

# Development Management Committee

## Members of the Development Management Committee:

Conservatives	Liberal Democrats
Mr V Thomson (Chairman)	Ms V Clifford-Jackson
Mrs L Neal (Vice Chairman)	Mr T Laidlaw
Mr D Bills	
Mr J Easter	
Mr R Elliott	
Mrs F Ellis	
Mr G Minshull	

### Pool of Substitutes

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

**Pre-Committee Members' Question Time**  
9.00 am Blomefield Room

## Agenda

### Date

Wednesday, 24 July 2019

### Time

10.00 am

### Place

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

### Contact

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

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

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

**Large print version can be made available**

## **SOUTH NORFOLK COUNCIL – DEVELOPMENT MANAGEMENT COMMITTEE**

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

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

### **GENERAL INFORMATION ABOUT DEVELOPMENT MANAGEMENT**

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

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

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

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

**THEREFORE, we will:**

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

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

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

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

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

# A G E N D A

1. **To report apologies for absence and identify substitute voting members (if any);**
  
2. **To deal with any items of business the Chairman decides should be considered as matters of urgency pursuant to Section 100B (4) (b) of the Local Government Act, 1972;** [Urgent business may only be taken if, "by reason of special circumstances" (which will be recorded in the minutes), the Chairman of the meeting is of the opinion that the item should be considered as a matter of urgency.]
  
3. **To receive Declarations of Interest from Members;**  
(Please see flowchart and guidance attached, page 7)
  
4. **Minutes of the Meeting of the Development Management Committee held on 25 June 2019;**  
(attached – page 9)
  
5. **Planning Applications and Other Development Control Matters;**  
(attached – page 15)

To consider the items as listed below:

Item No.	Planning Ref No.	Parish	Site Address	Page No.
1	2018/2699/F	DISS	22A St Nicholas Street Diss IP22 4LB	15
2	2019/0212/F	CRINGLEFORD	72 Colney Lane, Cringleford, Norfolk	32
3	2019/0426/LB	TACOLNESTON	Oak Cottage Cheney's Lane Tacolneston Norfolk NR16 1DB	38
4	2019/0848/CU	BROOKE	The Old Forge 11 High Green Brooke NR15 1HP	42
5	2019/0929/F	HETHERSETT	Sub-division of Garden at 5 South Croft Hethersett Norfolk	51
6	2019/0937/F	DISS	5 Shelfanger Road Diss Norfolk IP22 4EH	57
7	2019/1018/F	WICKLEWOOD	Land west off High Street, Wicklewood, Norfolk	65
8	2019/1048/H	PULHAM MARKET	3 Tattlepot Road Pulham Market Norfolk IP21 4TH	72
9	2019/1056/H	CRINGLEFORD	8 Kedleston Drive, Cringleford, NR4 6XN	78

6. **Quarterly Enforcement Report**  
(attached – page 82)

**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 85)

**9. Date of next scheduled meeting – Wednesday, 21 August 2019**



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

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

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

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

## 2. PUBLIC SPEAKING: PLANNING APPLICATIONS

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

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

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

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

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

## 3. FILMING AT COUNCIL MEETINGS: GUIDANCE

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

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

## HEALTH AND SAFETY INFORMATION

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

## PLANNING APPLICATIONS AND OTHER DEVELOPMENT CONTROL MATTERS

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

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

## Key to abbreviations used in Recommendations

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



## DECLARATIONS OF INTEREST AT MEETINGS

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

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

Does the interest directly:

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

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

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

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

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

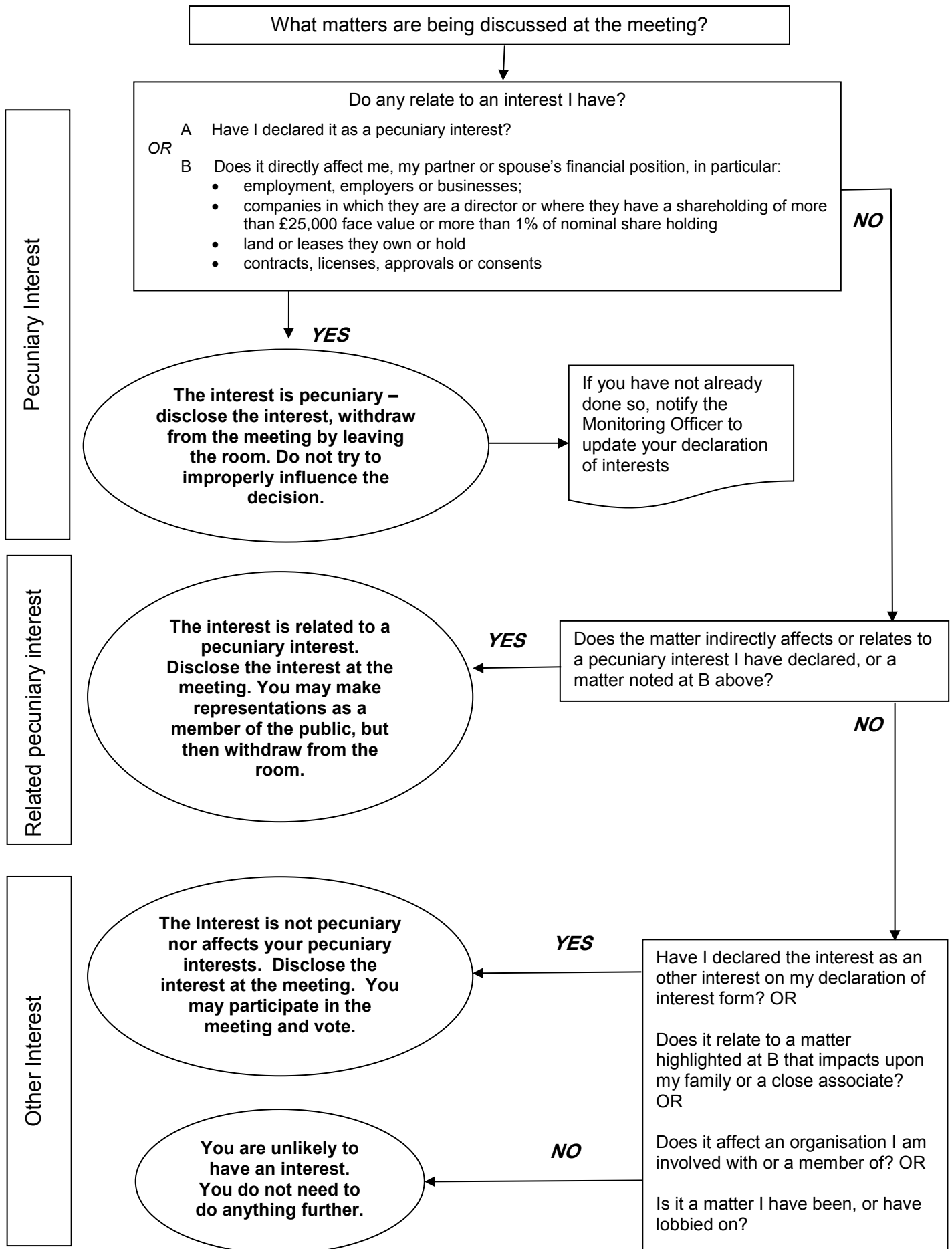
Is the interest not related to any of the above? If so, it is likely to be an other interest. You will need to declare the interest, but may participate in discussion and voting on the item.

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

**FOR GUIDANCE REFER TO THE FLOWCHART OVERLEAF.**

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

## DECLARING INTERESTS FLOWCHART – QUESTIONS TO ASK YOURSELF





## DEVELOPMENT MANAGEMENT COMMITTEE

**Minutes of a meeting of the Development Management Committee of South Norfolk District Council held at South Norfolk House, Long Stratton, on Wednesday, 25 June 2019 at 10.00 am.**

**Committee Members Present:** **Councillors:** V Thomson (Chairman), V Clifford-Jackson, J Easter, R Elliott, F Ellis, D Bills (for applications 1,2&4 only), and G Minshull (for applications 2,3 &4 only)

**Apologies:** **Councillors:** L Neal and T Laidlaw

**Substitute Members:** **Councillors:** Y Bendle (for applications 1,2&3 only) for L Neal  
J Halls for T Laidlaw

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

25 members of the public were also in attendance

### 445. 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
<b>2018/2699/F (item 1)</b>	<b>Diss</b>	G Minshull	As a member of the Diss Heritage Triangle Trust, member considered that he was pre-determined, stepped down from the Committee and reverted to his role as Local Member for this item.
		J Easter	Other Interest Friend of Architect.
<b>2019/0749/F (item 3)</b>	<b>Hethersett</b>	D Bills	As member had personal involvement with application, he stepped down from the Committee for this item.
		V Thomson	Local Planning Code of Practice Lobbied by Applicant.
<b>2019/1055/F (item 4)</b>	<b>Wymondham</b>	Y Bendle	Local Planning Code of Practice As a Cabinet Member, Cllr Bendle left the room while this item was considered.

**446. MINUTES**

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

**447. PLANNING APPLICATIONS AND OTHER DEVELOPMENT CONTROL MATTERS**

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

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

APPLICATION	PARISH	SPEAKER
<b>2018/2699/F (item 1)</b>	<b>Diss</b>	E Taylor – Town Council A Rowe – Objector R Bryant – Objector K Day – Architect for the Applicant G Minshull – Local Member
<b>2019/0412/D (item 2)</b>	<b>Wortwell</b>	M Gray – Objector
<b>2019/0749/F (item 3)</b>	<b>Hethersett</b>	L Culling – Applicant P Hardy – Local Member (statement read out in Cllr Hardy's absence)

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

**448. PLANNING APPEALS**

The Committee noted the planning appeals.

(The meeting closed at 12.08pm)

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Chairman

**Updates for DEVELOPMENT MANAGEMENT COMMITTEE**  
**25<sup>th</sup> June 2019**

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

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

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

**Other applications**

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

Applicants Name : Mr & Mrs A Warnes

Site Address : 22A St Nicholas Street Diss IP22 4LB

Proposal : Demolition of existing garage/stores. Erection of 3 dwellings, single garage and associated hard-standing parking/turning area.

Decision : Members voted 7-1 to **DEFER** (to a future meeting of the Development Management Committee) for a Sites Sub-Committee Visit.

Note: The Committee indicated the reasons for the Sites Sub-Committee visit were because the intended site layout and relationships between site boundaries and existing buildings were difficult to envisage other than by site assessment, and because the material planning conditions raised were finely balanced and it was felt that member assessment and judgement could only be concluded by assessing the issues directly on site (in line with guidance notes 1 and 3 contained within the agenda papers).

2. **Appl. No** : **2019/0412/D**  
**Parish** : **WORTWELL**

Applicants Name : Mrs Riches

Site Address : Land West Of 2 High Road Wortwell Norfolk

Proposal : Reserved matters application following outline permission 2018/2019 for 3 dwellings to include appearance, layout and landscaping.

