscape impact – rural character
 3 Loss of important hedgerow
 4 Insufficient ecological surveys

1 Planning Policies

- 1.1 National Planning Policy Framework
 NPPF 01 : Building a strong competitive economy
 NPPF 03 : Supporting a prosperous rural economy
 NPPF 04 : Promoting sustainable transport
 NPPF 06 : Delivering a wide choice of high quality homes
 NPPF 07 : Requiring good design
 NPPF 08 : Promoting healthy communities
 NPPF 10 : Meeting the challenge of climate change, flooding and coastal change
 NPPF 11 : Conserving and enhancing the natural environment
- 1.2 Joint Core Strategy
 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 7 : Supporting Communities
 Policy 9 : Strategy for growth in the Norwich Policy Area
 Policy 14 : Key Service Centres
 Policy 17 : Small rural communities and the countryside
 Policy 20 : Implementation
- 1.3 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
 DM3.1 : Meeting Housing requirements and needs
 DM3.8 : Design Principles applying to all development

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- 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
- DM3.15 : Outdoor play facilities/recreational space
- DM4.2 : Sustainable drainage and water management
- DM4.5 : Landscape Character Areas and River Valleys
- DM4.8 : Protection of Trees and Hedgerows
- DM4.9 : Incorporating landscape into design

1.4 Supplementary Planning Documents South Norfolk Place Making Guide 2012

2. Planning History

2.1 No planning history

3. Consultations

3.1 Poringland Parish Council

Refuse

- site is outside the agreed development boundary and is a ribbon form of development inching towards Alington
- the extension of the built-up area will result in a lack of defined centre or character
- the development could be perceived as a gated community with little access, permeability or visual interest
- other developments in the village (such as Norfolk Homes) have shown good examples of progressive development with benefits for all residents, not just new ones
- concerns regarding access and highway safety as Burgate Lane is a narrow lane which will be narrowed further by the narrow pavement
- the junction of Burgate Lane with Upgate and Hall Road has poor visibility which cannot be improved due to land on either side being in private ownership
- road is particularly busy during rush hour as it is used as a shortcut which would make it less attractive to use by pedestrians
- concerned with proposed density of the development which pays little regard to the fact that it is on the edge of the village and in a rural setting
- the current development boundary forms a very natural end to the village which the community wish to see retained
- the proposed site is prime agricultural land which should not be taken out of agricultural production
- the proposed walking route using the existing bridleway has been incorrectly marked as extending to White House Gardens. The bridleway ceases at the private road to the Catholic Church and it not clear whether agreement has been made with the Church to improve their road accordingly
- primary school is at capacity and has no further space to expand, and the High School is full in two year groups. The doctor's surgeries are at capacity
- ecology survey suggests there is limited wildlife, but local records show there are at least 28 species of birds as well as visual evidence of species such as Red Kites
- disappointed with lack of consultation with the wider community

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		<ul style="list-style-type: none"> scant regard has been given to the unique geology and drainage issue in Poringland. The plans identify a key ditch between the two fields as dry, which is not the case percolation or attenuation ponds are not a suitable solution in this area
Alpington with Yelverton Parish Council	Refuse	<ul style="list-style-type: none"> density is far greater than the adjacent development schools will be unable to accommodate any pupils from this development doctor's surgeries are at capacity and can take no more patients bus routes only useful to get to the city centre, so this will mean more car ownership and queues on the A146 and B1332 public car parking in Poringland is limited which is an issue for residents of Alpington with Yelverton as many of their residents are dependent on Poringland access from any direction would involve using narrow roads not capable of handling increased traffic junction proposed at site entrance would have inadequate visibility
Framingham Earl Parish Council	Refuse	<ul style="list-style-type: none"> Consultation of 385 leaflets was totally inadequate Burgate Lane is rural in nature and is a single track lane with blind bends and poor visibility Primary school is at capacity has already expanded on part of their playground and therefore has no more land left on which to expand Both doctor's surgeries are stretched to cope with all the new developments built or being built Gladman mention job opportunities in the locality but there no large or medium sized employers with the majority of jobs being in Norwich One of the major worries in this area is drainage. The applicant seems to be totally unaware of the drainage problems in this area, and show scant concern as to where surface water would go after attenuation Wildlife survey is not sufficient as we know there many species living in and around the site, including newts, bats, owls and deer Would request that the Planning Committee visit the site to see first-hand all the problems and concerns raised by the residents
3.2 District Councillor: Cllr Overton	To Committee	<ul style="list-style-type: none"> There has been a lack of meaningful consultation with the residents. A total of 385 Gladman leaflets were put through cherry picked letter boxes Lack of a proper drainage strategy. No concern showed as to where surface water will end up after attenuation. They are not aware of the surface water and flooding issues in the Poringland and Framingham Earl area Impact on schools. No detailed survey or the latest headcount at Poringland Primary School or Framingham Earl High School Impact on healthcare. Not considered, no detailed survey available Outside of development boundary; it's a speculative application based on a supposed shortfall of the five year land supply

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- Traffic. Lack of any knowledge of any proper traffic impact survey been carried out. Burgate Lane is unsuitable for additional traffic movements.
 - The application will do nothing to help local people, will do nothing to improve or support the infrastructure, will do nothing to relieve the five year land supply which I believe we have achieved in South Norfolk, will do nothing to improve community relations and is a cramped and over-developed scheme.
- Cllr Neal

To be reported if appropriate.
- 3.3 Anglian Water Services Ltd

Conditional support

Development will lead to an unacceptable risk of flooding in the foul sewerage network downstream. However, a development impact assessment has been prepared in consultation with Anglian Water to determine a feasible mitigation solution. A condition will be required to ensure compliance⁴ with the agreed drainage strategy.
- 3.4 CPRE

Object

 - Site is not earmarked for housing
 - Poringland and Framingham East is identified as a Key Service Centre with small scale housing growth of 100-200 dwellings, and if necessary to help deliver smaller sites in the Norwich Policy Area
 - Given that around 1,600 dwellings have been permitted it is reasonable to assess that Poringland has received more than enough housing under the current Local Plan regardless of the fact that this part of South Norfolk does not demonstrate a 5-year land supply for housing
 - Appraisal decisions have stated that 'the weight to be attached to a policy in the development plan is not automatically reduced by virtue of its age or the absence of a five year housing land supply.'
 - To support this position further it should be noted that a Neighbourhood Plan for Poringland is being prepared and due weight should be given to this
 - We challenge the conclusions of the Transport Assessment as the estimated number of journeys associated with the development are too low, the impacts on surrounding junctions are underestimated and the assessment makes unrealistic expectations about the amount and length of journeys that will be made on foot
 - Junctions on the B1332 are already particularly prone to queues
 - As a single carriageway road of between 3.6 metres and 4.2 metres, Burgate Lane is unsuitable for the addition of traffic to and from a development of this size
 - Emphasis of the recent Housing White Paper on the need to develop brownfield and surplus public land first, as well as considering other solutions including higher density urban housing, needs to be considered
- 3.5 Heathgate Surgery

No comments received
- 3.6 NCC Ecologist

Further surveys required

 - Ecological Appraisal identifies a number of ponds in the area and recognises that they have the potential to support great crested newts. It recommends further surveys are undertaken and these should be completed before the application is determined

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| 3.7 | NCC Highways | No objection to the granting of planning permission subject to appropriate conditions and access to the site from a new side road junction and not a realigned Burgate Lane |
| 3.8 | NCC Historic Environment Services | Conditional support |
| 3.9 | NCC Lead Local Flood Authority | <p>Conditional support</p> <ul style="list-style-type: none"> • Satisfied following receipt of further information that the receiving watercourse does connect to Well Beck and does receive a flow • Should approval be granted a condition is required for detailed design of the drainage scheme |
| 3.10 | NCC Planning Obligations Co Ordinator | Contributions required for education, library and provision of a fire hydrant |
| 3.11 | NCC Public Rights of Way Officer | <p>Two Public Rights of Way form part of the application site boundary. The proposed development would result in increased footfall and therefore the surfaces of these Public Rights of Way should be upgraded, whilst reflecting the rural nature of the routes as far as possible.</p> <p>The proposed drainage for the development must not exacerbate existing run-off problems on these routes and opportunities should be considered to improve this situation.</p> |
| 3.12 | Norfolk Police Architectural Liaison Officer | Concerns raised about location of children's play area, provision of additional footpaths and provision of parking courts. |
| 3.13 | Norfolk And Waveney Local Medical Council | No comments received |
| 3.14 | NHSCCG | No comments received |
| 3.15 | NHS England | Proposed development would have an impact on primary healthcare in the area. We understand this is being considered through the Greater Norwich Growth Board forum and assuming this is considered in conjunction with the current planning application process we would not wish to raise an objection |
| 3.16 | SNC Senior Conservation and Design Officer | Do not consider that the development compliments this part of Poringland as submitted within the Design and Access Statement. It does not meet the key design principle of ensuring that new development does not adversely impact upon key views from and to the sensitive edge of the area and "that new development is well integrated into the landscape and maintains the quality of the transition between the settled and agricultural landscape." |
| 3.17 | SNC Housing Enabling & Strategy Manager | No objection subject to agreement on the type and tenure mix of the affordable housing |

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| 3.18 | SNC Landscape Architect | <p>Object</p> <ul style="list-style-type: none"> • Loss of any part of the hedgerow along Burgate Lane would be contrary to Policy DM4.8 as the hedgerow is considered 'important' under the Hedgerow Regulations • Impact of development on views from the south where there is perception of relatively no development • Green Infrastructure proposals are laudable, but not aware that they are specifically solving any problems that currently existing or provide any overriding benefits |
| 3.19 | SNC Community Services - Environmental Quality Team | <p>Conditional support</p> <ul style="list-style-type: none"> • noise assessment has identified that mitigation may be required in the area fronting onto Burgate Lane. We would wish to see confirmation of the approach taken to protect residential amenity. • - in addition, conditions required relating to construction management, contamination and approved remediation |
| 3.20 | The Ramblers | <p>No comments received</p> |
| 3.21 | Other Representations | <p>1 letter of support</p> <ul style="list-style-type: none"> • there is an ever-growing need for realistically priced housing • providing the development includes an adequate mix of properties and is designed sympathetically to its rural location then it has my full support <p>130 letters of objection</p> <ul style="list-style-type: none"> • outside development boundary • we calculate that Poringland has already attained its 5-year land supply • development allocated in JCS has been met • Norfolk Homes has stopped building as cannot sell any more houses which is proof that the market is saturated • development needs will be met with development at Trowse, Long Stratton, Hethersett, Wymondham and Anglia Square • appreciate the Government's desire to concrete over as much of the south-east as possible which South Norfolk Council seem to have adopted as well • question why South Norfolk Council appears to be accepting significant volumes of development compared to adjoining councils? • South Norfolk Council has responsibilities to its existing residents • village has experience monumental growth in recent years • consideration should be given to building more houses in Brooke, Bramerton, Saxlingham and Shotesham rather than more in Poringland • should be a pause in the approval of future housing developments to allow services to keep pace with the extant house building programme • just over 30 houses at this end of Burgate Lane, to add 165 would be highly inappropriate • brownfield sites should be a priority |