Decision : Members voted unanimously for **Approval**

Approved with conditions

- 1 Approved drawings
- 2 External materials
- 3 Boundary treatments
- 4 TRAD 4
- 5 Retention of hedge
- 6 No PD for plot 1
- 7 Surface water drainage details tba
- 8 Foul water drainage tba
- 9 Slab level tba

**3. Appl. No : 2019/0749/F**  
**Parish : HETHERSETT**

Applicants Name : Mr & Mrs A & L Culling  
Site Address : Land to the rear of 35 Lynch Green, Hethersett, Norfolk  
Proposal : Proposed new dwelling  
  
Decision : Members voted 8-0 for **Approval**

Approved with conditions

- 1 Full planning permission time limit
- 2 In accord with submitted drawings
- 3 External materials as detailed
- 4 Provision of parking, service
- 5 Surface of driveway as detailed
- 6 New water efficiency
- 7 Retention trees and hedges
- 8 Landscaping as detailed
- 9 Implement boundary treatment
- 10 No additional windows at first floor
- 11 Slab level
- 12 Details for disposal of surface water

**Applications submitted by South Norfolk Council**

**4. Appl. No : 2019/1055/F**  
**Parish : WYMONDHAM**

Applicants Name : Mr Mark Heazle  
Site Address : Wymondham Leisure Centre, Norwich Road, Wymondham, NR18 0NT  
Proposal : Removal of an existing external 'All Weather Sport Pitch' and replacement with an extended car park and external amenity lighting  
  
Decision : Members voted 8-0 for **Approval**

**Approved** with conditions

- 1 Full planning permission time limit
- 2 In accord with submitted drawings
- 3 No further lighting

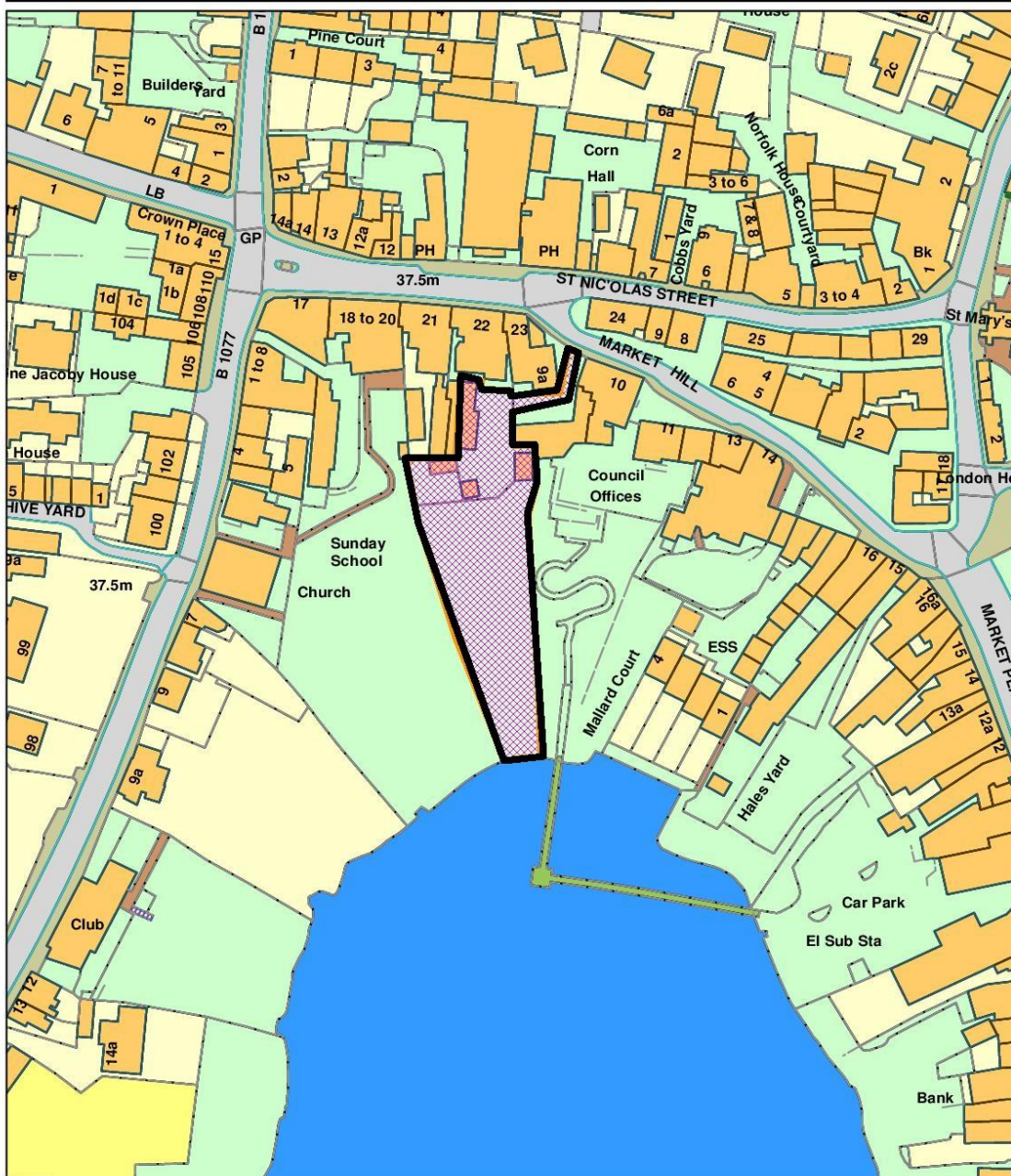
**PLANNING APPLICATIONS AND OTHER DEVELOPMENT CONTROL MATTERS**

**Report of Director of Place**

**Applications Referred to Site Inspection**

**Application 1**

2018/2699



Scale 1:1,250

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

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

Reason for reporting to committee

The application was deferred at the Development Management Committee on 25<sup>th</sup> June 2019 to allow for site visit by Members to be undertaken. This occurred on the 10<sup>th</sup> July 2019. The relevant papers relating to the Development Management Sites Sub-Committee are attached as Appendix A and these include a copy of the original committee report from the 25<sup>th</sup> June. The update sheet from the 25<sup>th</sup> June is relevant and attached as Appendix B.

In addition, I would also wish to clarify the following points which was referred to in the consideration of the application on the 25<sup>th</sup> June:

Reference to Policy DM3.5 of the SNLP was made, this relates to "replacement dwellings and additional dwellings on sub-divided plots within development boundaries". It is considered that despite the part of the site that the dwellings would be constructed not being used as a garden to no. 22a, it is not unreasonable to apply this policy in the consideration of this scheme. In doing so, the policy confirms that the creation of new dwellings on existing gardens will be permitted provided that the following are met:

- a) *Incorporates a good quality design which maintains or enhances the character and appearance of existing buildings, street scene and surroundings; and*
- b) *Does not have an unacceptable impact on the amenities of neighbouring occupiers.*

*Specifically, proposals must provide and maintain:*

- c) *Adequate private amenity and utility space;*
- d) *Adequate access and parking; and*
- e) *Adequate levels of amenity with reasonable access to light and privacy, free from unacceptable noise or other pollutants.*

In this regard, the assessment contained in the committee report included in Appendix A assesses the relevant issues outlined in Policy DM3.5, namely the impact on the character and appearance of the area, design, neighbour amenity and highway matters (access and parking). It does not specifically refer to the issue of providing sufficient private amenity space, however, it is clear from the scheme that the large communal garden available to the proposed residents of the three new units and the space retained for 22a are sufficient to meet the requirements of criterion c) of Policy DM3.5 of the SNLP as highlighted above.

The Diss Heritage Triangle Trust have also queried why a decision on the site from 2003 was omitted from the committee report. The update sheet included at Appendix B addressed this point as follows:

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

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

Contact Officer, Telephone  
Number and E-mail:

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

## Appendix A

Development Management Committee

25 June 2019

## Agenda Item 5

## PLANNING APPLICATIONS AND OTHER DEVELOPMENT CONTROL MATTERS

### Report of Director of Place

## Other applications

1. **Appl. No** : **2018/2699/F**  
**Parish** : **DISS**
- Applicants Name : Mr & Mrs A Warnes  
 Site Address : 22A St Nicholas Street Diss IP22 4LB  
 Proposal : Demolition of existing garage/stores. Erection of 3 dwellings, single garage and associated hard-standing parking/turning area.

## Reason for reporting to committee

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

Recommendation : Approve subject to conditions  
(Summary)

## 1 Proposal and site context

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

## 2. Relevant planning history

- ### 2.1 No recent relevant planning history

### 3 Planning Policies

- 3.1 National Planning Policy Framework (NPPF)  
NPPF 02 : Achieving sustainable development  
NPPF 04 : Decision-making  
NPPF 05 : Delivering a sufficient supply of homes  
NPPF 07 : Ensuring the vitality of town centres  
NPPF 09: Promoting sustainable transport  
NPPF 11 : Making effective use of land  
NPPF 12 : Achieving well-designed places  
NPPF 14 : Meeting the challenge of climate change, flooding and coastal change  
NPPF 15 : Conserving and enhancing the natural environment  
NPPF 16 : Conserving and enhancing the historic environment

## Development Management Committee

25 June 2019

- 3.2 Joint Core Strategy (JCS)  
 Policy 1 : Addressing climate change and protecting environmental assets  
 Policy 2 : Promoting good design  
 Policy 3: Energy and water  
 Policy 4 : Housing delivery  
 Policy 13 : Main Towns
- 3.3 South Norfolk Local Plan (SNLP)  
 South Norfolk Local Plan Development Management Policies  
 DM1.3 : The sustainable location of new development  
 DM3.8 : Design Principles applying to all development  
 DM3.10 : Promotion of sustainable transport  
 DM3.11 : Road safety and the free flow of traffic  
 DM3.12 : Provision of vehicle parking  
 DM3.13 : Amenity, noise, quality of life  
 DM4.4 : Natural Environmental assets - designated and locally important open space  
 DM4.8 : Protection of Trees and Hedgerows  
 DM4.10 : Heritage Assets

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

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

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

4. Consultations

4.1 **Diss Town Council**

Object

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



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

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

#### 4.2 **District Councillor Cllr Minshull**

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

#### 4.3 **NCC Highways**

No objection subject to condition

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

#### 4.4 **Senior Conservation and Design Officer**

Original plans

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

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



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

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

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

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

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

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

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

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

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

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

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

Amended plans

No objection

**4.5 SNC Water Management Officer**

To be reported if appropriate.

**4.6 Historic Environment Service**

No objection subject to condition

**4.7 Other Representations**

Original scheme

18 objections received a summary of these are as follows:

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

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

Diss Heritage Triangle Trust

## Object

## Access to the site

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

## Size and scope

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

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

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

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

#### Amended plans

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

#### Diss Heritage Triangle Trust (HTT)

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

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

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

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

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

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

## 5 Assessment

### **Key considerations**

The key considerations are

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

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

### Principle

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

### Important Local Open Spaces (DM4.4)

- 5.5 It is evident that the site lies upon the bank of the Mere and as such Policy DM4.4 of the SNLP is applicable, and in particular the following part which states that:  
  
*b) At the Important Local Open Spaces identified in paragraphs 4.32 - 4.44 and on Maps 4.4 (1) - (6) and on the Proposal Map, development will only be permitted where it retains the open character and appearance of the site, where it respects the contribution which the identified open site or open frontage makes to the form and character of the Settlement and where there is no significant adverse impact on the setting of any existing building. New development impacting on these designated sites will be required to contribute positive improvement of these natural environmental assets where opportunities arise.*
- 5.6 With regard to the Mere and its banks the supporting text to the policy states:  
  
*"The presence of the Mere dictated the pattern of the town and while the gardens and yards that form its boundaries on the three sides opposite the park, have deteriorated over time, the open leafy character survives."*
- 5.7 Therefore any development of the application site will need to retain the open character and appearance of the site and the contribution it makes to the character and appearance of this part of Diss.
- 5.8 The scheme has evolved and been revised, to reduce the bulk of the building, its footprint and introduced revisions to the roof design, arrangement of fenestration and external facing materials to create a scheme that is now considered to site effectively on the bank of the Mere. The location of the proposed dwellings is such that lies in relatively close proximity to the other buildings to the north and as such a significant amount of the garden which forms the bank to the Mere is retained. In light of the above it is considered that the scheme does satisfy the relevant requirement of Policy DM4.4 of the SNLP in retaining the open character and appearance of the site and contributes towards retaining space around

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

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

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

**Amenity**

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

**Highway safety**

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



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**Trees**

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

**Ecology**

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

**Other issues**

- 5.18 Concern has been expressed at the difficulties associated with constructing this development given the nature of the access, sloping nature of the site and close proximity of other buildings. In light of these factors it is considered appropriate to require a construction management plan to agree the parameters around the build project.
- 5.19 Associated with this, concern has been raised about vibration etc and the impacts this may have on neighbouring buildings. This matter would typically be dealt with through the provisions of the Party Wall Act.
- 5.20 Reference has been made to the impact upon an existing fire escape at no. 21. The buildings proposed as part of this scheme do not appear to directly impede no 21 when considering the current arrangement on-site and as such this could not reasonably be used as a reason for refusal.
- 5.21 The condition relating to archaeology as requested by HES is a reasonable one and will be included on any approval.
- 5.22 It is evident that a private amenity space has been provided to accompany 22a, and given the nature of the accommodation at 22a and the town centre location this is considered an acceptable arrangement.
- 5.23 Paragraph 68 of the NPPF states that small and medium sized sites can make an important contribution to meeting the housing requirement of an area. The Council has taken a proactive approach to this through the allocation of a range 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

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*settlements for homes*. Although this is a material consideration in the determination of the application, it can only be afforded limited weight, given the previous supply of housing on small sites within the district.

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

#### Conclusion

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

Recommendation : Approve subject to conditions

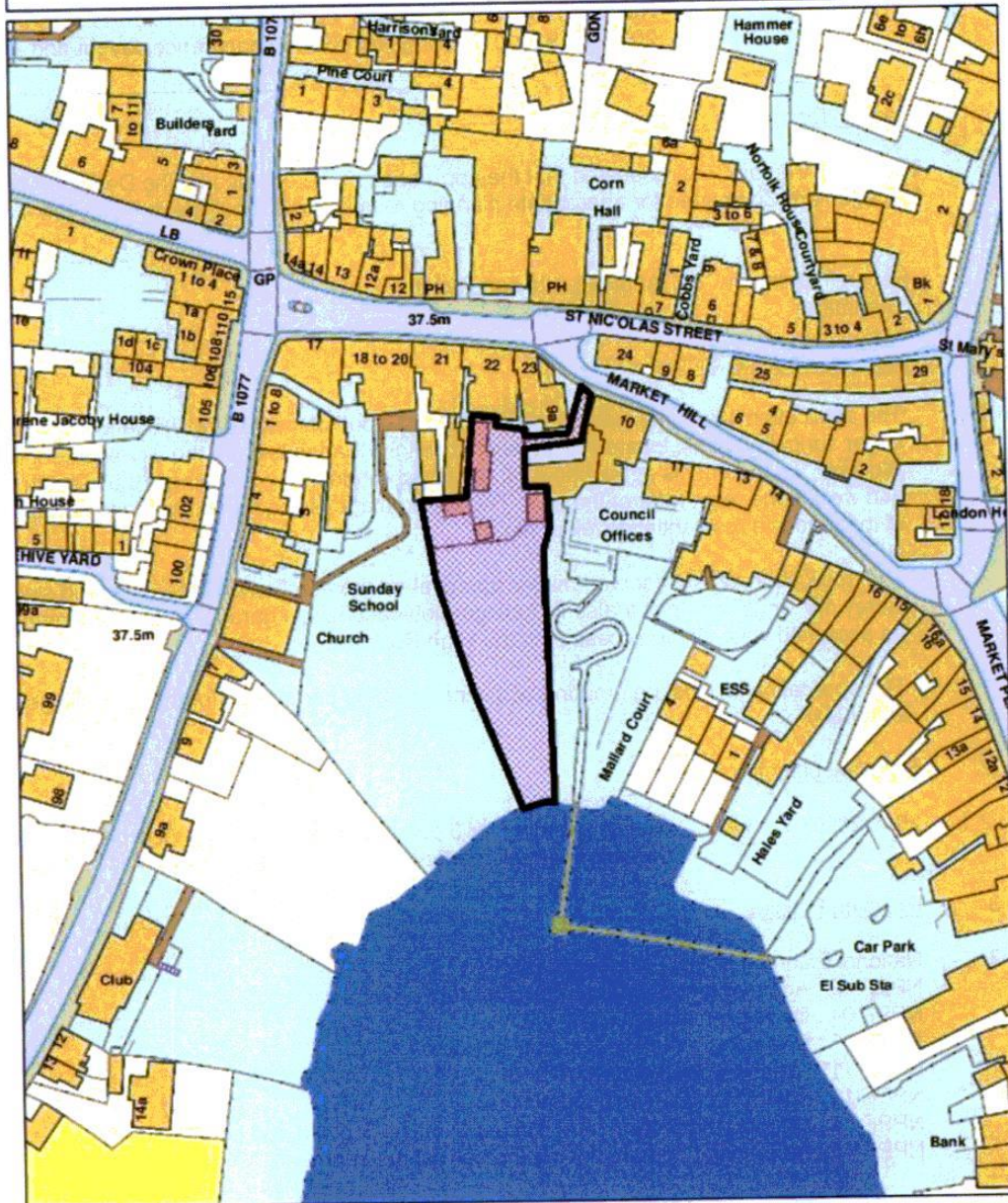
- 1 Full Planning permission time limit
- 2 In accordance with amendments
- 3 Reporting of unexpected contamination
- 4 Archaeological work to be agreed
- 5 New Water Efficiency
- 6 Foul drainage to main sewer
- 7 Surface Water
- 8 Slab level to be agreed
- 9 Landscaping scheme to submitted
- 10 Retention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

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



2018/2699

Appendix 1



Scale 1:1,250

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

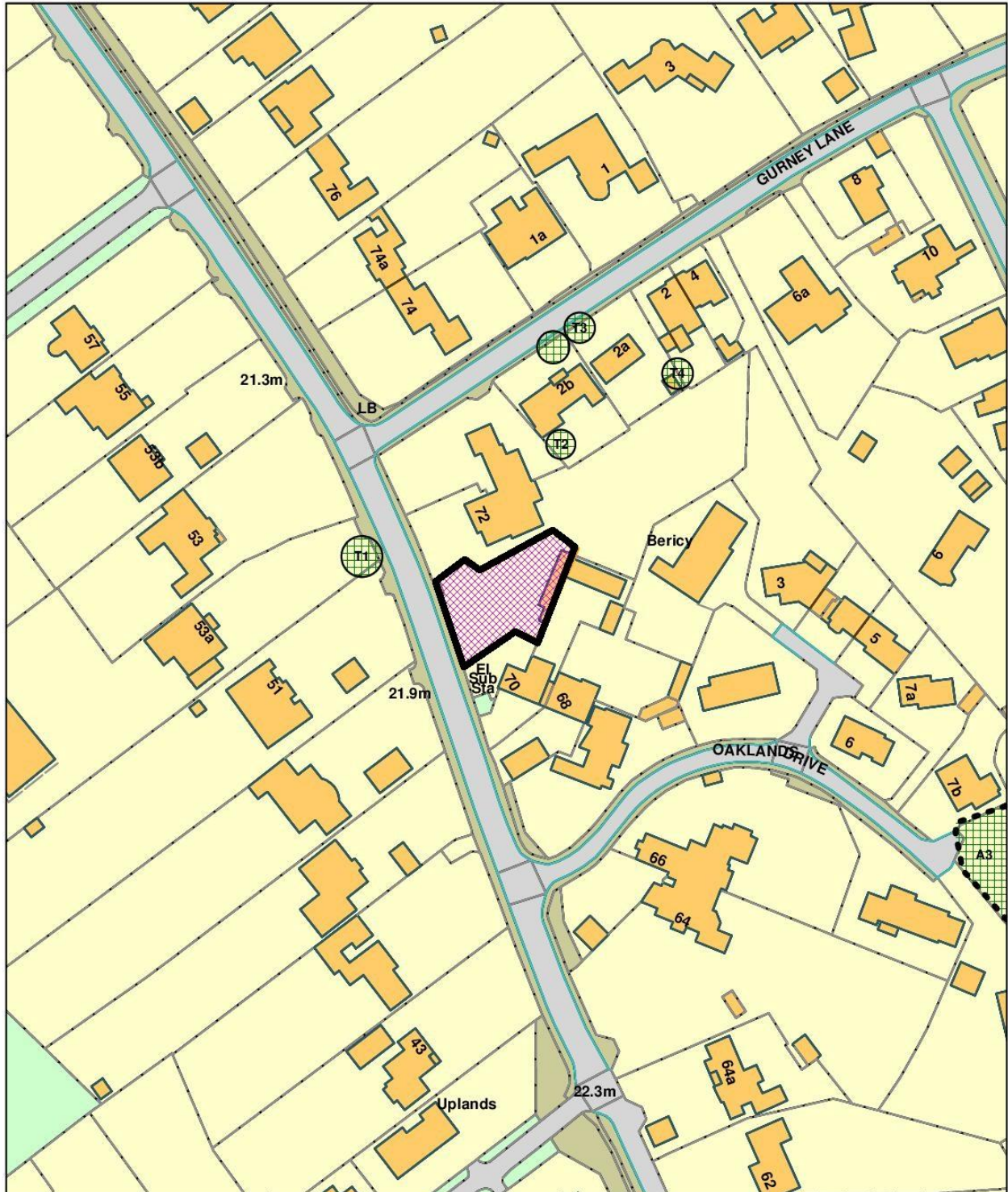
**Updates for DEVELOPMENT MANAGEMENT COMMITTEE**  
**25<sup>th</sup> June 2019**

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

	<p>'The proposed development affects only land incapable of forming part of a playing pitch and does not:</p> <ul style="list-style-type: none"><li>• reduce the size of any playing pitch</li><li>• result in the inability to use any playing pitch (including the maintenance of adequate safety margins and run-off areas);</li><li>• reduce the sporting capacity of the playing field to accommodate playing pitches or the capability to rotate or reposition playing pitches to maintain their quality; or</li><li>• prejudice the use of any remaining areas of playing field on the site.'</li></ul> <p>It does result in the loss of a small poor quality facility, but this is not considered sufficient to justify objection to this application.</p> <p>This being the case, Sport England does not wish to raise an objection to this application.</p>	
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2019/0212



**2. Application No : 2019/0212/F**  
**Parish : CRINGLEFORD**

Applicant's Name: Mr & Mrs D & P Voy  
 Site Address 72 Colney Lane, Cringleford, Norfolk  
 Proposal Subdivision of garden and construction of a new 3-bedroom house

Reason for reporting to committee

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

Recommendation : Approval with Conditions  
 (Summary)

**1 Proposal and site context**

- 1.1 This application seeks full planning permission to subdivide the garden of 72 Colney Lane in Cringleford and to erect a three-bed dwelling to the side of the existing dwelling.
- 1.2 The new dwelling will be roughly L-shaped comprising a one and half storey element to the front with a single-storey wing projecting towards the rear. The one and a half storey element will be approximately 6.8m in height, 10.9m in width and 6.2m in depth. The single storey elements will be approximately 5.5m in height. Two tandem car parking spaces will be provided to the front of the dwelling with the space to the side of the dwelling being used for manoeuvring vehicles. The front elevation of the dwelling will be approximately 6.5m forward of the front elevation of the existing dwelling at number 72.
- 1.3 The site is currently laid to grass and is accessed via the existing access to number 72. An outbuilding is present that runs along the rear boundary of the site and this will be removed to make way for the dwelling. Levels are below those of Colney Lane with the front wall appearing to be a retaining wall between the road and the site. Neighbouring properties include a semi-detached Arts and Crafts style dwelling at number 72 (owned by the applicants' daughter and son-in-law), extended semi-detached bungalows at numbers 68 and 70 to the southeast and predominantly red brick houses opposite.