- adding this number of properties would be of huge detriment to the character of the area
- will provide a very 'hard edge' to the village at the density proposed
- density completely out of character
- this no longer a community village but is becoming a suburb of Norwich and village life is being ruined
- yet to feel full impact of houses already permitted
- it will create a landlocked field unsuitable for farming and therefore ripe for another development proposal
- site is on a lane connected to minor roads
- lane used by traffic going to Alington, Yelverton and Bergh Apton
- use for access to these villages doesn't seem to have been considered in design of access into site
- there is a weight restriction on lane so how will deliveries access the site?
- more traffic on lanes would make walking and cycling more hazardous
- dangerous bends on lane and sections too narrow for cars to pass
- question whether sufficient visibility can be provided at the junction of Burgate Lane and Upgate given hedge / boundary line
- undertaking traffic counts between 8.30am and 9.30am is not particularly representative of 'peak times' as does not take into account traffic to the high school at 8am
- likely to increase traffic onto Gull Lane towards A146 by more than that suggested
- traffic congestion through village
- impact of the EVOH not yet known on Long Road
- is it time to consider assessing the B1332 to A road status so that it gets the attention from the highway Authority it requires?
- roads cannot cope with another 300 homes
- can take the bus an hour to do the 5 miles into the city
- whilst some people work in the city centre many work in business parks and industrial estates on the edge of the city which realistically people will not use the bus to access and therefore result in more traffic congestion
- does not take into account that buses are provided by rival companies so not at regular intervals
- junctions on A146 at The Feathers and Gull Lane junction need right turn lanes to reduce congestion on A146
- shops, schools and doctors are at least 1 to 1 and a half miles away
- lack of footpaths and streetlighting likely to lead to a fatal accident to a pedestrian
- any new footways on Upgate and Hall Road need to be on both sides of the road
- plan for a new pedestrian crossing near the corner of Rectory Lane is sheer madness
- additional traffic results in more noise and air pollution
- land is known to be very wet with poor drainage
- history of blockages to stream development is supposed to drain into
- ditch along western side of site is not dry as stated
- local area is well documented for underground water as well as springs which have not been identified
- attenuation pond would not be safe for small children
- water pressure can't be increased further

- the discharge of the foul drainage system is challenging, controversial and costly
 - can schools and medical services cope with additional numbers?
 - wait for a doctor is already two weeks
 - Chair of Governors at Poringland Primary School objects advising that there is no room to expand school and cannot accommodate any children from further development
 - low pressure gas main along Burgate Lane is not big enough
 - crime is rising
 - detrimental to wildlife
 - have seen deer, foxes, voles, shrews, owls, snakes, bats and skylarks on the site and understand there are also greater crested newts
 - lack of greenspace
 - loss of ancient hedgerows
 - loss of good agricultural land
 - Brexit could mean we need all the remaining land we have
 - lack of employment opportunities
 - additional light pollution with Seething observatory not too far away
 - consultation by applicant was inadequate
 - suggest members of the Development Management Committee come and view the site
- 1 letter not objecting nor supporting the application
- traffic calming measures should be included as part of the plan
 - paths should be widened in strategic locations on alternating sides rather than speed bumps

4 Assessment

The site and proposal

- 4.1 The application is an outline application with access for formal consideration. All other matters are reserved. The application is for up to 165 dwellings, with affordable housing to be provided at 33% in line with Policy 4 of the JCS.
- 4.2 The site relates to an area of agricultural land 8.12 hectares in size. It lies to the east of existing residential development in Poringland, with open countryside to the north, east and south. Burgate Lane is on the northern boundary of the site and a public footpath runs along the southern boundary of the site.

Principle of development

- 4.3 Members are advised that a key material consideration in regards housing land supply is the Central Norfolk Strategic Housing Market Assessment (SHMA), the most recent version of which was published in June 2017. This is significant new evidence. There is an 8.08 year housing land supply against the SHMA assessment of the Objectively Assessed Need (OAN) for housing. The following paragraphs explain why this effectively diminishes the weight attached to the benefits of increased housing supply.
- 4.4 Planning law (section 38(6) of the Planning and Compulsory Purchase Act 2004) requires that applications be determined in accordance with the Development Plan, unless material considerations indicate otherwise. Material considerations include the National Planning Policy Framework (NPPF).

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- 4.5 In accordance with both the Council's adopted development plan and the NPPF, in cases where there are no overriding material considerations to the contrary, development proposals for housing that accord with the development plan should be approved without delay.
- 4.6 In this regard, consideration should be given to Policy DM1.3 which makes provision for development to be granted outside of Development Boundaries, such as this, where one of two criteria are met: either where specific development management policies allow; or, where there are overriding benefits in terms of economic, social and environmental dimensions of sustainable development, as set out in Policy DM1.1.
- 4.7 Where development proposals do not accord with the development plan consideration should be given to whether there are material considerations that otherwise indicate that development should be approved.
- 4.8 Of particular relevance to applications for housing development in this regard is paragraph 49 of the NPPF. This states that: 'housing applications should be considered in the context of the presumption in favour of sustainable development; and that, relevant (local plan) policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites'. Where policies in the Local Plan are not considered to be up-to-date, paragraph 14 of the NPPF requires decision-taking to approve applications for housing unless the adverse impacts of granting permission, 'would significantly and demonstrably outweigh the benefits', when assessed against the policies of the NPPF as a whole.
- 4.9 The 2017 Greater Norwich Area Housing Land Supply Assessment, published as Appendix A of the Joint Core Strategy Annual Monitoring Report, shows that against the JCS requirements there is 4.61 years supply in the combined Norwich Policy Area (NPA), a shortfall of 1,187 dwellings. Consequently relevant policies for the supply of housing in the NPA cannot be considered up-to-date and applications for housing should continue to be determined within the context of paragraph 14 of the NPPF, taking into consideration the narrow interpretation set out in the judgment *Suffolk Coastal District Council (Appellant) v Hopkins Homes Ltd and another* (Respondents) *Richborough Estates Partnership LLP and another* (Respondents), *Cheshire East Borough Council* (Appellant).
- 4.10 The narrow interpretation states:
- "limited to policies dealing only with the numbers and distribution of new housing and excluding any other policies of the development plan dealing generally with the disposition or restriction of new development in the authority's area."
- 4.11 The JCS housing requirement is, however, now several years old (the JCS was adopted in March 2011, with amendments in January 2014). The evidence on which the requirement is based has now been superseded. In June 2017 an updated Strategic Housing Market Assessment (SHMA) was published for Central Norfolk (the Greater Norwich authorities plus, North Norfolk and Breckland). The SHMA assesses the Objectively Assessed Need for housing between 2015 and 2036 using the most recent evidence available. Unlike the evidence underpinning the JCS, the SHMA also includes an assessment of the contribution made by student accommodation in line with the Planning Practice Guidance.
- 4.12 The SHMA is significant new evidence that is also a material consideration in the determination of planning applications. A housing land supply of 8.08 years can be demonstrated against the SHMA assessment of OAN, a surplus of 5,368 units. The abundant housing land supply that is apparent in relation to the most up-to-date evidence of housing needs should be given weight in the decision making process. This factor effectively diminishes the weight that would otherwise be attached to the benefits of increased housing delivery in the context of Policy DM1.1 and NPPF Paragraph 14.

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- 4.13 On the basis of the above, the following assessment seeks to establish the benefits of the scheme and any harm that would be caused in the context of the relevant development plan policies and the NPPF, with reference to the three dimensions of sustainable development (economic role, social role and environmental role). These three headings form a convenient basis for structuring the assessment of the proposal against development plan policies.

Economic role

- 4.14 The NPPF defines the economic role as:

"contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure."

- 4.15 The scheme would result in some short term economic benefits as part of any construction work and in the longer term by local spending from the future occupants.

- 4.16 It should also be noted that the development would be the subject of Community Infrastructure Levy.

- 4.17 It is therefore considered that the scheme would bring forward a level of economic benefit.

Social Role

- 4.18 The NPPF defines the social role as:

"supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being."

- 4.19 The proposed scheme would provide housing in a location where the JCS identifies a shortfall in housing land supply against requirements which would represent a social benefit. However, the significance of this benefit is diminished by the most recent evidence of the updated LMA which identifies a housing land supply in excess of 8 years and this is a material consideration in determining this application.

- 4.20 The site is adjacent to the development boundary of a Key Service Centre, which includes a wide range of services. However, the majority of these services are some distance from the site. The primary school is around 900 metres from the site, whilst the Budgens supermarket and community centre / library are over 1km from the site. The site is therefore not considered to be well related to the majority of services within the Key Service Centre.

Access and Impact on the Local Highway Network

- 4.21 Many of the concerns raised have related to the local highway network. Burgate Lane is a narrow country lane across the site frontage, with sharp bends to the east. The access arrangement proposed is to realign Burgate Lane so that priority is from the new estate road onto Burgate Lane heading into Poringland with traffic coming from Alington along Burgate Lane having to give way. In response to concerns raised by Norfolk County Council as Highway Authority, the applicant has also suggested an alternative access arrangement where priority remains with Burgate Lane.

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- 4.22 Concern has also been raised about a number of junctions that traffic from the development is likely to pass through. Of particular concern is the junction of Burgate Lane with Upgate and Hall Road where visibility for vehicles emerging from Burgate Lane onto Upgate and Hall Road has been questioned. The applicant has proposed a number of off-site highway improvements which will include minor realignment of Hall Road and Upgate to improve visibility. In addition, the off-site highway improvements will include the provision of footways along Hall Road and Upgate and improvements to bus stops which will serve the development.
- 4.23 The Highway Authority are satisfied that the proposed improvements satisfy many of their previous concerns. They therefore have no objection to the proposal providing that the alternative access arrangement retaining priority along Burgate Lane is adopted. However, this arrangement would necessitate the removal of a more substantial section of the hedge along Burgate Lane than the originally proposed access arrangement of having priority traffic using the estate road. As detailed later in the report, removal of any part of the hedgerow would be considered to conflict with Policy DM4.8 of the Local Plan.

Schools

- 4.24 Many comments submitted relate to the capacity of schools in Poringland and Framingham Earl to accommodate children from the proposed development, with particular concern expressed in regard to Poringland Primary School where it is contended that existing extensions constructed to accommodate growth in pupil numbers from development elsewhere in the area have resulted in the school having external playing provision being reduced with no further land available to expand the school. Norfolk County Council recognise that there would be insufficient places from Early Education, Poringland Primary School or Framingham Earl High School to accommodate the children generated from this proposed development. Contributions would be required through CIL to mitigate for this, with the County Council's Children's Services reviewing the existing primary and secondary school provision and considering how best to accommodate children from these new developments.