**2. Relevant planning history**

- 2.1 2018/1241 Demolition of existing outbuilding and construction of a single detached dwelling Withdrawn

**3 Planning Policies**

- 3.1 National Planning Policy Framework (NPPF)  
 NPPF 11: Making effective use of land  
 NPPF 12: Achieving well-designed places
- 3.2 Joint Core Strategy (JCS)  
 Policy 1: Addressing climate change and protecting environmental assets  
 Policy 2: Promoting good design  
 Policy 3: Energy and water
- 3.3 South Norfolk Local Plan (SNLP) Development Management Policies Document  
 DM1.1: Ensuring Development Management contributes to achieving sustainable development in South Norfolk  
 DM1.3: The sustainable location of new development  
 DM1.4: Environmental quality and local distinctiveness

DM3.5: Replacement dwellings and additional dwellings on sub-divided plots within development boundaries

DM3.8: Design principles applying to all development

DM3.11: Road safety and the free flow of traffic

DM3.12: Provision of vehicle parking

DM3.13: Amenity, noise, quality of life

DM4.2: Sustainable drainage and water management

3.4 Cringleford Neighbourhood Plan

ENV7: Subdivision of gardens

HOU2: Design standards

HOU4: Mix of property types

4. Consultations

4.1 Cringleford Parish Council

Comments on originally submitted plans:

Objects. The design is wholly inappropriate for the site and for the area. It is a truly ugly proposal crammed into a small site situated so close to the road that it will dominate the street scene and Tudor Hill. The building sits incongruously in a site that can barely sustain a small bungalow.

Comments on amended plans:

Objects. The changes that have been made are trivial and cosmetic and do not change the nature or impact of the building to any substantial degree. Wish to maintain previous comments.

4.2 District Councillor

- Cllr W Kemp

If Officers are minded to grant this application I would ask that it is referred to Committee for decision. There appear to be at least three material considerations which ought to receive member consideration (please note that neither of us have formed a view on the merits):

- compliance with the Cringleford Neighbourhood Development Plan;
- impact on neighbour amenity; and
- considerations of design and character.

4.3 SNC Water Management Officer

Request the imposition of a planning condition relating to details of surface water drainage being submitted for approval.

4.4 NCC Highways

Suggest the imposition of a condition that secures the provision and retention of the parking and turning area.

#### 4.5 Other Representations

Comments on originally submitted plans:

Objection received from one neighbouring property:

- Development is cramped and not in keeping with neighbouring properties.
- Dwelling will be overbearing and will result in loss of amenity by virtue its scale and it representing overdevelopment.
- Development will harm the heritage interest of 72 Colney Lane.
- First floor windows at number 70 will overlook the courtyard area.
- Proposal will reduce biodiversity further.
- Proposal does not comply with NPPF, local plan policies or the Cringleford Neighbourhood Plan.

Comments on amended plans:

Objections received from four neighbouring properties:

- Application should be refused for similar reasons as previously set out.
- Dwelling is now higher and set back position will overshadow house and garden.
- Character of 72 Colney Lane will be lost.
- Building is far too large for the space proposed and the style is not in keeping with the character of nearby properties.
- The new dwelling will not have an appropriate garden.
- The building will be too close to the road and adjacent properties and will spoil the character of the street.
- Inadequate parking.
- Will destroy the view of Tudor Hill, an important character house.
- Environmental considerations have not been taken into account.
- Overlooking from dormer windows of lounge and bedroom.
- Dwelling is oversized for the plot.
- Understand that there is a restrictive covenant covering building work at the site.

#### 5 Assessment

##### **Key considerations**

- 5.1 The key considerations for this application are the whether the plot can accommodate the proposed dwelling, the impact on the appearance of the area and the impact on residential amenity.

##### **Principle**

- 5.2 The site is within the development boundary that has been submitted for Cringleford where Policy DM3.5 of the SNLP is generally supportive of additional dwellings on subdivided plots subject to compliance with certain criteria.

##### **Appearance and layout**

- 5.3 In respect of its appearance, the design and layout of the dwelling has evolved during the course of the application. The Council's Senior Conservation and Design Officer has been actively involved in this, resulting in the scheme that will be considered by Members. The dwelling has incorporated accents of the dwelling at number 72 and its design represents an appropriate response to its setting, respecting the existing context in terms of size, form, shape, massing and materials, whilst creating a house that also has its own distinctive appearance.

- 5.4 Although it will be 6.5m forward of number 72, the dwelling will be positioned behind the front corner of 70 Colney Lane. The side gables and front roof will nevertheless be visible to varying degrees when approaching from the north and south but given the varied layout of development along Colney Lane, the dwelling will be read in amongst and as part of existing residential development as opposed to standing out as an incongruous feature within the street scene. The eaves level has been kept low so that the roof presents a more recessive element of the dwelling when viewed face on and views will also be filtered by a combination of site levels being below those of the highway and the mature planting along the front boundary (at this point, the dwelling will be approximately 8.2m from the front boundary). Overall, it is considered that the dwelling will be a harmonious addition to the street scene and that application complies with Policy 2 of the JCS, Policies DM3.5(a) and DM3.8 of the SNLP and Policies ENV7, HOU2 and HOU4 of the Cringleford Neighbourhood Plan.

### **Residential amenity**

- 5.5 The garden area that will serve the dwelling has an irregular shape. However, when measured from the lounge patio doors, its depth will be approximately 13m. When measured from the dining room patio doors (in the single storey wing), the width will also be approximately 13m. This is an adequately sized and shaped garden.
- 5.6 The proposed dormer windows will view Colney Lane and the applicants' proposed garden. While facing the front garden area of number 72, the first-floor glazing to the side/north elevation of the dwelling will have timber slats fitted in front of it that will be 5cm in width, will project out by 12.5cm and be spaced approximately 20cm apart. It is considered that this will represent an effect means of restricting views of the side elevation of number 72.
- 5.7 Number 72 has a number of windows in its side elevation, including a first-floor bedroom window. However, the layout of the proposed dwelling effectively restricts the prospect of direct overlooking from this window while also maintaining sufficient space between the dwellings for the development not to be overbearing.
- 5.8 The neighbouring property at number 70 has recently completed an extension, which includes a first-floor Juliette balcony at the rear that serves a bedroom at that property. It will be possible to view parts of the application site from here, with the proposed master bedroom windows being approximately 18.3m away. Clearly there will be some overlooking here but since the most private part of the garden closest to the main part of the proposed dwelling will be screened by the side/rear extension at number 70, it is considered that any overlooking will not be so significant to warrant refusing the application.
- 5.9 The neighbour to the rear at 2A Oaklands Drive has expressed concern at potential overlooking from the first-floor rear dormer and rooflight. The dormer will serve a bathroom while the rooflight will be the secondary opening serving a bedroom. Given the space that it will serve, the dormer will not lead to direct overlooking and the distance of approximately 40m that will separate the rooflight from the side of number 2A Oaklands Drive is considered sufficient to avoid direct and intrusive overlooking. In all other respects, the position and size of windows in the dwelling will not result in direct overlooking.
- 5.10 In terms of whether the proposal represents an overbearing or oppressive form of development, the impact on number 72 has been considered above but for other properties, the scale and layout of the development along with the position of neighbouring windows and garden areas means that it will not represent an overbearing form of development.
- 5.11 When having regard to the above, the application complies with Policies DM3.5(b, c and e) and DM3.13 of the SNLP.



**Highway safety and parking**

- 5.12 In its capacity as Highway Authority, Norfolk County Council has not objected on the grounds of highway safety. Two car parking spaces and a turning head are also shown as being provided. This is considered to be sufficient for a three-bed dwelling. Parking arrangements for the existing dwelling (parking along the side elevation of the house with a small turning head to the front) will remain the same. The application complies with Policies DM3.5(d), DM3.11 and DM3.12 of the SNLP.

**Other matters**

- 5.13 A neighbour comment has identified restrictive covenants that may exist at the property. Should they exist, these will need to be dealt with separate to this application as they do not relate to planning law.
- 5.14 Under Section 143 of the Localism Act the council is required to consider the impact on local finances. This can be a material consideration but in the instance of this application the other material planning considerations detailed above are of greater significance.
- 5.15 **This application is liable for Community Infrastructure Levy.**

**Conclusion**

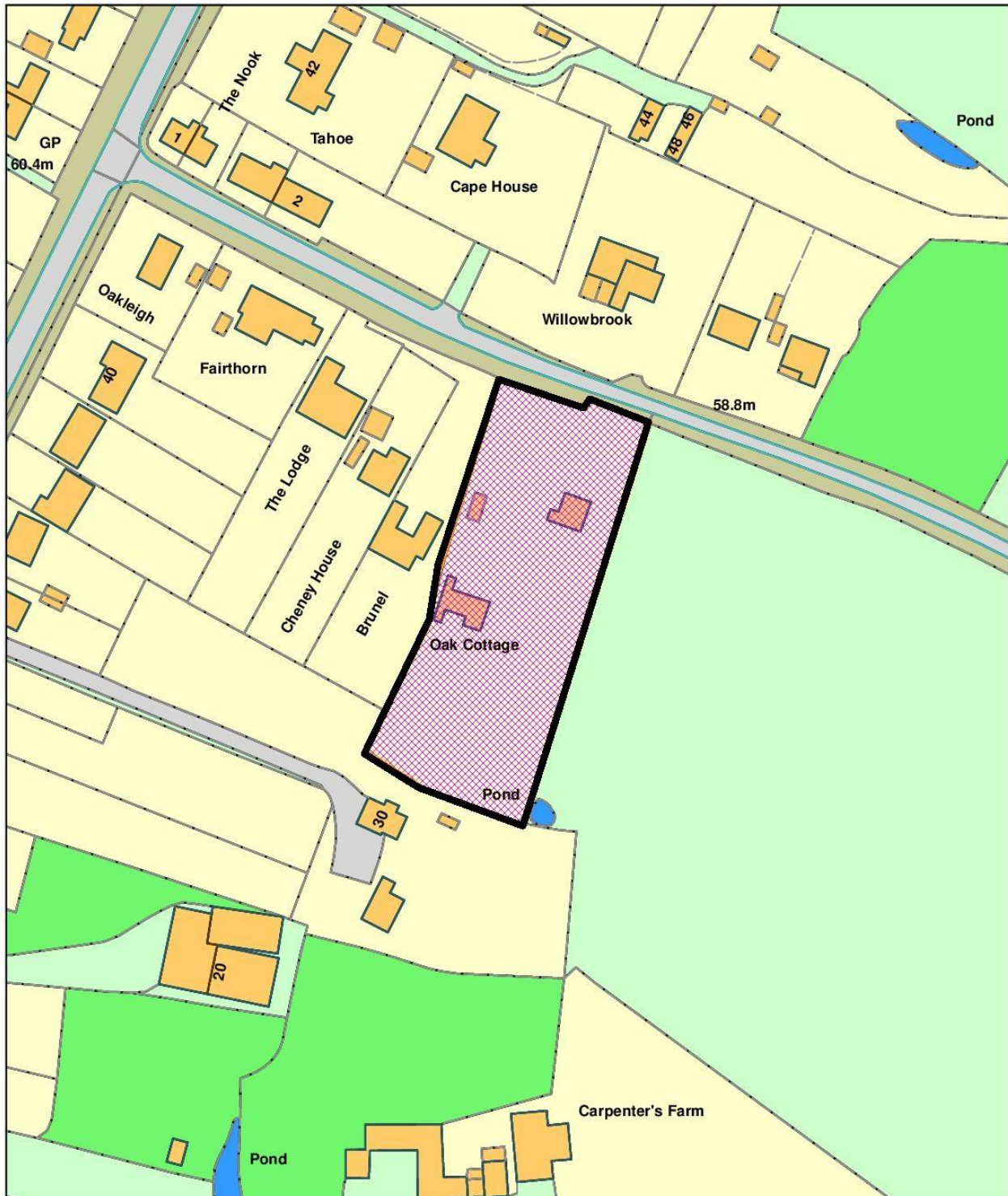
- 5.16 When having regard to those matters raised and despite the concerns raised by the Parish Council and some local residents, the application will result in a form of development within the defined development boundary that will have acceptable impacts on the character and appearance of the area, residential amenity and highway safety. The application is therefore recommended for approval as it complies with Policy 2 of the JCS and Policies DM1.1, DM1.3, DM3.5, DM3.8, DM3.11, DM3.12 and DM3.13 of the SNLP and Policies ENV7, HOU2 and HOU4 of the Cringleford Neighbourhood Plan.

Recommendation : Approval with conditions

- 1 Full planning permission time limit
- 2 In accordance with submitted drawings
- 3 External materials
- 4 Surface water drainage
- 5 Provision of parking area
- 6 No permitted development for Classes A, B & E
- 7 New water efficiency

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2019/0426



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

- 3. Appl. No : 2019/0426/LB**  
**Parish : TACOLNESTON**

Applicants Name : Mr Norman Ostler  
 Site Address : Oak Cottage Cheney's Lane Tacolneston Norfolk NR16 1DB  
 Proposal : Replacement of conservatory with new

Reason for reporting to committee

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

Recommendation : Refusal: contrary to the special interest of the listed building.  
 (Summary)

**1 Proposal and site context**

- 1.1 The cottage is on the south side of the road, set well back compared to its neighbours, on a generous site which is within the development boundary. There are dwellings opposite and to the west and north, but open agricultural land to the east.
- 1.2 The proposal is to replace a conservatory at the rear of the cottage with one of the same dimensions but made of UPVC.

**2. Relevant planning history**

- |     |           |   |          |
|-----|-----------|---|----------|
| 2.1 | 1998/1014 | Replacement of some existing windows with double glazed units | Approved |
| 2.1 | 1993/0337 | Erection of conservatory to rear of dwelling                  | Approved |

**3 Planning Policies**

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

NPPF 12 : Achieving well-designed places  
 NPPF 16 : Conserving and enhancing the historic environment

**3.2 Joint Core Strategy (JCS)**

Policy 2 : Promoting good design

**3.3 South Norfolk Local Plan (SNLP)**

- 3.4 South Norfolk Local Plan Development Management Policies**  
 DM3.8 : Design Principles applying to all development  
 DM4.10 : Heritage assets

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

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

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

#### 4. Consultations

##### 4.1 Tacolneston Parish Council

The Parish Council had no objections to the application.

##### 4.2 District Councillor

- Cllr B Duffin

The applicants have sought to provide a new conservatory that largely replicates the existing one in terms of size and design, taking into account cost and maintenance constraints.

##### 4.3 Other Representations

None received.

#### 5 Assessment

##### **Key considerations**

- 5.1 The key considerations are the principle, and impact on the special interest and significance of the listed building.

##### **Principle**

- 5.2 The principle of replacing the existing conservatory is acceptable; the issue is the choice of design and materials.

##### **Impact on the listed building**

- 5.3 The cottage was added to the statutory list in 1981. It was described as a 17<sup>th</sup> century timber framed building, rendered with a thatched roof and modern casements with leaded panes. On the rear was a lean to glasshouse/conservatory which was replaced, with consent, in 1993, with the present structure. This has hardwood frames, is fully glazed, set on a rendered base with a low pitched polycarbonate roof. The upper parts of the windows have false leaded panes.
- 5.4 The conservatory has been repaired several times but now needs to be replaced. The proposal is to construct a new conservatory, to the same size and overall design but in wood grained effect UPVC.
- 5.5 The present design is not ideal with its roof pitch at odds with the steep roof of the original cottage, and the false leaded casement windows, although these reflect those on the cottage. Discussions with the applicants to alter the shape to a more traditional form, by providing a link to a detached structure, were unsuccessful, and changing the frames to timber were deemed to be unaffordable. The lack of maintenance required for UPVC was advocated as a benefit, although this is not the reality in practice.
- 5.6 The use of UPVC is almost always unsuitable for use in listed buildings. Its' design, limitations of construction and detailing makes it look different to traditional timber. It would severely contrast with the traditional form and materials of the cottage (the timber framing,

render and timber windows) and would not preserve its special interest and significance as required by the above policies and the 1990 Act.

- 5.7 There is a concern that to approve this application would set a precedent for other similar proposals in the area.
- 5.8 Under Section 143 of the Localism Act the council is required to consider the impact on local finances. This can be a material consideration but in the instance of this application the other material planning considerations detailed above are of greater significance.
- 5.9 **This application is liable for CIL under the Regulations, however, Cabinet resolved on 7/12/2015 to no longer apply CIL to domestic extensions**

#### Conclusion

- 5.10 The proposal, particularly the use of UPVC, would be harmful to the special interest and significance of the building, and whilst sympathetic to the applicants wishes to have minimal maintenance requirements and their budget implications, these carry no decisive weight in the decision-making process and the scheme is therefore recommended for refusal.

Recommendation : Refusal

1 Listed Building Reason for refusal

#### Reasons for Refusal

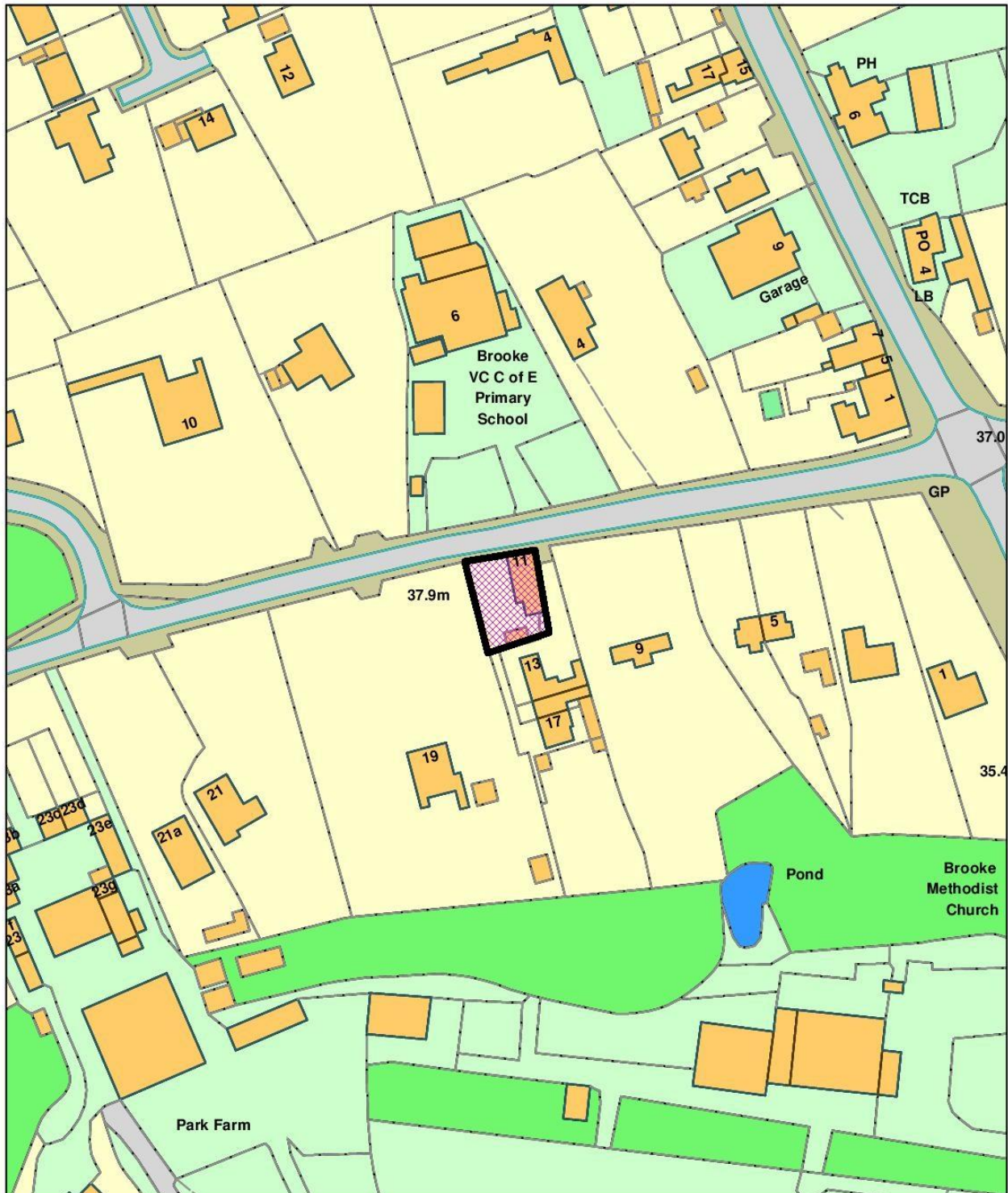
- 1 The poor design and use of unsympathetic materials (upvc) would result in 'less than substantial' harm to the special architectural and historic interest of the building, which given the lack of any distinguishable 'public benefits' results in the proposal being considered contrary to Sections 16 and 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, the objectives of NPPF, Policy 2 of the Adopted Joint Core Strategy (March 2011) and Policy DM4.10 of the South Norfolk Local Plan Development Management Policies Document.

**Contact Officer, Telephone  
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2019/0848



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

**4. Application No : 2019/0848/CU**  
**Parish : BROOKE**

Applicant's Name: Mr Ashley Reeves  
 Site Address The Old Forge 11 High Green Brooke NR15 1HP  
 Proposal Change of use from industrial use to residential use (retrospective)

Reason for reporting to committee

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

Recommendation : Refusal  
 (Summary)

**1. Proposal and site context**

- 1.1 The application seeks retrospective permission for the change of use to a dwelling of a detached single-storey building that was originally a blacksmith's workshop or forge. A small curtilage exists around the building with an existing access to High Green, the highway.
- 1.2 The last use as a blacksmith's workshop or similar (use class B2), after which the building was vacant except it being intermittently used for storage and then occupied by Men's Shed circa 2016-17 (in a capacity of use class B1). Planning permission was refused in 2008 for a proposal to convert the building into a one-bedroom dwellinghouse.
- 1.3 The building has, during 2019, been converted into a one or two-bedroom house, and this conversion is now substantially complete and the new use as a dwelling has commenced. It is considered by officers that the former B1/B2 use has been abandoned by reason of physical works and intention. The planning application was submitted without any enforcement investigation or request from the Council.
- 1.4 The site is located within the development boundary of Brooke and the conservation area of the village, which extends along both sides of High Green. The building is considered to be a non-designated heritage asset of local historic interest. The site is not located in the setting of any listed building. Opposite the site is the Brooke Primary School.
- 1.5 The site is in close proximity to two significant Oak trees which are protected by the conservation area designation. One of these trees, a Veteran tree, to the immediate south of the site is further protected by The Norfolk (South Norfolk District Council) Brooke Tree Preservation Order 2004 No. 2 created on the refusal, upheld at appeal, of an application to fell the tree in 2004.