Healthcare

- 4.25 NHS England have commented that the development of 165 dwellings is likely to have an impact on the NHS funding programme for the delivery of healthcare in the area. There are two GP practices within a 2km radius of the proposed development, Heathgate Medical Practice and Old Mill Surgery. NHS England have advised that they do not have sufficient capacity for the additional growth resulting from this development and proposed cumulative development in the area. They advise that the issue of healthcare is being considered through the Greater Norwich Growth Board forum and are keen to see this resolved as a matter of priority and that if it can be considered in conjunction with this application they would not wish to raise an objection to this application.
- 4.26 Whilst the concerns of NHS England are noted, GPs are independent contractors of the NHS and so are essentially private businesses and new surgeries are funded/instigated through the relevant primary health care body and are not provided by S106/CIL. As such there is no policy basis for seeking contributions by S106 or provision in the CIL Regulation 123 list, for primary healthcare facilities and it would not be possible to secure any contribution towards primary healthcare and could not be substantiated as a reason for refusal.

Residential amenity

- 4.27 Some comments have expressed concerns about the positioning of dwellings or other details shown on the indicative layout. However it should be noted that this application is an outline application with all matters reserved except access. Therefore, the precise position of dwellings, and their size and potential for overlooking would be considered at the reserved matters stage in the event that outline planning permission were to be

granted. Given the size of the site and its boundaries with existing development there is no reason to believe that development could not be achieved in accordance with Policy DM3.13 of the Local Plan.

Summary of social role

- 4.28 The development provides some benefits from additional housing but the significance of this benefit is diminished by the most recent evidence in the SHMA. Whilst some benefits would be provided from the off-site highway improvements proposed, these are primarily intended to mitigate the impact of the development. No other overriding social benefits have been identified.

Environmental Role

- 4.29 The NPPF defines the environmental role as:

"contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy."

Landscape Impact

- 4.30 The application is supported by a Landscape Visual Impact Assessment (LVIA). This has been considered by the Council's Landscape Architect who is of the view that the full impact of development of the site has not been fully considered in views from the south. The LVIA considers the view experienced by users of the B1332 but does not consider the experience of users of public footpath F610 that is orientated in the direction of the site. The Landscape Architect accepts that the effect for those travelling in cars will be less, but is of the view that the impact for users of the footpath will be greater. At present - and even in winter - the existing vegetation screens the majority of existing development in these views so the perception is of a rural undeveloped landscape. The proposed development will be visible and is reliant on planting on its southern boundary to create screening and mitigate the effect on the landscape character. Revised proposals have been submitted offering a mix of tree and shrub planting to provide a wooded belt. Whilst the shrubby and smaller tree species will achieve a degree of maturity in a relatively short period (around 15 years) the more substantial tree species proposed will take longer.
- 4.31 Furthermore, the Senior Conservation and Design Officer has raised concerns about the overall density and layout in comparison to the character of the existing residential area to the west of the site. This area has a more spacious looser grain and lower density of housing with a very verdant character. Whilst the exact layout would be the subject of a reserved matters application in the event that outline planning permission were to be granted, the permission of up to 165 dwellings is unlikely to be achievable without a far tighter form of development than this existing development. It is therefore the view of the Senior Conservation and Design Officer that the development would not compliment this part of Poringland and does not meet the key design principle of ensuring that new development does not adversely impact upon key views from and to the sensitive edge of the area.
- 4.32 The development would lead to at least a partial loss of the hedgerow along the boundary of the site with Burgate Lane. Policy DM4.8 of the Local Plan presumes in favour of the retention of 'important' hedgerows as defined by the Hedgerow Regulations. The submitted Ecological Appraisal assesses two hedgerows, one along the boundary with the gardens of properties on Brooks Meadow and White House Gardens and the one along Burgate Lane. The Council's Landscape Architect agrees that the hedge along the boundary with the gardens of the properties on Brooks Meadow and White House Gardens is not important, as it is not subject to the Hedgerow Regulations as it abounds domestic gardens.

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- 4.33 However, the Landscape Architect does have some concerns with the conclusions reached in regard to the hedgerow along Burgate Lane. It is not clear why the species criteria has not been met, and the assessment also does not appear to consider other criteria of the Regulations. In particular it appears that the hedge is likely to qualify as 'important' under at least one historic criteria as it appears on the Tithe Map. Furthermore, Burgate Lane is at this point the parish boundary between Framingham Earl and Poringland which is a historical consideration too. Whilst the application does not propose the removal of all of the hedge, any reduction in its fabric conflicts with the intent of Policy DM4.8. The Senior Conservation and Design Officer also raises concerns about the impact on the character of lane from any loss of the hedgerow.

- 4.34 Taking all the above into account it is therefore clear that there is a significant and demonstrable harm to the landscape, form and character of the area by the proposed development of this site.

Drainage and flood risk

- 4.35 One of the main concerns expressed by residents is drainage of the site. The site sits within Flood Risk Zone 1 and therefore is not considered to be at risk from fluvial flooding. However, the Poringland Integrated Urban Drainage Pilot Project identified this area as having a predominantly clay geology with poor infiltration characteristics and high groundwater. The main concern therefore is how surface water from the site will be accommodated, particularly given the likely low levels of infiltration.

- 4.36 The drainage strategy that has been developed proposes the provision of an attenuation basin in the southern portion of the site with discharge into a watercourse heading to the south. This watercourse then joins a larger watercourse known as Well Beck which feeds into the River Chet and then the River Yare.

- 4.37 Further information was sought by the Lead Local Flood Authority which confirmed that infiltration was not viable on this site. They have also provided information about the capacity of the receiving watercourse to allow the Lead Local Flood Authority to be satisfied that this drainage strategy is appropriate for development of this site. They would however require a condition to be attached to any planning permission to ensure the detailed design of the scheme is adequate to ensure there is no risk of flooding on the site or any adjoining land. With this condition, it is therefore considered that the proposed development accords with Policy DM4.2 and Section 10 of the NPPF.

Ecology

- 4.38 The application includes an Ecological Appraisal that Norfolk County Council's Ecologist considers to be broadly fit for purpose. The report identifies a number of ponds within the area and recognises that these ponds have the potential to support great crested newts. It states "further assessment, initially in the form of Habitat Suitability Index (HSI) assessment to determine the suitability of the waterbodies to support great crested newts and further eDNA sampling and / or aquatic presence / absence, population class surveys as required, will be undertaken to inform the proposals." These surveys are yet to be submitted and therefore in their absence there is insufficient information for us to be satisfied that development of this site would not have an adverse impact on protected species, contrary to section 11 of the NPPF and Policy 1 of the JCS.

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Heritage Assets

- 4.39 The heritage asset in closest proximity to the site can be considered to be Poringland House, which is not designated but has been identified as a non-designated heritage asset. The impact on Poringland House, including any impact on its setting, needs to be considered with regard to paragraph 135 of the NPPF. It was constructed in the nineteenth century as a large house of some status with a designed landscape and wider rural setting. Although development has taken place to the north of the site and the house itself modified and extended, extensive landscape remains in place to the south. The most sensitive part of the site in regard to the setting of this house is the south-western portion of the site where it is proposed to create a large area of public open space. The Senior Conservation and Design Officer is of the view that this will offset any harm to the setting of the asset resulting of the development to the east. Consequently, development should not result in any significant degree of harm to that asset.
- 4.40 The nearest designated heritage assets are listed buildings on Yelverton Road to the north. However, these are some distance to the north with intervening features and as such there is not considered to be any harm from development of the site to the setting of these buildings. Norfolk County Council's Historic Environment Services have commented that the known heritage assets within the site include former field boundaries, at least one trackway, an infilled pond and an area of possible archaeological activity. They are satisfied that planning permission can be granted, subject to a condition requiring site investigation. Overall the development is therefore considered to accord with Policy DM4.10 and section 12 of the NPPF.

Agricultural Land

- 4.41 A number of comments have been made in regard to the loss of agricultural land. The land is classified as Grade 3, although no records appear to exist as to whether it is Grade 3a or Grade 3b. Whilst Grade 3a soil is a relatively high quality soil for agriculture, it is not considered that even if the land were proved to be Grade 3a the loss of such land would in itself be a reason to refuse the application.

Public open space / green infrastructure

- 4.42 Public open space is proposed in the south-western corner of the site, adjacent to the two public right of ways that pass along the western and southern boundaries of the site. This is connected with green infrastructure including new planting and pedestrian links around the site which have been presented by the applicant as a significant benefit resulting from the development. The Council's Landscape Architect has commented that the local footpath network is already comparatively extensive by local standards; in any case, footpaths can be secured by permissive agreement and new hedgerows are easily planted and do not need to be driven by development. As such, whilst satisfactory to meet policy requirements for open space in the event that planning permission were to be granted, they are not considered to constitute an overriding benefit that outweighs the harm to the landscape from development of the site.

Summary of Environmental Role

- 4.43 Significant harm has been identified to the local landscape from residential development of this site. Benefits are provided through the provision of public open space and green infrastructure provided in association with this space and along the boundaries; however for the reasons outlined above it is not considered that they would provide overriding benefits to justify residential development in this location.

Appendix 2

Development Management Committee

25 April 2018

Other Issues

- 4.44 Under Section 143 of the Localism Act the council is required to consider the impact on local finances. This can be a material consideration but in the instance of this application the other material planning considerations detailed above are of greater significance.
- 4.45 The application is liable for CIL although this would be calculated at the reserved matters where floor spaces would be known. Should consent be granted a section 106 agreement would be need to be entered into to ensure the provision of affordable housing and in regard to the provision and management of the open space.

5. Conclusion and Reasons for Refusal

- 5.1 The proposed development does not represent a sustainable development, having regard to the three tests (social, economic and environmental) set out in the NPPF, by virtue of the detrimental impact the scheme would have on the rural landscape and loss of important hedgerows and likely ecological harm in the absence of sufficient information which significantly and demonstrably outweighs the benefit of housing in the Norwich Policy Area where there is not an up to date 5 year housing land supply, which is diminished by virtue of the evidence contained in the SHMA. Accordingly the proposal fails to comply with policy DM1.1 of the South Norfolk Local Plan and Paragraph 14 of the NPPF.
- 5.2 The proposed housing 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 caused in relation to the rural landscape and loss of important hedgerows and as such does not satisfy the requirements of either 2 c) or d) of Policy DM1.3 of the South Norfolk Local Plan.
- 5.3 The development would result in a significant harm to the rural character of the landscape, thereby conflicting with Policy 2 of the Joint Core Strategy and Policy DM4.5 of the South Norfolk Local Plan. In particular, the development, which would not be of a density to respect the rural edge of the area, would be apparent from public viewpoints on public footpaths and Burgate Road to the south of the site where there is currently little perception of development thereby leading to a loss of the landscape's rural character.
- 5.4 The proposed development will result in removal of part of the hedgerow fronting Burgate Lane which is considered to be 'important' under the Hedgerow Regulations 1997, thereby conflicting with Policy DM4.8 of the South Norfolk Local Plan.
- 5.5 The application contains insufficient information to demonstrate that the development will not have an adverse impact on protected species. In particular, ponds in the vicinity of the site identified in the Ecological Appraisal submitted with the application as having the potential to support Great Crested Newts have not been surveyed to ensure the development would not result in a loss of habitat to these species contrary to Policy 1 of the Joint Core Strategy and Section 11 of the National Planning Policy Framework.