**2. Relevant planning history**

- |     |           |   |                             |
|-----|-----------|---|-----------------------------|
| 2.1 | 2004/2494 | Fell Oak tree   | Refused<br>Appeal dismissed |
| 2.2 | 2008/2316 | Conversion of former Blacksmiths Shop into one bedroom dwelling | Refused                     |

**3 Planning Policies**

- 3.1 National Planning Policy Framework (NPPF)  
 NPPF 02 : Achieving sustainable development  
 NPPF 05 : Delivering a sufficient supply of homes  
 NPPF 06 : Building a strong, competitive economy  
 NPPF 12 : Achieving well-designed places

NPPF 14 : Meeting the challenge of climate change, flooding and coastal change  
 NPPF 15 : Conserving and enhancing the natural environment  
 NPPF 16 : Conserving and enhancing the historic environment

### 3.2 Joint Core Strategy (JCS)

Policy 1 : Addressing climate change and protecting environmental assets  
 Policy 2 : Promoting good design  
 Policy 3: Energy and water  
 Policy 4 : Housing delivery  
 Policy 5 : The Economy  
 Policy 15 : Service Villages

### 3.3 South Norfolk Local Plan Development Management Policies

DM1.3 : The sustainable location of new development  
 DM1.4 : Environmental Quality and local distinctiveness  
 DM2.2 : Protection of employment sites  
 DM3.4 : Residential extensions and conversions within Settlements  
 DM3.8 : Design Principles applying to all development  
 DM3.11 : Road safety and the free flow of traffic  
 DM3.12 : Provision of vehicle parking  
 DM3.13 : Amenity, noise, quality of life  
 DM3.14 : Pollution, health and safety  
 DM4.2 : Sustainable drainage and water management  
 DM4.8 : Protection of Trees and Hedgerows  
 DM4.10 : Heritage Assets

#### **Statutory duties relating to conservation areas:**

Section 72 of the 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."

## 4. Consultations

### 4.1 Brooke Parish Council

In favour of a change of use to a dwelling, there being a need for lower cost starter homes in the village. However we have a number of concerns:

The conversion of the property appears to be at an advanced stage, before any permission has been granted. This would seem to be inappropriate, with a retrospective application required. This sets a dangerous precedent and we would ask this is investigated prior to any decision being reached;

The property is bordered by two significant Oak trees and their protection should form part of any approval. Structural works should not impact these important trees. Arboricultural information is not included in the application;

Off-road parking should be detailed as the property is opposite Brooke School.

### 4.1 District Councillor

- Cllr J Fuller

Refer application to committee. The key issue is one of the dominant tree in the conservation area. On one hand, anything that harms it should be declined. On the other hand, the proposal is for a change of use of a building that already exists so arguably the effect on it should be minimal. These competing tensions should be resolved by Committee.



#### 4.3 Landscape Architect

The proposed change of use is not appropriate due to the considerable constraints imposed on the situation by the existing protected Oak trees.

A previous proposal to convert the former forge to residential use (2008/2316) was refused for several reasons, including tree-related ones, and it is unlikely that the situation will be any different – if anything, the trees' constraints are likely to be greater after the subsequent ten years.

The application is not supported by any arboricultural information or assessment, however I would not encourage this to be provided; there is a fundamental issue with the building's proximity to the trees and this is not able to be resolved.

BS5837 is clear in its guidance that "The relationship of buildings to large trees can cause apprehension to occupiers or users of nearby buildings or spaces, resulting in pressure for the removal of the trees."

Due to the considerable overhang and size of the trees, there will be the effects of shading to both house and garden, as well as seasonal issues with leaves and acorns, regular shedding of smaller branches, potential issues with bird droppings etc.

Recent examples in South Norfolk where Inspectors have agreed that existing trees will have an effect on 'liveability' and dismissed appeals against our refusals for new dwellings are: 2015/1427 (Priory Road, Hethersett) and 2015/2847 (5 Merlewood, Dickleburgh).

#### 4.4 SNC Community Services - Environmental Quality Team

Requirement for several conditions relating to possible contamination of the land and building due to previous uses, to be imposed in the event of an approval.

#### 4.5 SNC Water Management Officer

No objection to the proposed surface water drainage arrangements discharging via a water butt to the existing infiltration drainage crates.

#### 4.6 NCC Highways

Satisfied with submitted parking and turning diagram.

#### 4.7 Other Representations

The Brooke Society:

Objects. Considers the proposed change of use for this building to a dwelling to not be acceptable. It was constructed in the 19<sup>th</sup> century as an outbuilding built as a workshop for the blacksmith with single skin walls and close to the road. The property has very little garden space and no turning space for vehicles so the access to and from the road would be hazardous. In the past we have been very concerned about the large protected mature Oak trees very near the property, as there have been requests in the past to reduce them. They make a very significant contribution to the character of the village and the biodiversity of its wildlife. We feel their position overhanging the blacksmiths is likely to cause problems in the future and so they could be at risk again. We believe that inadequate drainage from the site could also be problematic.

4.8 Objection received from one resident (Tree Warden) of Brooke:

The previous application (2008/2316) was refused for exactly all the reasons I would refuse now. There is nothing in my view that would recommend it for residential use.

4.9 Support received from three residents of Brooke:

This change of use will ensure that this important building is preserved and is properly maintained and also so that the principal Oak tree which is above the building is also properly maintained. It is clearly in the interests of any owner of this property that both of these responsibilities will be undertaken and in my view it is unlikely that this will occur unless the planning application is approved. The building was in a serious state of disrepair before the current owner acquired the building. The works carried out by the current owner have sympathetically restored it to a habitable standard with many of the existing features of a forge, including the original brick built forge (fire) itself.

The building has stood empty for some time and had become something of an eyesore. The building and surrounding garden now look quaint and completely in keeping with the area. It would be good to see the building actually being put to good use instead of standing empty. Approval would not detrimentally affect any residents in the village.

Renovating empty properties and using them for small housing is much better than building new houses.

4.10 Comment received from one resident of Brooke:

Much conversion has been done already without consent. The Buildings Officer should inspect the work done before a decision is made on change of use – has the work been carried out correctly and if not, what extra work would be needed and would this adversely affect the decision on change of use?

5. Assessment

**Key considerations**

- 5.1 The key considerations are the loss of an employment site, impact on the character and appearance of the conservation area, impact on neighbouring amenities, the acceptability of amenities of future occupants, and the impact on protected trees.

**Principle**

- 5.2 The development will result in the loss of the site to a non-employment use. The site is not allocated for business or employment use in the local plan. Paragraph 2 of policy DM2.2 of the Local Plan is relevant in this situation and requires that land and buildings last used for an employment use, which is the situation at this application site, will be safeguarded and proposals leading to the loss of such sites will be permitted only if one of the following is met:

- if it is demonstrated that the possibility of re-using the site for a range of alternative business purposes is not practicable or viable, or
- there would be an overriding benefit to change to another use which outweighs the benefit of the current lawful use continuing.

- 5.3 No marketing has been undertaken to establish that there is no interest in the building being used for an employment use. Likewise, no other reasons ie financial viability have been put forward to support the application.

- 5.4 The applicant has put forward no information to suggest that there are any other overriding benefits to changing the building to a dwelling.
- 5.5 For this reason the scheme fails to meet the requirements of Policy DM2.2 of the SNLP.
- 5.6 In addition, Policy DM3.4 of the SNLP permits the conversion of buildings to residential use within the development boundary provided criteria are met concerning good quality design, amenities of neighbours, suitable amenity and utility space, and adequate access and parking. These criteria are assessed further in this report.

### **Conservation area**

- 5.7 Policy DM4.10 of the Local Plan requires that change of use affecting the significance of a designated heritage asset, such as the conservation area, must have regard to and positive respond to that significance; proposals must sustain the significance of the asset and make a positive contribution to local distinctiveness. The policy, reflecting the statutory obligation, requires that considerable importance and weight must be given to the desirability of preserving the character and appearance of conservation areas. Proposals which adversely affect the significance of a heritage asset will only exceptionally be permitted where clear and convincing justification is provided.
- 5.8 The exterior works undertaken to the building involved in its conversion are considered by officers to retain the character of the building and are acceptable with regard to policies DM3.4, DM3.8 and DM4.10 of the Local Plan.
- 5.9 The two Oak trees in close proximity to the site, including the Veteran tree, are considered to make a significant contribution to the character and appearance of the conservation area, including from a considerable distance along High Green. The Veteran tree in particular is prominent and distinctive from the surrounding smaller trees. The impact of the change of use on these trees, and the consequential impact on the conservation area, is examined further in the 'Protection of trees' section below.

### **Residential amenity**

- 5.10 Policy DM3.4 requires that proposals must provide and maintain suitable amenity and utility space, and policy DM3.13 requires that in all cases particular regard will be paid to avoid loss of day light, overshadowing and overbearing impact, and that planning permission will be refused where a poor level of amenity for new occupiers results.
- 5.11 Trees significantly overshadow and dominate the outlook from the dwelling and its curtilage. A significant proportion of the Veteran Oak located immediately adjacent to the south boundary of the site, overhangs the building. The Council's Arboricultural Officer objects to the application, raising concerns regarding the relationship between the dwelling and the trees and the resulting adverse impact on the amenities of future occupiers, including with respect to nuisances such as the substantial fall of leaves and acorns, regular shedding of smaller branches, potential issues with bird droppings, etc.
- 5.12 The dwelling has one bedroom, located on the ground floor on the south side of the house, with a single small window facing the above Oak; another possible bedroom is on a mezzanine floor and this space has no window.
- 5.13 The only elevation that officers consider is not adversely affected by shading by surrounding trees is the north side of the house, which has a single window. Due to the orientation towards the north this window will not receive direct sunlight, and further due to it facing the road it will likely be screening in some capacity by future occupants to ensure privacy to that room.

- 5.14 Therefore, the internal layout of the dwelling and the restricted amenity space, together with the height, proximity and crown spreads of the trees would have an overall adverse effect on levels of natural light particularly in summer months. As a result, the impact on the amenity of future occupants of the dwelling is considered to be unacceptable and the applicant is not in accordance with policies DM3.4 and DM3.13 of the Local Plan.