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Interim Greater Norwich Area Housing Land Supply Assessment at 1st April 2018

Summary

This note sets out the housing land supply position for the Greater Norwich area for the period 1 April 2018 to 31 March 2024. The Revised National Planning Policy Framework (NPPF) requires local planning authorities to:

“identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years’ worth of housing against their housing requirement set out in adopted strategic policies, or against their local housing need where the strategic policies are more than five years old”

The Joint Core Strategy (JCS) for Broadland, Norwich and South Norfolk was adopted in March 2011, with amendments January 2014. The JCS became five years old on 10 January 2019. Although the Greater Norwich authorities have commenced work to replace the JCS, the current plan has not been reviewed in line with the PPG to demonstrate that the housing requirement does not require updating. Indeed, publication of a 2017 SHMA had already indicated the need to update the housing requirement. Therefore, in accordance with NPPF paragraph 73, the Greater Norwich housing land supply must be measured against local housing need (LHN).

The revised NPPF also introduced the Housing Delivery Test (HDT) as an annual measurement of housing delivery. The results of the first HDT were published on 19 February 2019. Broadland, Norwich and South Norfolk are measured jointly for the purposes of the HDT. The results of the HDT show that Greater Norwich has delivered 133% of the number of homes required between 2015/16 and 2017/18.

Policy 4 of the JCS sets out a three-district requirement, within which a policy decision was made to focus new allocations within a Norwich Policy Area. Similarly, the HDT is measured jointly across all of Broadland, Norwich and South Norfolk. LHN figures are only provided on a district basis, which can be aggregated up in accordance with Planning Practice Guidance. Lastly, the 2017 SHMA indicated that the vast majority of the three districts are within the same housing market area. Consequently, it is considered appropriate to measure land supply across this area. This approach effectively replaces that of separately measuring housing land supply across the Norwich Policy Area (NPA) and Rural Policy Areas (RPA) of Broadland and South Norfolk, although these areas are still considered in the AMR in relation to monitoring objective 2.

Based upon this interim calculation of five year housing land supply for Greater Norwich (including the 5% buffer required by the NPPF), the Greater Norwich Authorities can demonstrate:

- 133% (6.63 years / 3,519 home surplus)

Within each of the individual districts the following HLS can be demonstrated:

- Broadland: 149% (7.44 years / 1,363 home surplus)
- Norwich: 136% (6.82 years / 1,156 home surplus)
- South Norfolk: 121% (6.04 years / 1,004 home surplus)

Notwithstanding the existence of a housing land supply, the Greater Norwich Authorities recognise that further housing land, above and beyond the existing commitments, needs to be identified to 2036. The authorities have committed to the production of the Greater Norwich Local Plan (GNLP) to plan for these additional needs. Ahead of the adoption of the GNLP the authorities will continue to take a positive approach to development proposals that complement, rather than detract from, the existing and emerging development strategies.

Introduction

1. The policies of the Revised National Planning Policy Framework (NPPF) support Government's objective of "*significantly boosting the supply of homes*". This includes requiring local authorities to:

"identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against their housing requirement set out in adopted strategic policies, or against their local housing need where the strategic policies are more than five years old" (NPPF, para 73)

2. NPPF para 75 requires local authorities to "*monitor progress in building out sites which have permission*", with Government measuring housing delivery against the Housing Delivery Test (HDT).
3. In situations where the local planning authority cannot demonstrate a five year supply of deliverable housing sites; or where the Housing Delivery Test indicates that the delivery of housing was substantially below the housing requirement over the previous three years, applications that involve the provision of housing must be determined in accordance with the presumption in favour of sustainable development.
4. For purposes of determining planning applications, NPPF para 11 sets out the presumption in favour of sustainable development as:
 - "*approving development proposals that accord with an up-to-date development plan without delay; or*
 - *where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:*
 - i the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*
 - ii any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole*".
5. The following sections of this report set out the issues that relate to housing land supply across Greater Norwich.
6. Irrespective of the housing land supply situation, the Greater Norwich Authorities will continue to:
 - i. take a positive approach to development proposals that complement, rather than detract from, the existing development strategy.
 - ii. work closely with partners in the development sectors and the LEP, and through initiatives such as the Local Infrastructure Fund and Housing Infrastructure Fund, to stimulate delivery on committed development sites.

The Starting Point for Calculating the 5 year land supply

7. As set out in the Planning Practice Guidance:

“Housing requirement figures identified in strategic policies should be used as the starting point for calculating the 5 year land supply figure:

- *for the first 5 years of the plan, and*
- *where the strategic housing policies plans are more than 5 years old, but have been reviewed and are found not to need updating.*

In other circumstances, the starting point for calculating the 5 year land supply will be local housing need using the standard method”¹.

This echoes paragraph 73 of the NPPF.

8. The Joint Core Strategy (JCS) for Broadland, Norwich and South Norfolk was adopted in March 2011, with amendments January 2014. The JCS became five years old on 10 January 2019. Although the Greater Norwich authorities have commenced work to replace the JCS, the current plan has not been reviewed in line with the PPG to demonstrate that the housing requirement does not require updating. Indeed, publication of a 2017 SHMA² had already indicated the need to update the housing requirement. Therefore the NPPF requires the starting point for the calculation of housing land supply in Greater Norwich to be local housing need (LHN) as calculated using the standard methodology.
9. As the base date of the 5 Year Housing Land Supply (5YR HLS) Statement is 1 April 2018, the calculation of annual average household growth has been based on the period 2018 to 2028. The affordability ratios used for the purposes of calculating LHN adjustment factor were the 2018 ratios published on 28th March 2018. A summary of this calculation is set out in table 1 below:

Table 1 Summary of LHN Calculation

	10 Year Average Household 2018-2028	2018 Median Affordability Ratio	Adjustment Factor	Annual LHN 2018 Based
BDC	400.2	9.23	1.33	531
NRW	509.8	7.03	1.19	606
SNC	704.0	8.78	1.30	914
Total Local Housing Need for Greater Norwich				2,052

Past Under Delivery of New Homes

10. The Planning Practice Guidance explains that the affordability adjustment is applied to the calculation of Local Housing Need to “to take account of past under-delivery”. As such “the standard method identifies the minimum uplift that will be required and therefore it is not a requirement to specifically address under-delivery separately”³.

¹ Paragraph 030 Reference ID:3-030-20180913

² Central Norfolk Strategic Housing Market Assessment, Opinion research Services, June 2017

³ Paragraph: 011 Reference ID: 2a-11-20190220

11. It is therefore not necessary to add in any uplift to take account of historic under-delivery against the JCS housing requirement when calculating LHN.
12. This approach is consistent with the principles established in *Zurich Assurance Ltd v Winchester City Council* [2014] EWHC 758 (admin) and the specific reasoning set out in *Land on East Side of Green Road, Woolpit* (APP/W3520/W/18/3194926)⁴.

Sources of Supply

Sites of 10 or more

13. Under the Revised NPPF glossary definition of “*Deliverable*”⁵, all development sites with detailed planning permission “*should be considered deliverable until permission expires, unless there is clear evidence that homes will not be delivered within five years*”. Where a major development only has outline permission or has only been allocated in a local plan there should be “*clear evidence that housing completions will begin on site within five years*”.
14. Each of the three Greater Norwich Authorities has taken a similar approach to collecting delivery information for major development sites. Developers of major sites with full or reserve matters planning permission have been approached in order to establish their programme of delivery. These programmes have been reflected in the delivery forecast unless clear evidence has been identified that the site will not be delivered.
15. For sites with only outline permission or subject to allocation, the authorities have reviewed sites and approached developers to understand their delivery programme. Where there is clear evidence that housing completions will begin on site within five years, the relevant delivery forecasts have been included in the housing land supply assessment. Further justification that supports the forecasts is set out in Appendix C1. Wherever possible Statements of Common Ground confirming the developer’s intentions have been included.

Sites of 9 or fewer

16. Under the Revised NPPF glossary definition of “*Deliverable*”⁵ all sites which do not involve major development “*should be considered deliverable until permission expires, unless there is clear evidence that homes will not be delivered within five years*”.
17. The Greater Norwich authorities have assumed that all sites of 9 or fewer will be delivered over the 5-year period at an average annualised rate. However, this is subject to a lapse/non-implementation rate discount of 27%, in accordance with the finding set out in appendix D2.

Student Accommodation

18. The Planning Practice Guidance states that:

“All student accommodation, whether it consists of communal halls of residence or self-contained dwellings, and whether or not it is on campus, can be included towards the housing requirement, based on the amount of accommodation it releases in the housing market”.

⁴ Paragraph 64, page 12.

⁵ National Planning Policy Framework, February 2019, Page 66

and that

“To establish the amount of accommodation released in the housing market, authorities should base calculations on the average number of students living in student only households, using the published census data”⁶.

On this basis the Greater Norwich Authorities have included deliverable developments of student accommodation in their housing forecast on the basis of a ratio of 1 home to each 2.5 student bedrooms.

Older Peoples Housing and Residential Institutions

19. The Planning Practice Guidance states that:

“Local planning authorities will need to count housing provided for older people, including residential institutions in Use Class C2, against their housing requirement. For residential institutions, to establish the amount of accommodation released in the housing market, authorities should base calculations on the average number of adults living in households, using the published census data”.

20. On this basis the Greater Norwich Authorities have included deliverable developments of older peoples housing and residential institutions, such as residential care homes, in their housing forecast. For residential institutions this has been on the basis of a ratio of 1 home to each 8 units.

Windfall

21. The National Planning Practice Guidance states that

“A windfall allowance may be justified in the 5-year supply if a local planning authority has compelling evidence as set out in paragraph 70 of the National Planning Policy Framework”⁷.

22. The Greater Norwich authorities have undertaken an assessment of past Windfall completions on sites of 9 or fewer in Broadland and South Norfolk and across all sites in Norwich. A summary of this assessment is included in Appendix D1. The annual average number of windfall housing completions in each district has then been calculated. The annual average has then been discounted by a precautionary 33% to avoid over-estimation of supply. The discounted windfall average is then applied to the land supply assessment on a stepped basis in accordance with the table below:

Year 1	Year 2	Year 3	Year 4	Year 5
0%	33%	66%	100%	100%

23. This approach is consistent with that agreed by Norwich City Council during the Independent Examination of their Site Allocations DPD.

24. The exclusion of major sites in Broadland and South Norfolk and the precautionary discounting result in a windfall assessment that is a cautious short-term estimate. Longer term forecasts of windfall may need to take alternative approaches.

⁶ Paragraph: 042 Reference ID: 3-042-20180913

⁷ Paragraph: 24 Reference ID: 3-24-20140306

Methodology for Calculating Housing Land Supply

Monitoring of areas which have or are involved in the production of joint plans

25. The Planning Practice Guidance States that:

“Areas which have or are involved in the production of joint plans have the option to monitor their 5 year land supply and have the Housing Delivery Test applied over the whole of the joint planning area or on a single authority basis. The approach to using individual or combined housing requirement figures will be established through the plan-making process and will need to be set out in the strategic policies.”⁸

26. Broadland, Norwich and South Norfolk have an adopted joint plan in the form of the JCS. This plan seeks to jointly plan for and meet the development requirements of Greater Norwich. On the basis that there is a joint plan in place; that the three authorities are working together on a new joint plan to replace the JCS; and, that the Housing Delivery Test is measured jointly across the Greater Norwich Area, it stands to reason that the calculation of housing land supply should also be applied on this basis.

27. Whilst the JCS also includes a requirement to make a significant proportion of new allocations within the Norwich Policy Area, and both the NPA and the JCS settlement hierarchy continue to be important considerations in the determination of planning applications, application of LHN, the HDT and the conclusion of the 2017 SHMA that the NPA is not a housing market area, mean that subdivision of the Greater Norwich Area for housing land supply purposes is no longer appropriate.

Calculating Local Housing Need where plans cover more than one area

28. The Planning Practice Guidance States that:

“Local housing need assessments may cover more than one area, in particular where strategic policies are being produced jointly ... In such cases the housing need for the defined area should at least be the sum of the local housing need for each local planning authority within the area.”⁹

29. In accordance with this guidance, the Greater Norwich has LHN has been calculated by adding together the individual LHN for Broadland, Norwich and South Norfolk.

Housing Land Supply Buffer

30. The revised NPPF states that:

“The supply of specific deliverable sites should in addition include a buffer (moved forward from later in the plan period) of:

- *5% to ensure choice and competition in the market for land; or*
- *10% where the local planning authority wishes to demonstrate a five year supply of deliverable sites through an annual position statement or recently adopted plan, to account for any fluctuations in the market during that year;*

⁸ Planning Practice Guidance, Paragraph 046 Reference ID: 3-046-20180913

⁹ Planning Practice Guidance, Paragraph: 013 Reference ID:2a-013-20190220

or

- 20% where there has been significant under delivery of housing over the previous three years, to improve the prospect of achieving the planned supply¹⁰.

31. Significant under delivery is measured against the Housing Delivery Test (HDT). The results of the first HDT were published on 19 February 2019. Broadland, Norwich and South Norfolk are measured jointly for the purposes of the HDT. The results of the HDT show that Greater Norwich has delivered 133% of the number of homes required between 2015/16 and 2017/18.

32. On the basis of the results of the HDT and the fact the Broadland, Norwich and South Norfolk are not seeking to establish a 5 year supply through an annual position statement, a 5% buffer needs to be added to the supply of deliverable sites in the Housing Land Supply calculation.

Housing Land Supply in Greater Norwich

33. Table 1 sets out the calculation of Housing Land Supply against the Standard Methodology for the calculation of Local Housing Need and takes account of the additional buffer required in accordance with the outcomes of the HDT.

Table 1 Greater Norwich 5YR HLS, 1 April 2018

Greater Norwich 5 Year Housing Land Supply Assessment		1 st April 2018
LHN Annual Requirement		2,052
Requirement 1 April 2018 to 31 March 2023		10,260
Adjustment for Shortfall/Surplus		n/a
Plus NPPF HDT Buffer at 5%	10,260 x 0.05	513
Total 5 year requirement 2018/19 to 2022/23	10,260 + 513	10,773
Revised Annual Requirement	10,773 / 5 Years	2,155
Supply of Housing		14,292
Shortfall/Surplus of Supply	14,292 – 10,773	3,519
Supply in Years	14,292 / 2,155	6.63

Monitoring the Joint Core Strategy (JCS) Housing Requirement

34. For the reasons set out above, the housing requirement set out in the Joint Core Strategy (JCS) no longer forms part of the calculation of 5YR HLS in Greater Norwich.

35. Part 8, Section 34 (3) of The Town and Country Planning (Local Planning) (England) Regulations 2012 does however require that:

¹⁰ Revised National Planning Policy Framework, February 2019, Paragraph 73

“(3) Where a policy specified in a local plan specifies an annual number, or a number relating to any other period of net additional dwellings or net additional affordable dwellings in any part of the local planning authority’s area, the local planning authority’s monitoring report must specify the relevant number for the part of the local planning authority’s area concerned —

(a) in the period in respect of which the report is made, and

(b) since the policy was first published, adopted or approved.”

36. To ensure that Broadland, Norwich and South Norfolk continue to comply with this requirement the Annual Monitoring Report will continue to monitor delivery against the JCS housing requirement within the monitoring year and since the base date of the JCS.

Conclusion

37. On the basis of the above it is clear that the Greater Norwich Authorities are able to demonstrate a 5 year housing land supply.

12th April 2019

Appendix A1 – Broadland Area 5 Year Land Supply Assessment

Broadland 5 Year Housing Land Supply Assessment		1 st April 2018
LHN Annual Requirement		531
Requirement 1 April 2018 to 31 March 2023		2,655
Adjustment for Shortfall/Surplus		n/a
Plus NPPF HDT Buffer at 5%	$2,655 \times 0.05$	133
Total 5 year requirement 2018/19 to 2022/23	$2,655 + 133$	2,788
Revised Annual Requirement	2,788 / 5 Years	558
Supply of Housing		4,151
Shortfall/Surplus of Supply	$4,151 - 2,788$	1,363
Supply in Years	4,151 / 558	7.44

Appendix A2 – Norwich Area 5 Year Land Supply Assessment

Norwich 5 Year Housing Land Supply Assessment		1 st April 2018
LHN Annual Requirement		606
Requirement 1 April 2018 to 31 March 2023		3,030
Adjustment for Shortfall/Surplus		n/a
Plus NPPF HDT Buffer at 5%	$3,030 \times 0.05$	152
Total 5 year requirement 2018/19 to 2022/23	$3,030 + 152$	3,182
Revised Annual Requirement	3,182 / 5 Years	636
Supply of Housing		4,338
Shortfall/Surplus of Supply	$4,338 - 3,182$	1,156
Supply in Years	4,338 / 636	6.82

Appendix A3 – South Norfolk Area 5 Year Land Supply Assessment

South Norfolk 5 Year Housing Land Supply Assessment		1 st April 2018
LHN Annual Requirement		914
Requirement 1 April 2018 to 31 March 2023		4,570
Adjustment for Shortfall/Surplus		n/a
Plus NPPF HDT Buffer at 5%	$4,570 \times 0.05$	229
Total 5 year requirement 2018/19 to 2022/23	$4570 + 229$	4,799
Revised Annual Requirement	4,799 / 5 Years	960
Supply of Housing		5,803
Shortfall/Surplus of Supply	$5,803 - 4,799$	1,004
Supply in Years	5,803 / 960	6.04

APPENDIX B1 – BROADLAND SITES FORECAST

Parish	Address	Ref	App Type	Net Homes at 1/4/2018	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26	Beyond 2026
Acle	Land to North of, Springfield	20140787	FPA	6	-	6	-	-	-	-	-	-	-
Acle	Land to North of, Springfield	20152044	RMA	11	5	6	-	-	-	-	-	-	-
Acle	Land North of Norwich Road	20141108	OPA	140	-	-	-	24	36	36	36	8	-
Acle	Hillside Farm, Reedham Road	20141392	OPA	30	-	-	15	15	-	-	-	-	-
Aylsham	Land Adj. Woodgate Farm, Woodgate	20130680	RMA	51	51	-	-	-	-	-	-	-	-
Aylsham	Land North of Sir William's Lane	20140298	RMA	108	50	50	8	-	-	-	-	-	-
Aylsham	Aegel House, Burgh Road	20161711	RMA	22	-	10	12	-	-	-	-	-	-
Blofield	Land off Wyngates	20130296	FPA	9	9	-	-	-	-	-	-	-	-
Blofield	Land East of Plantation Road	20141044	OPA	14	-	-	-	-	-	-	-	-	-
Blofield	Land Adj. 20, Yarmouth Road	20141710	FPA	27	17	10	-	-	-	-	-	-	-
Blofield	Former Piggeries, Manor Farm, Yarmouth Road	20150262	FPA	13	-	-	-	-	-	-	-	-	-
Blofield	Garden Farm, Land South of Yarmouth Road and North of Lingwood Road	20150700	RMA	27	27	-	-	-	-	-	-	-	-
Blofield	Garden Farm, Phase 2, Land South of Yarmouth Road	20150794	RMA	30	8	22	-	-	-	-	-	-	-
Blofield	Land to the North of Yarmouth Road	20160488	OPA	163	-	32	77	36	18	-	-	-	-
Blofield	Land off Blofield Corner Road, Blofield Heath	20162199	RMA	36	-	18	18	-	-	-	-	-	-
Brundall	Land at Yarmouth Road, Postwick/Brundall	20161483	OPA	155	-	-	-	15	30	30	30	30	20
Buxton with Lammas	Land North of Mead Close	20150082	OPA	20	-	-	-	-	-	-	-	-	-
Cawston	Land East of Gayford Road	CAW2	Allocation	20	-	-	-	-	-	-	-	-	-
Coltishall	Land adj former Railway Line, Rectory Road	20170075	OPA	30	-	-	-	-	-	-	-	-	-
Coltishall	Land at Jordan's Scrapyard	COL2	Allocation	30	-	-	-	-	-	-	-	-	-
Croswick	Land adj St Marys Care Home, North Walsham Road	20150991	FPA	18	9	9	-	-	-	-	-	-	-
Drayton	Land Adj. Hall Lane	20130885	OPA	200	-	-	-	-	-	-	-	-	-
Drayton	Land off Drayton High Road	20170212	FPA	71	-	-	5	30	30	6	-	-	-
Drayton	Land East of School Road	DRA2	Allocation	20	-	-	-	-	-	-	-	-	-
Freethorpe	Aitchison Brothers Garage, 75 The Green	20160632	OPA	19	-	-	-	-	-	-	-	-	-
Freethorpe	Land north of Palmers Lane	FRE1 (20181845)	Allocation	10	-	-	4	5	-	-	-	-	-
Great and Little Plumstead	Land at Former Little Plumstead Hospital, Hospital Road	20130906	OPA	21	-	-	-	-	-	-	-	-	-
Gt and Lt Plumstead	Little Plumstead Hospital West, Hospital Road	20160808	RMA	80	57	23	-	-	-	-	-	-	-
Gt and Lt Plumstead	Land to the North East Side of Church Road	20161151	RMA	11	-	11	-	-	-	-	-	-	-
Haveringland	Charmbeck Park, Haveringland	20160529	FPA	7	7	-	-	-	-	-	-	-	-
Hellesdon	Royal Norwich Golf Club, Drayton High Road	20151770	FPA	95	-	60	35	-	-	-	-	-	-
			OPA	905	-	-	35	70	70	70	70	70	520
Hellesdon	C T D Tile House, Eversley Road	20152077	RMA	25	25	-	-	-	-	-	-	-	-
Hellesdon	Land at Hospital Grounds southwest of Drayton Road	HEL1	Allocation	300	-	-	-	-	-	-	-	-	-
Horsford	Land to the East of Holt Road	20161770	FPA	259	34	73	62	54	36	-	-	-	-
Horsford	Land West of Holt Road	20170409	OPA	84	-	25	35	24	-	-	-	-	-
Horsham and Newton St. Faith	Land east of Manor Road	HNF1 (20182043)	Allocation	69	-	-	-	-	-	-	-	-	-