### **Protection of trees**

- 5.15 Policy DM1.4 requires that designated assets, including Tree Preservation Orders and conservation areas, will be protected in accordance with their natural and historic significance, and that all proposals should avoid environmental harm. Further, DM1.4 states that all development should take all reasonable opportunities to enhance the significance of heritage assets and work with the characteristics of the location.
- 5.16 Policy DM4.8 states that the Council will safeguard and promote the appropriate management of protected and other significant trees, unless the need for, and benefits of, a development clearly outweigh their loss.
- 5.17 The Oak located adjacent to the south boundary of the site, on land in the ownership of a third party, is protected by a Tree Preservation Order. This Oak is regarded as a Veteran tree. This tree as well as further trees in the vicinity, including a second large Oak in close proximity to the site, are protected by the conservation area designation.
- 5.18 Officers have significant concern that the use as a dwelling will lead to pressures to carry out works to the trees. The close proximity of the house to the Oak trees, and in particular the veteran Oak immediately to the south of the building, could result in future pressures for extensive work to address potential problems such as shading, leaf litter and branch shedding. The Council would find it difficult to resist requests for such work, particularly in circumstances where it had permitted a dwelling in close proximity to these trees.
- 5.19 Therefore, the change of use to a dwelling would create actual and perceived conflicts between the safety and amenity of future occupiers and the protected trees. This situation would increase the likely pressure for the reduction or removal of these trees which would be more difficult to resist with residential occupancy of the site, leading to detriment to the amenity of the area and substantial harm to the character and appearance of the conservation area, which is not justified.
- 5.20 Further, paragraph 175c) of the NPPF specifically states that “development resulting in the loss or deterioration of irreplaceable habitats (such as... veteran trees) should be refused, unless there are wholly exceptional reasons...”. It is officers’ consideration that the pressure to reduce or remove the Veteran Oak, that would be made more difficult to resist with the residential occupation of the site, would be in direct conflict with the NPPF.
- 5.21 It is considered that the benefits of the development would not outweigh such harm in this respect. The application is therefore considered to not be in accordance with Policies 1 and 2 of the Joint Core Strategy and policies DM1.4, DM4.8 and DM4.10 of the Local Plan.

### **Other issues**

- 5.22 The Council’s Surface Water Management officer has confirmed that the existing surface water drainage scheme is sufficient, together with the installation of water butts. It is considered necessary to impose a condition requiring the installation and retention of such water butts in the event of any approval, in order for the application to be in accordance with policy DM4.2 of the Local Plan.

- 5.23 The Highways Authority officer has been consulted and is satisfied with the submitted information and diagram relating to access, parking and turning at the site. There is sufficient space to park and turn a single car. Officers acknowledge the concerns raised regarding access, parking and turning of vehicles at the site, in particular taking into consideration the primary school located opposite. It is considered that, due to the size of the dwelling and the existing access being retained, that the application is in accordance with policies DM3.11 and DM3.12 of the Local Plan and that no further detail or the imposition of any condition is required in this regard.
- 5.24 The Council's Environmental Quality team have advised regarding potential contamination at the site, due to its historic industrial use, and have recommended three conditions and two notes to be applied to any decision notice granting planning permission. It is considered that these conditions would be necessary to be imposed with any approval of the application, so that the development would be fully in accordance with policy DM3.14 of the Local Plan.
- 5.25 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.
- 5.26 **This application is not liable for Community Infrastructure Levy (CIL) as the building has been occupied for its lawful use for at least six of the preceding 36 months.**

#### Conclusion

- 5.27 Based on the issues covered above it is considered that the applicant has failed to demonstrate that there are reasons which justify the loss of a building which was last used for an employment use and the scheme would result in unacceptable levels of residential amenity for occupiers of the building by virtue of the location of the Veteran Oak and the occupation of the building for residential purposes would put future pressure on the Veteran Oak and as such the application is recommended for refusal.
- 5.28 Given the retrospective nature of the application, refusal would result in the Council needing to pursue enforcement action.

Recommendation : Refusal

- 1 Impact of trees on amenity
- 2 Protection of trees
- 3 Failure to comply with the requirements of DM2.2

#### Reasons for Refusal

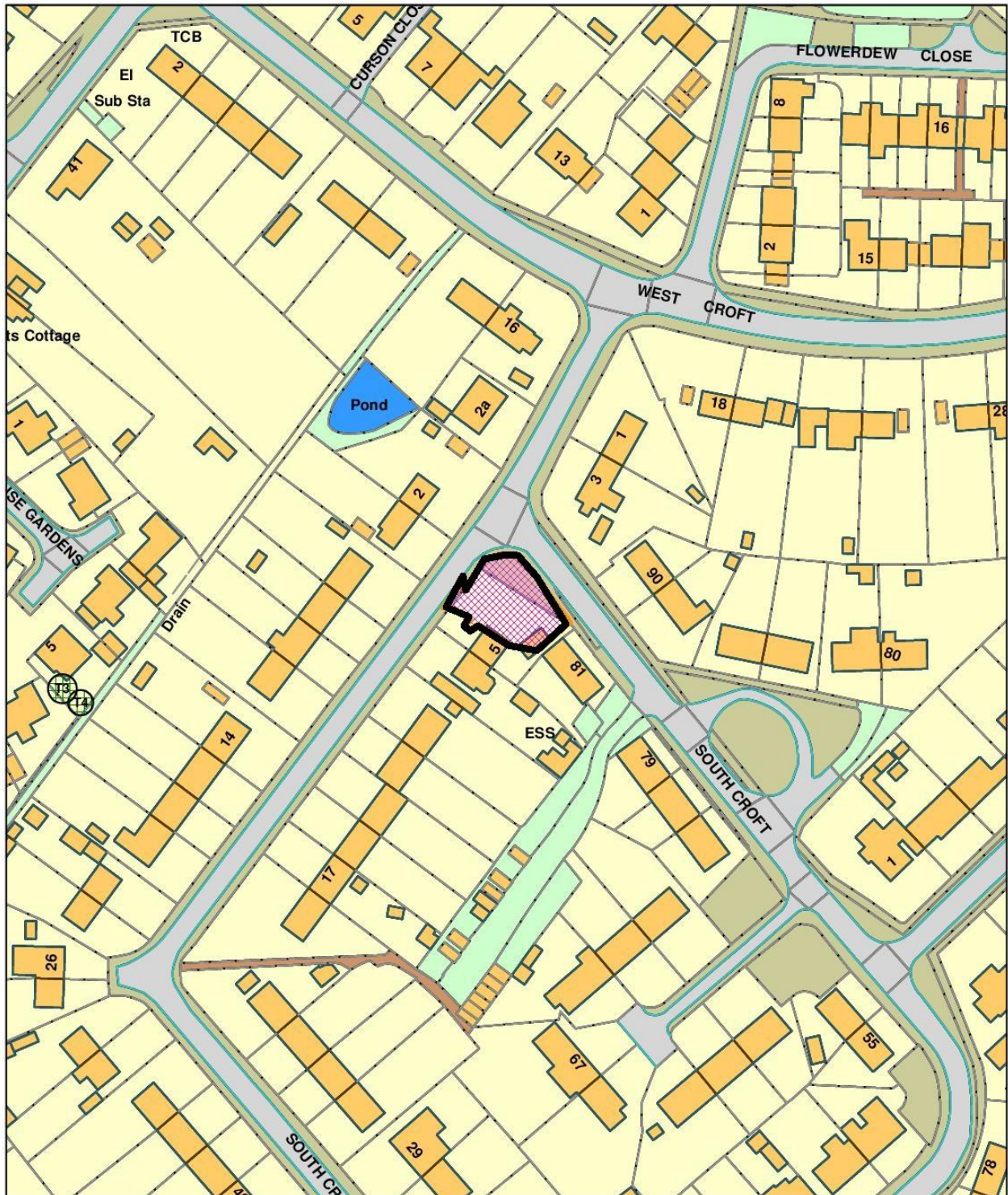
- 1 Trees significantly overshadow and dominate the outlook from the dwelling and its curtilage. The internal layout of the dwelling and the restricted amenity space, together with the height, proximity and crown spreads of the trees would have an overall adverse effect on levels of natural light particularly in summer months and in nuisance caused by falling material. As a result, the impact on the amenity of future occupants of the dwelling would be unacceptable, and therefore the proposal is not in accordance with section 12 of the National Planning Policy Framework and policies DM3.4 and DM3.13 of the South Norfolk Local Plan Development Management Document 2015.

- 2 The change of use to a dwelling would create actual and perceived conflicts between the safety and amenity of future occupiers and the protected trees in close proximity, including a veteran Oak that overhangs the building. This situation would increase the likely pressure for the reduction or removal of these trees which would be more difficult to resist with residential occupancy of the site, leading to detriment to the amenity of the area, harm to the character and appearance of the conservation area, and deterioration of irreplaceable habitat. Such harm would conflict with paragraphs 170, 175 and 180 of the National Planning Policy Framework, Policies 1 and 2 of the Joint Core Strategy and policies DM1.4, DM4.8 and DM4.10 of the South Norfolk Local Plan Development Management Document 2015.
- 3 The application has failed to demonstrate it is not viable or practical to use the building for an employment use or that there are overriding economic, social or environmental reasons to justify the scheme and thereby fails to meet the requirements of Policy DM2.2 of the South Norfolk Local Plan Development Management Document 2015.

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2019/0929



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

**5. Application No : 2019/0929/F**  
**Parish : HETHERSETT**

Applicant's Name: Miss V Gowing  
 Site Address Sub-division of Garden at 5 South Croft Hethersett Norfolk  
 Proposal Sub-division of site for construction of new attached property

Reason for reporting to committee

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

Recommendation : Approval with Conditions  
 (Summary)

1. Proposal and site context

- 1.1 The site is within the Development Limits of Hethersett and is located in a residential area comprising of semi-detached local/ex-local authority properties both of two storey and single storey design. The site is a corner plot which at present has vehicular access adjacent to No 81 South Croft.
- 1.2 The scheme proposes the construction of a two-storey dwelling attached to No 5 South Croft resulting in a terrace of three dwellings. The existing garage will be demolished and become part of the garden of the new dwelling with vehicular access to the existing and proposed dwellings to the front of the site.

2. Relevant planning history

- 2.1 2018/2651 Sub-division of site for construction of new detached property and new access to existing dwelling Refused

3. Planning Policies

3.1 National Planning Policy Framework (NPPF)

NPPF 12 : Achieving well-designed places  
 NPPF 14 : Meeting the challenge of climate change, flooding and coastal change  
 NPPF 15 : Conserving and enhancing the natural environment

3.2 Joint Core Strategy (JCS)

Policy 1 : Addressing climate change and protecting environmental assets  
 Policy 2 : Promoting good design  
 Policy 3: Energy and water  
 Policy 4 : Housing delivery  
 Policy 14 : Key Service Centres

3.3 South Norfolk Local Plan Development Management Policies

DM1.3 : The sustainable location of new development  
 DM3.5 : Replacement dwellings and additional dwellings on sub-divided plots within Development Boundaries  
 DM3.8 : Design Principles applying to all development  
 DM3.11 : Road safety and the free flow of traffic  
 DM3.12 : Provision of vehicle parking  
 DM3.13 : Amenity, noise, quality of life



DM4.2 : Sustainable drainage and water management  
DM4.8 : Protection of Trees and Hedgerows

4. Consultations

4.1 Hethersett Parish Council

No comments to make

4.2 District Councillors

- Cllr Bills

Determined by Committee owing to the impact on serious flooding issues.

- Cllr Hardy

To be determined by committee - Highways managed to overcome flooding problems, but Saffron have not as yet completed their work in relation to flood risk.

4.3 SNC Water Management Officer

Support subject to full details for the disposal of surface water as there are existing issues within the area.

4.4 NCC Highways

Support subject to the provision of vehicular access/crossing over footway and on site car parking prior to occupation.