Lingwood and Burlingham	Lingwood Primary School Chapel Road	20140979	OPA	22	-	-	-	-	-	-	-	-	-
Morton on the Hill	Offices, Atlas Works, Norwich Road, Lenwade	20160525	FPA	22	-	-	-	-	-	-	-	-	-
Old Catton	11 Dixons Fold, Old Catton	20160257	RMA	4	4								
Postwick with Witton	Oaks Lane, Postwick	20171116	FPA	12	-	8	4	-	-	-	-	-	-
Reedham	Land at Station Road	20151061	FPA	24	8	16	-	-	-	-	-	-	-
Reepham	New Road	871709	FPA	9	-	-	-	-	-	-	-	-	-
Reepham	Land off Broomhill Lane	REP1	Allocation	120	-	-	-	20	40	40	20	-	-
South Walsham	Land West of Burlingham Road	20161643	OPA	21	-	-	-	21	-	-	-	-	-
Strumpshaw	Former Hamper People, 31 Norwich Road	20150188	FPA	10	5	5	-	-	-	-	-	-	-
Strumpshaw	Land at Mill Road	20171622	RMA	10	-	10	-	-	-	-	-	-	-
Swannington	1-4, Station Road	20151644	OPA	6	-	-	6	-	-	-	-	-	-
Thorpe St. Andrew	Oasis Sport and Leisure Centre, 4 Pound Lane	20151132	OPA	27	-	-	-	-	-	-	-	-	-
Thorpe St. Andrew	Land at Griffin Lane	20160423	RMA	71	-	-	-	-	-	-	-	-	-
Thorpe St. Andrew	Pinebanks, 9 Yarmouth Road	20160425	RMA	231	-	-	-	-	-	-	-	-	-
Thorpe St. Andrew	27 Yarmouth Road	20170811	FPA	25	-	25	-	-	-	-	-	-	-
x. Growth Triangle	White House Farm, Land at Blue Boar Lane	20080367	RMA	798	243	180	160	110	47	-	-	-	-
x. Growth Triangle	Land at Brook Farm & Laurel Farm, Green Lane	20090886	OPA	600	-	-	12	45	45	45	45	45	363
x. Growth Triangle	Beeston Park	20121516	OPA	3520	-	-	-	109	102	122	158	35	207
x. Growth Triangle	Land East of Buxton Road	20141725	OPA	225	-	-	20	40	40	40	40	40	5
x. Growth Triangle	Land at St Faiths Road	20141955	OPA	328	-	15	65	65	50	50	50	33	
x. Growth Triangle	Home Farm, Phase 5, Blue Boar Lane	20131787	RMA	16	16	-	-	-	-	-	-	-	-
x. Growth Triangle	Home Farm, Phase 4, Blue Boar Lane	20142051	RMA	75	9	25	25	14	-	-	-	-	-
x. Growth Triangle	Land off Salhouse Road	20150726	OPA	15	-	-	10	-	-	-	-	-	-
x. Growth Triangle	Land off Salhouse Road	20151591	RMA	79	48	31	-	-	-	-	-	-	-
x. Growth Triangle	Land South of Moorsticks, Buxton Road	20152035	OPA	19	-	-	-	-	-	-	-	-	-
x. Growth Triangle	Land off Green Lane West	20152081	OPA	50	-	-	-	-	-	-	-	-	-
x. Growth Triangle	Land South of Green Lane East	GT19 (20160395)	Allocation	157	-	-	20	40	40	40	17		
x. Growth Triangle	Land South of Salhouse Road	GT7 (20160408)	Allocation	803	-	-	24	45	50	43	42	50	50
x. Growth Triangle	Land South of Salhouse Road	GT7 (20170104)	Allocation	380	-	-	-	-	-	-	-	-	-
x. Growth Triangle	Land South of Green Lane West	GT18 (20171464)	Allocation	322	-	-	-	-	30	30	30	30	202
x. Growth Triangle	Land East of Broadland Business Park	GT11 (20180193)	Allocation	272	-	-	-	-	-	-	-	-	-
x. Growth Triangle	Land East of Broadland Business Park	GT11 (20180194)	Allocation	11	-	-	-	-	-	-	-	-	-
x. Growth Triangle	Land East of Broadland Business Park	GT11 (20181601)	Allocation	315	-	-	20	65	65	65	65	35	-
			Allocation	235	-	-	-	-	-	-	-	30	205
x. Growth Triangle	Land North of Plumstead Road	GT8	Allocation	45	-	-	-	-	-	-	-	-	-
x. Growth Triangle	Norwich RFU	GT13	Allocation	250	-	-	-	-	-	20	40	40	150
x. Growth Triangle	North Rackheath	GT16	Allocation	3000	-	-	-	-	-	-	-	-	-
x. Growth Triangle	White House Farm (North East)	GT20	Allocation	516	-	-	-	70	112	184	150	-	-
x. Growth Triangle	Land East of Broadland Business Park (North)	GT21	Allocation	350	-	-	-	-	-	20	45	45	240
Sites of 9 or fewer				415	60	60	60	60	60	0	0	0	0
Discounted Windfall (Per Annum)				40	0	13	26	40	40	40	40	40	0
Total (Windfall included in yearly total only)				16,546	692	743	758	1,017	941	881	878	531	1,962

APPENDIX B2 – NORWICH SITES FORECAST

Address	Ref	App Type	Net Homes 1.4.18	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26	Beyond 2026
All Saints Green, 30 (The Quad/Pablo Fanque House) 244 beds	16/00790/F	Full	98	98	0	0	0	0				
Anglia Square (extant permission not pursued, pre-app)	08/00974/F 18/00330/F	Full	198	0	0	0	0	0				
Argyle Street (allocation)	CC11		12	0	0	9	0	0				
Aylsham Road District Centre, 291-293 and land at Arminghall Close (allocation)	R21 16/00606/F	Full	100	0	0	0	0	0				
Aylsham Road, 165-187 (allocation)	R22		20	0	0	0	0	0				
Aylsham Road, 261-277 (allocation)	R12		50	0	0	0	0	0				
Aylsham Road, Former Pupil Referral Unit (allocation)	R23		11	0	0	0	0	0				
Barn Road Car Park (allocation)	C22 18/01315/F	Full	40	0	0	121	0	0				
Barrack Street – CC17a (permission); CC17b and part CC17a (application)	CC17a 15/01927/O	Outline	200	0	0	0	0	0				
Barrack Street / Whitefriars (application)	18/01286/F	Full	220	0	0	12	102	98	8			
Barrack Street, 126-128 (allocation)	R16		15	0	0	0	0	0	15			
Beckham Place, 5, 6a and 6b (permission)	18/00621/MA	Full	27	27	0	0	0	0				
Ber Street 147-153 (allocation)	CC2		20	0	0	0	0	0	20			
Ber Street, 10-14 (allocation)	CC3		10	0	0	10	9	0				
Ber Street, 60-70 (allocation)	CC1		20	0	0	0	0	0				
Bethel Street, 59, Labour Club site (permission, unimplemented residue of consented 22)	08/00671/F	Full	14	0	0	0	0	0				
Bethel Street, Aldwych House (prior approval/permission)	16/00253/F	Full	52	52	0	0	0	0				
Bethel Street, land to rear of City Hall (allocation)	CC24		20	0	0	0	0	0				
Bishop Bridge Road, 29-31 (Box and Barrel Site) (extant permission, legal start)	06/00166/F, 08/01316/D	Full	24	0	0	0	0	0				
Bishop Bridge Road, Egyptian Road and Ketts Hill, land at (allocation)	R15 15/00756/F (Refused)		30	0	0	0	0	0	30			
Bishop Bridge Road, land east of excl 29-31 Bishop Bridge Road (residue of allocation)	R14 15/00756/F (Refused) 18/00081/DEM Gas Holder)		26	0	0	0	0	30				
Bluebell Road, Bartram Mowers site (remainder of allocation)	R42 18/00265/F	Withdraw n	51	0	0	35	14	30				
Bluebell Road, Blackdale Building (UEA residences) (6a) 915 beds, 401 in phase 2	15/00121/F R40	Full	160	0	0	0	0	160				
Bowthorpe Road, Norwich Community Hospital Site (allocation)	R37 18/00372/O	Outline	80	0	0	0	0	0	40	40		
Bracondale, Deal Ground (allocation) excludes May Gurney/Carrow Yacht Club site (SND) (permission)	R9 12/00875/O	Outline	580	0	0	0	0	0				

Cattle Market Street, 23, St Peters House (prior approval/permission)	18/00830/PDD, 17/01482/F	PDD/Full	61	0	20	20	21	0				
City Road, 24, John Youngs Ltd (allocation)	R7		45	0	0	0	0	0	45			
Colegate, 51, The Guildyard (prior approval)	15/01713/PDD	PDD	37	0	0	0	0	0				
Cremorne Lane, Utilities Site parts within Norwich (allocation)	R10 15/00997/F (withdrawn)	-	100	0	0	0	0	0				
Dereham Road, Site of former Earl of Leicester PH, 238a (allocation)	R33 10/00335/ET	-	12	0	0	0	0	0	12			
Dibden Road, Van Dal Shoes and car park (allocation)	R17	-	25	0	0	0	0	0	25			
Drayton Road, 81-93 (allocation)	R25	-	30	0	0	0	0	0				
Drayton Road, adjoining Lime Kiln Mews (permission)	R24 15/00024/F & 18/00270/D (EXPIRED)	-	29	0	0	29	0	0				
Duke Street, 36-42 (permission)	16/00699/F	Full	37	0	37	0	0	0				
Duke Street, EEB site (prior approval, permission, part now expired)	CC21 14/01104/PDD 15/00916/F (EXPIRED)	-	30	0	0	0	0	0	30			
Duke Street, St Crispins House (614 beds)	17/01391/F	Full	246	0	0	0	0	246				
Garden Street, land at (allocation)	CC10	-	100	0	0	0	0	0				
Gas Hill, Gas Holder (allocation)	R13	-	15	0	0	0	0	15				
Goldsmith Street	R27 15/00272/F 17/00220/F		105	49	44	0	0	12				
Hall Road, Hewett Yard (allocation)	R4	-	20	0	0	0	0	0				
Havers Road Industrial Sites (allocation)	R35	-	100	0	0	0	0	0	30	30	40	
Heigham Street, 231-243 (allocation)	R28	-	25	0	0	0	0	0				
Hurricane Way (allocation)	R29 - (A&B)	-	30	0	0	0	0	0	30			
Ipswich Road, Norfolk Learning Difficulties Centre (allocation)	R2	-	30	0	0	0	0	10	20			
Kerrison Road, Carrow Quay; land north of (permission), Norwich City Football Club (part) Groundsmans Hut (allocation)	(CC16) 11/02104/O, 13/01270/RM, 17/01091/F	-	300	0	149	73	101	0				
Kerrison Road/Hardy Road, Gothic Works, inc ATB Laurence Scott (allocation)	R11	-	400	0	0	0	0	0				
King Street, 125-129, 131-133 and Hoborough Lane (allocation)	CC7 07/00412/F 12/00215/ET (EXPIRED)	-	20	0	0	0	0	80				
King Street, 191 (permission)	15/01810/F	Full	41	0	2	39	0	0				
King Street, King Street Stores (allocation)	CC8	-	20	0	0	0	0	0	20			
King Street, St Annes Wharf (permission)	CC6 04/00605/F	Full	437	86	161	56	92	42				
Lower Clarence Road, car park (allocation)	CC13	-	45	0	0	0	0	0				
Magdalen Road, 118 (site of former Elm Tavern) (permission)	10/02009/F	Full	11	0	11	0	0	0				
Mile Cross Depot (allocation)	R36 18/01290/DEM	-	75	0	0	150	100	100				
Mousehold Lane, Start Rite Factory site (allocation)	R18 15/00833/F	Full	40	0	0	0	0	0	40			

Muspole Street, Seymour House (prior approval)	15/01512/PDD	PDD	23	0	0	0	0	0				
Northumberland Street, 120-130 (permission)	R32 16/00835/F	Full	36	0	0	36	0	0				
Oak Street / Sussex Street commercial sites, 160-162 Oak Street (allocation)	CC20	-	15	0	0	0	0	0				
Oak Street, 140-154 (allocation)	CC18	-	10	0	0	0	0	0				
Oak Street, 161 (permission) application submitted	18/00004/F	Full	27	0	23	17	0	0				
Penn Grove, Philadelphia House (permission)	18/00085/MA	Full	18	8	10	0	0	0				
Pottergate car park (allocation)	CC23	-	20	0	0	0	0	0				
Prince of Wales Road, 112-114, Grosvenor House (prior approval/permission)	17/00479/F 17/00950/PDD	PDD/Full	79	79	0	0	0	0				
Princes Street, 11-13 Paston Hse (prior approval/permission)	16/01606/PDD 18/01065/F	Full	66	69	0	0	0	0				
Queens Road and Surrey Street (allocation)	CC29	-	40	0	0	0	0	0	40			
Raynham Street, north of (allocation)	R26	-	40	0	0	0	0	0				
Rose Lane and Mountergate, land at (allocation)	CC4	-	300	0	0	0	0	0				
Rose Lane, 26-36 (permission)	15/01092/F	Full	26	26	0	0	0	0				
Silver Road, Baptist Church (permission)	15/00485/F	Full	10	0	0	0	0	0				
Somerleyton Street, Somerley Care Home, conv to student accommodation, 66 bedrooms	17/01515/F	Full	26	0	26	0	0	0				
St Faiths Lane, 60 (permission)	17/00361/U	Full	41	0	0	0	0	0	41			
St Georges Street, Merchants Court (prior approval/permission)	17/01811/PDD 16/01268/F	PDD/Full	37	0	0	0	0	0				
St Mildreds Road, 112, conv to student accommodation, 34 bedrooms	17/01762/F	Full	14	0	0	14	0	0				
St Stephen Street (6a) 702 beds	17/00357/F	Full	281	0	140	141	0	0				
Starling Road, Industrial sites; remainder of allocation (allocation) Part 1&2	R20 18/00271/F 18/00952/O	Full & Outline	23	0	0	0	0	0	23			
Surrey Street, Sentinel Hse 37-43 (prior approval)	17/00304/PDD	PDD	199	199	0	0	0	0				
Sussex Street, 70-72 (permission, legal start only) (allocation)	09/00296/F	Full	17	0	0	0	25	0				
Thorpe Road, Eastgate House, 122 (prior approval/permission)	18/00275/F 17/00980/F 15/01129/PDD	PDD/Full	54	43	14	0	0	0				
Thorpe Road/Lower Clarence Road, Busseys Garage (allocation)	CC14	-	25	0	0	0	0	0				
Thorpe Road: 13-17 Norwich Mail Centre (allocation)	CC15	-	150	0	0	0	0	0				
Three Score: permission for 172 units, 5 of which completed in 2017-18. Remainder of allocation: outline permission for remaining 736.	18/01586/RM 15/00298/RM 14/00874/RM 13/02031/RM 12/00703/O R38	Outline/ Reserved matters	903	56	18	100	100	100	100	50		

Wall Road, part Sewell Park Academy (permission)	17/01689/MA 15/00462/RM 11/00691/O	Outline/ Reserved matters	12	0	12	0	0	0				
Waterworks Road, Heigham Water Treatment Works (allocation)	R31	-	150	0	0	0	0	0	50	50	50	
Westwick Street Car Park (allocation)	CC30	-	30	0	0	0	0	0				
Westwick Street, BT Exchange Site (permission)	16/00456/F	Full	42	0	0	0	21	21				
Windmill Road, land north of (permission)	R19 14/00847/F	Full	17	0	0	0	0	0	17			
Sites of 9 or fewer			169	24	24	24	24	24	-	-	-	-
Discounted Windfall (Per Annum)			123	-	40	82	123	123	123	123	123	123
Total (Windfall included in yearly total only)			7,444	816	731	968	732	1091	759	293	213	123

APPENDIX B3 – SOUTH NORFOLK SITES FORECAST

Parish	Address	Ref	App Type	Net Homes at 1/4/2017	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26	Beyond 2026
Bawburgh	South of the Village Hall	2015/2082	OPA (RM pending)	10			10						
Bixley	West of Octagon Barn, Bungay Road	2015/2326	RMA	60		49	11						
Bracon Ash	Norwich Road	BRA1	Allocation	20									20
Bracon Ash	West of Long Lane	2017/2131	OPA & part RMA	15		4	5	6					
Caistor St Edmund	North of Heath Farm	2014/1302	OPA (RM pending)	16				16					
Costessey	North of the River Tud/Queen's Hills	2007/1443	RMA	77	40	37							
		2008/1569	RMA	20	20								
		2015/0570	RMA	26	26								
Costessey	West of Lodge Farm	2013/0567	FPA	327	48	60	60	60	60	39			
		2016/0402	FPA										
Costessey	Townhouse Road	2014/1440	RMA	45	36	9							
Cringelford	Newfound Farm Neighbourhood Plan allocation	2018/2200	RMA	650		5	111	100	100	100	100	100	34
		2013/1494	OPA (part RM)	300		20	40	40	40	40	40	40	40
		2013/1494	OPA (RM pending)	350			80	90	90	90			
Cringelford	Business Centre, Intwood Road	2015/2843	PD	35									35
Cringelford	North of the A11/Roundhouse Park	2018/0280	FPA	35		20	15						
		2018/0281	FPA	18		18							
Easton	South and east of village	2014/2611	OPA	890			30	55	55	55	55	55	585
		EAS1	Allocation	64						30	34		
Framingham Earl	NW of Pigot Lane	2014/1342	RMA	11	11								
Hethersett	North Village (HET1)	2015/1594	RMA	39	39								
		2015/1681	RMA	51	51								
		2017/0151	RMA	91	3	50	38						
		2017/1104	RMA	107	13	60	34						
		2018/2326	RMA	181				50	50	50	31		
		2018/2500	RMA	193			26	60	60	47			
		2011/1804	OPA	403							70	100	233
Hethersett	Great Melton Road	2012/1814	FPA	37	37								
Hethersett	North of Grove Road	HET2	Allocation	40									40
Little Melton	Ringwood Close	2014/2431	RMA	8	8								
Little Melton	Gibbs Close	2015/1697	FPA	27	4	12	9	2					
Long Stratton	LNGS1 allocation	2018/0112	FPA	213			15	20	20	35	35	35	440
			OPA	387									
		2018/0111	OPA	1200						75	100	100	925
Long Stratton	Former Cygnet House care home site	2015/0385	RMA	18	18								
Mulbarton	The Rosery/Long Lane	2014/0487	RMA	44	32	12							
Newton Flotman	Flordon Road/Church Road	NEW1	Allocation	30									30
Poringland	The Street	2010/1332	RMA	58	13	30	15						
		POR4	Allocation	20						20			
		2014/0319	RMA	145		5	20	25	25	25	25	20	
Poringland	Heath Farm	2016/2388	FPA	126	75	51							

		2014/0732	RMA										
Stoke Holy Cross	South of Long Lane	2016/2153	FPA	44	34	10							
Stoke Holy Cross	North of Long Lane	2015/1422	RMA	16	16								
Stoke Holy Cross	Chandler Road	2017/0616	RMA	12	6	6							
Swardeston	Bobbins Way	2017/2247	RMA	39		14	25						
Swardeston	Main Road	SWA1	Allocation	30									30
Tasburgh	Church Road	TAS1	Allocation	20									20
Tharston	Chequers Road	2014/0843	RMA	52	34	18							
Trowse	May Gurney/Keir site & Carrow Yacht Club		OPA	90									90
Trowse	White Horse Lane	2016/0803	RMA	98		20	25	25	25	3			
		2016/0805	FPA										
		2017/2670	RMA	75			30	30	15				
Wymondham	South Wymondham	2015/2380	RMA	130	8	46	60	16					
		2015/1760	RMA	59	55	4							
		2015/1649	RMA	89	58	31							
		2016/2586	RMA	121		22	50	49					
		2015/2168	RMA	149	49	54	36	3					
		2012/0371	OPA	577						50	50	50	427
Wymondham	Wymondham RFC	2014/0799	OPA	300		10	70	80	80	60			
			OPA	90						45	45		
Wymondham	London Road	2014/2495	OPA (RM pending)	335			50	50	50	50	50	50	35
Wymondham	Carpenter's Barn	2014/1969	RMA	213	101	60	52						
		2015/1405	RMA										
Wymondham	Norwich Road/Spinks Lane	2014/2042	RMA	184	127	57							
Wymondham	Former sale ground	2016/2668	OPA	61			20	21	20				
Wymondham	Chapel Lane/Bunwell Road, Spooner Row	2014/2472	RMA	31	8	8	8	7					
		2016/2424	FPA										
Wymondham	Adj Milestone Farm	2016/2309	FPA	29	29								
Wymondham	Friarscroft Lane	WYM1	Allocation	20			14						
Wymondham	BOCM Paul, Rightup Lane	2016/2286	RMA	14	14								
Ashwellthorpe	r/o Wood Farm, The Street	2011/0506	FPA	31		16	15						
Aslacton	Coopers Scrap Yard	2006/0171	OPA	15									15
Barford	West of The Hall, off Church Lane	BAR1	Allocation	10		5	5						
Barnham Broom	Rush Green Road, Bell Road	2017/0100	RMA	24		12	12						
Bergh Apton	off Cookes Road	2015/2836	FPA	11	11								
Brooke	High Green Farm	2014/2041	FPA	13	6	7							
Dickleburgh	Langmere Road	2016/0482	FPA	22	8	14							
Diss	Frenze Hall Lane	2016/1566	FPA	136	79	57							
Diss	North of Vinces Road	DIS1	Allocation	35						35			
Diss	South of Park Road	DIS2	Allocation	15									15
Diss	Former Haulage Depot, Park Road (DIS5)	2017/0042 DIS5	FPA for part of Allocation	15	6								9
Diss	Former Hamlins Factory Site	DIS6	Mixed-use, commercial led Allocation	13									13
Diss	Feather Factory Site	DIS7	Mixed-use, commercial led Allocation	17									17
Ditchingham	Tunney's Lane Field	2018/0121	OPA	24				12	12				

Earsham	Lodge Field	2018/1317	FPA	16		13	3						
Geldeston	West of The Kells	2017/0219	FPA	13	13								
Gillingham	Norwich Road	GIL1	Allocation	10						10			
Great Moulton	High Green	2015/2536	FPA	8	2	2	2	2					
Hales	former workshop, Yarmouth Road	2011/0026 2018/0092	FPA	13	10	3							
Hales	North of Yarmouth Road	HAL1	Allocation	10									10
Harleston	Spirkett's Lane/Limes Close	HAR4	Allocation	95			15	40	40				
Harleston	Former Howard Rotavator Works, Mendham Lane	2017/0099	RMA	35	15	20							
Harleston	Cranes Meadow	1998/1119	FPA	9		5	4						
Hempnall	off Bungay Road, west of Roland Drive	HEM1	Allocation	20			23						
Hingham	land at Seamere Road	2014/2322	FPA	4	4								
Loddon	land north of George Lane	2016/0853	RMA	180	60	35	35						
Pulham Market	Sycamore Farm, Tattlepot Road	2015/2491	FPA	10		10							
Rockland St Mary	off Bee Orchid Way	2017/1646	FPA	21	11	10							
Roydon	Denmark Lane	DIS3	Allocation	42			21	21					
Scole	Old Norwich Road	SCO1	Allocation	15									15
Scole	West of Norwich Road	2016/0165	OPA	18						18			
Tacolneston	Land adj. The Fields	2017/0225	OPA	21		10	11						
Thurlton	Beccles Road, west of College Road	2017/2302	FPA	30	5	25							
Wicklewood	fronting High Street	2014/2337		7	7								
Woodton	rear of Georges House, The Street	2016/0466	OPA	21				10	11				
Wreningham	adj. builder's yard, Church Road	2015/2449	FPA	10	10								
Sites of 9 or fewer				761	111	111	111	111	111				
Windfall (Per Annum)				65	-	21	43	65	65	65	65	65	
				11,080	1,371	1,178	1,259	1,066	929	942	700	615	3,078

APPENDIX C1 – SITE FORMS

(To Follow)

APPENDIX D1 – WINDFALL ASSESSMENT SUMMARY

SOUTH NORFOLK – Sites of 9 or fewer												
Type	2008/09	2009/10	2010/11	2011/12	2012/13	2013/14	2014/15	2015/16	2016/17	2017/18	Total	Annual Average
Garden plots	19	15	32	32	25	8	61	50	45	35	322	32
Barn conversions & other agricultural buildings	25	46	37	44	38	15	42	19	30	13	309	31
Conversions shops, offices, schools (including PD)	24	24	15	13	20	4	22	38	14	1	175	18
Other brownfield re-development	41	20	28	13	43	23	1	14	12	8	203	20
Affordable housing exceptions	21	36	33	26	13	21	13	2	0	0	165	17
Other greenfield sites (school playing fields, Para 55 dwellings etc.)	6	13	17	9	0	5	5	15	4	0	74	7
Cert. of lawfulness, removal of occupancy restrictions, sub-division of dwellings etc. (pre-14/15 included as other brownfield re-development)							22	11	15	10	58	15
TOTAL	136	154	162	137	139	76	166	149	120	67	1306	131
TOTAL excluding garden plots	117	139	130	105	114	68	105	99	75	32	984	98

BROADLAND – Sites of 9 or fewer												
Type	2008/09	2009/10	2010/11	2011/12	2012/13	2013/14	2014/15	2015/16	2016/17	2017/18	Total	Annual Average
Garden Plots	41	29	23	23	22	35	51	39	15		278	31
Barn conversions & other agricultural buildings	21	6	14	14	18	15	33	17	4		142	16
Conversions shops, offices, schools (including PD)	29	1	4	17	4	12	9	16	8		100	11
Brownfield Redevelopment	17	4	13	2	8	3	19	34	4		104	12
Affordable Housing exceptions	0	8	12	11	0	24	27	3	0		85	9
Other greenfield sites (school playing fields, Para 55 dwellings etc.)	2	2	4	9	12	7	12	8	4		60	7
Cert. of lawfulness, removal of occupancy restrictions, sub-division of dwellings etc.	2	5	4	13	2	7	3	20	2		58	6
TOTAL	112	55	74	89	66	103	154	137	37		827	92
TOTAL excluding garden plots	71	26	51	66	44	68	103	98	22		549	61

NORWICH – Major and Minor Sites												
	2008/09	2009/10	2010/11	2011/12	2012/13	2013/14	2014/15	2015/16	2016/17	2017/18	Total	Annual Average
Garden plots	10	1	5	5	5	8	11	6	14	16	81	8
Barn conversions & other agricultural buildings	0	0	0	0	0	0	0	0	0	0	0	0
Conversions shops, offices, schools (including PD)	121	52	12	25	46	23	40	34	210	88	651	65
Brownfield Redevelopment	121	96	81	185	162	76	45	71	117	83	1,037	104
Affordable Housing exceptions	0	0	0	0	0	0	0	0	0	0	0	0
Other greenfield sites (school playing fields, Para 55 dwellings etc.)	2	3	0	0	0	1	7	1	40	33	87	9
Cert. of lawfulness, removal of occupancy restrictions, sub-division of dwellings etc.	11	0	12	10	9	3	3	3	16	10	77	8
TOTAL	265	152	110	225	222	111	106	115	397	230	1,933	193
TOTAL excluding garden plots	255	151	105	220	217	103	95	109	383	214	1,852	185

APPENDIX D2 – LAPSE RATE STUDY SUMMARY

Sites of 9 or fewer	Completed within 5 years	Started but not completed within 5 years	Lapsed or renewed/replaced	Notes
Broadland	77.0%	1.5%	21.5%	Sample: 478 units permitted 1 April 2011 to 31 March 2015
Norwich	73.3%	4.9%	21.7%	Sample: 469 units permitted 1 April 2007 to 31 March 2012
South Norfolk	73.6%	10.7%	15.7%	Sample: 610 units permitted 1 April 2012 to 31 March 2016

The above analysis indicates that on average sites of 9 or fewer are not completed within 5 years in 23% of cases in Broadland, 26.6% in Norwich and 26.4% in South Norfolk.

To account for this the delivery forecast of sites of 9 or fewer has been discounted by 27%, which represents the highest end of the range.

ENFORCEMENT PROCEEDINGS – PROGRESS REPORT
Report of the Director of Growth & Localism

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
CROWNTHORPE Land adjacent to The Drift Crownthorpe Rd 2011/8025	Formation of Access	16.11.2011	Enforcement Notice served Compliance date 27.10.13 New land owner seeking to comply
WYMONDHAM Copper Beeches Crownthorpe Road 2015/8005	Standing of residential mobile home	22.07.2015	Enforcement Notice served Compliance date 4 months after the mobile home is no longer occupied by specified occupier

LOCATION	ALLEGED BREACH	DATE OF COMMITTEE AUTHORITY	ACTION TAKEN
WICKLEWOOD Church Farm 56 Church Lane 2017/8224	Change of use of agricultural building to a mixed use for agriculture and as an events venue	06.12.2017	Enforcement Appeal upheld, and Enforcement Notice dismissed No further action required
SILFIELD Poplar Farm Silfield Road 2016/8314	Change of use of agricultural land to mixed use as agricultural land and land for the storage and breaking of motor vehicles, storage of motor vehicle parts and other items not connected with agriculture	22.02.2018 Delegated authority	Enforcement Notice complied with No further action required
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 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 Notice served and appeal submitted
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	Enforcement Notice served Compliance date 20.06.19
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Enforcement Statistics

	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019 (as of 05.04.19)
No. of complaints	439	370	349	324	309	347	321	332	319	353	336	65
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
05.04.2019

Planning Appeals**Appeals received from 15 March 2019 to 9 April 2019**

Ref	Parish / Site	Appellant	Proposal	Decision Maker	Final Decision
2018/1917	Starston Agricultural Building South East of Highlands Farm Hardwick Road Starston Norfolk	Ms Sarah Willett	Notification for Prior Approval for proposed change of use of agricultural building to dwellinghouse (QA and QB).	Delegated	Approval of details - Refused
2018/2486	Wicklewood Wicklewood Lake and Fishery Hackford Road Wicklewood NR18 9HT	Ms Mandy Harding	Variation of condition 5 of permission 2013/2091 - To allow permanent unrestricted residence occupancy	Delegated	Refusal
2018/2595	Framingham Pigot Home Farm Loddon Road Framingham Pigot NR14 7PW	Mr D Harris	Detached annexe ancillary to existing dwelling	Delegated	Refusal
2018/1548	Diss Land East of 4 Fair Green Diss IP22 4BQ	Mr & Mrs Nigel Owen	Erection of 1 no. Dwelling with associated parking	Development Management Committee	Refusal
2018/2072	Diss Land South of Riverside Diss Norfolk	Mr Robinson - Conclomeg Construction Ltd	Proposed raised single storey dwelling on stilts with car parking	Delegated	Refusal

Planning Appeals**Appeals decisions from 15 March 2019 to 9 April 2019**

Ref	Parish / Site	Appellant	Proposal	Decision Maker	Final Decision	Appeal Decision
None						