4.5 Other Representations

2 letters of objection:

- Access opposite existing access is unacceptable.
- Blocking of access by on street parking has caused police to be called in the past.
- Access to the existing property is around the corner, the proposed access should be in the same location.
- Utter chaos when lorries and unloading concrete, bricks, timber etc.
- We have experienced surface water flooding since moving into the property in 2007 and have a history of communication and remedial works required to alleviate the flooding in the front of our property from the drain in the adjoining land owned by Saffron Housing.
- Although the issues within the current surface water drainage system are impacting our property, they also impact the highways drainage system and has led to flooding on the road, and possibly also contributing to flooding issues outside no. 39 South Croft.

5 Assessment

**Key considerations**

- 5.1
- Principle
  - Scale and design
  - Residential amenities
  - Surface Water
  - Highways

**Principle**

- 5.2 DM1.3 requires that all new development should be sustainably located and directs new development to be within identified development boundaries. This site is within the development boundary of Hethersett and therefore the proposal accords with Policy DM1.3.

- 5.3 The scheme is assessed against policy DM3.5 of the SNLP:

Policy DM 3.5 Replacement dwellings and additional dwellings on sub-divided plots within development boundaries.

- 5.4 Within development boundaries the replacement of existing dwellings and sub-division of existing residential plots and gardens to create new dwellings will be permitted provided that it:

- a) Incorporates a good quality design which maintains or enhances the character and appearance of existing buildings, street scene and surroundings; and
- b) Does not have an unacceptable impact on the amenities of neighbouring occupiers.

Specifically, proposals must provide and maintain:

- c) Adequate private amenity and utility space;
  - d) Adequate access and parking; and
  - e) Adequate levels of amenity with reasonable access to light and privacy, free from unacceptable noise or other pollutants.
- 5.5 The principle for the sub-division is acceptable having regard to policy DM3.5, the scale and design and other issues are assessed as follows:

**Scale and design**

- 5.6 The proposal seeks to add a 3 bedroom dwelling to No 5 South Croft resulting in a terrace of three, two storey dwellings. The scheme will include the demolition of the existing garage serving No5, providing pedestrian access to the rear garden of No 5. The site is a corner plot with No 81, to the south east of the site being of chalet style. The properties immediately opposite the site comprise semi-detached two storey dwellings, and beyond are a terrace of single storey dwellings.
- 5.7 A previous scheme was submitted and refused as the scale was considered out of keeping with the street scene. The current scheme is sympathetic to the existing scale and character of the pair of dwellings and accords with criteria a) of policy DM3.5.

**Residential amenities**

- 5.8 The design of the dwelling does include rear first floor windows serving the bedrooms. However, No 81 is overlooked by no 5 South Croft, and the additional windows of the proposed dwelling will not introduce any significant additional overlooking. The road separates the front of the proposed dwelling from the dwellings opposite therefore reducing any impact on the amenities of those neighbours. As proposed the scheme accords with criteria b) of policy DM3.5 and with policy DM3.13 of the SNLP 2015.
- 5.9 The proposed garden space for the new dwelling wraps around the dwelling, with a large section to the side and rear enclosed providing adequate private amenity space. In addition, the existing dwelling retains an adequately sized rear garden, and an area of garden/parking to the front of the property. The scheme as proposed accords with criteria c) and e) of policy DM3.5 of the SNLP 2015.

### Surface Water

- 5.10 The scheme has raised concern within the local area relating to flooding from surface water. There has been an issue identified relating to the disposal of surface water through the highways system, and through the Saffron system. While works to improve the highways system have been completed, the works relating to Saffron are understood to be incomplete. I have discussed the proposal with the Council's Water Management Officer. The disposal of surface water into the existing system would not be acceptable due to the existing problems, therefore an independent system will need to be designed.
- 5.11 I have discussed the concerns of the site with the agent. The applicant has accepted there is a need to carry out tests on site to establish a suitable system for the disposal of surface water without causing additional problems within the immediate area. However, due to the cost, the applicant wishes to have a degree of certainty before committing to this level of cost. I would agree this would be a reasonable approach and have agreed with the agent a condition can be included to require the information prior to commencement of work. The Water Management Officer is satisfied with this approach and has agreed a pre-commencement condition. Therefore, subject to satisfactory details being submitted the scheme accords with policy DM4.2 of the SNLP 2015.

### Trees

- 5.12 There is an existing tree on the site shown on the plan as T1, this was previously part of the public area but was purchased along with No 5 Southcroft by the current owner. The site benefits from a tree which although is not the subject of a TPO does make a positive contribution to the character of the area. The tree is to be retained, and the Design and Access Statement includes the method of tree protection during construction. I am satisfied this is adequate, and conditions have been proposed to retain the tree and also to ensure all the necessary protection is in place prior to commencement of works. As conditioned the scheme accords with policy DM 4.8 of the NSLP 2015.

### Highways

- 5.13 The existing access will be relocated from the side of the dwelling to the front serving both properties. A picket fence will provide the boundary fencing between the existing dwelling and the proposed dwelling. Concern has been raised by a local resident to the position of the proposed access being opposite an existing access, however, subject to the provision of conditions for onsite parking and the crossing over the footpath, the Highways Authority support the scheme. In the absence of a Highways objection there is no justification to refuse the proposal on highway safety grounds. As proposed and conditioned the scheme accords with criteria d) of policy DM3.5 and with policies DM3.11 and DM3.12 of the SNLP 2015.

### Other Issues

- 5.14 Main drainage exists within the immediate area therefore there would be an expectation to connect to main sewer unless it can be demonstrated why this is not possible.
- 5.15 Paragraph 68 of the NPPF states that small and medium sized sites can make an important contribution to meeting the housing requirement of an area. The Council has taken a proactive approach to this through the allocation of a range of small and medium sized sites and through defining Development Boundaries for over 80 settlements to facilitate suitable windfall development. Point (c) of NPPF para 68 states that local planning authorities should '*support the development of windfall sites through their policies and decisions – giving great weight to the benefits of using suitable sites within existing settlements for homes*'. Although this is a material consideration in the determination of the application, it can only be afforded limited weight, given the previous supply of housing on small sites within the district.

5.16 Under paragraph 61 of the National Planning Policy Framework (2012) requires Councils to plan for people wishing to build their own homes. This can be a material planning consideration for this application as self-build has been identified as the method of delivering the site. Whilst an indication of self-build has been given by the applicant it should also be noted that at this stage it cannot be certain that the method of delivering this site will be self-build. In the instance of this application the other material planning considerations detailed above are of greater significance.

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

5.18 **This application is liable for Community Infrastructure Levy (CIL)**

Conclusion

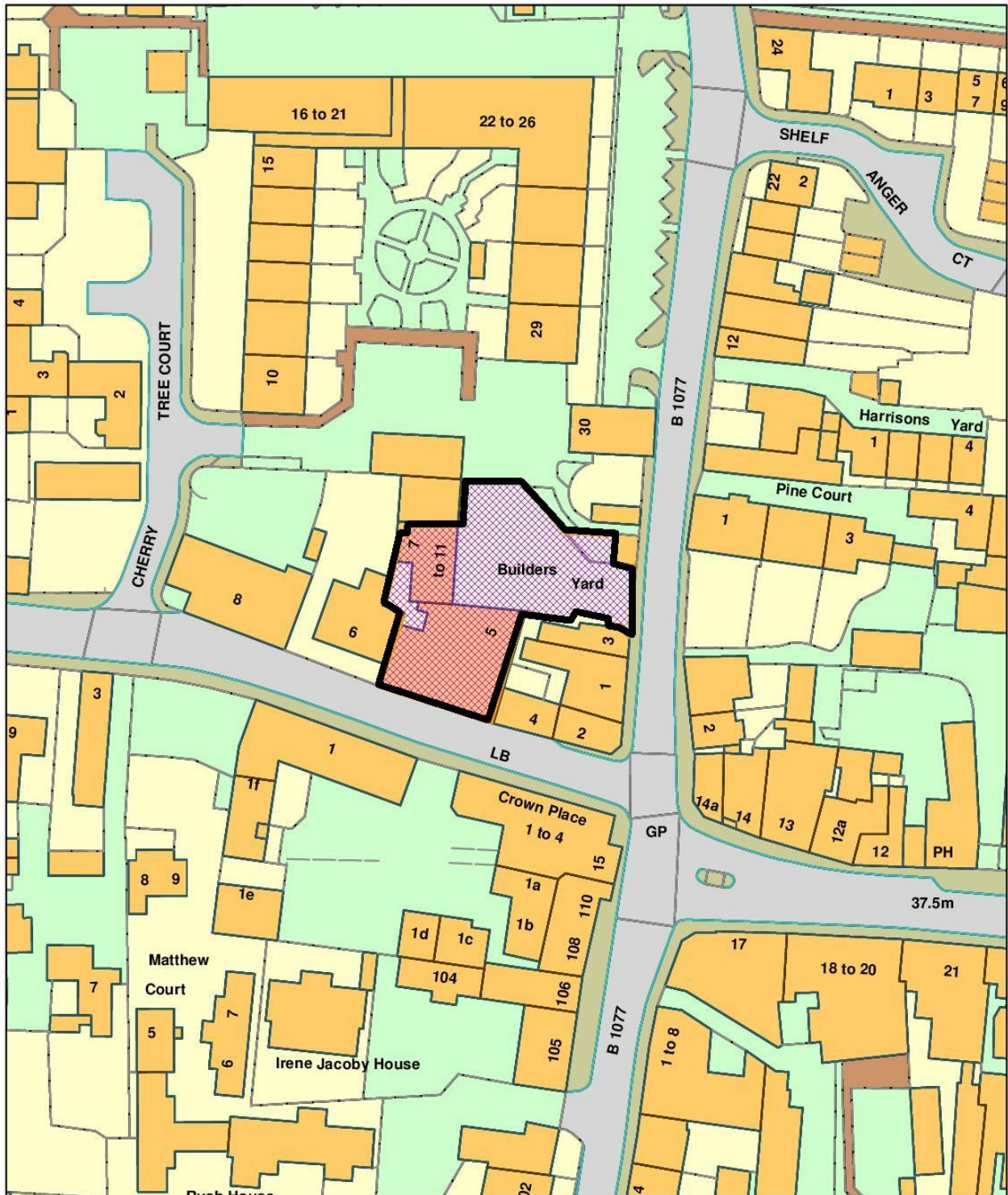
5.19 The scale and design of the proposed dwelling is acceptable in this location and has no adverse impact on the residential amenities of the neighbouring properties, or the safe and free flow of traffic. Subject to satisfactory details for the disposal of surface water being submitted and approved prior to commencement of work the scheme accords with the above policies.

Recommendation : Approval with Conditions

- 1 Time Limit
- 2 In accord with submitted drawings
- 3 New Access over ditch/watercourse
- 4 Provision of parking, service
- 5 New Water Efficiency
- 6 disposal of surface water
- 7 No PD for fences, walls etc
- 8 Matching Materials
- 9 Retention of tree
- 10 Tree Protection

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6. **Appl. No** : **2019/0937/F**  
**Parish** : **DISS**

Applicants Name : J & E Taylor  
 Site Address : 5 Shelfanger Road Diss Norfolk IP22 4EH  
 Proposal : Change of Use of Building A from workshop to 3 dwellings, including hard and soft landscaping, demolition of 'leanto' to Building B and alterations to South and North elevations of Building A for windows.

Reason for reporting to committee

The proposal would result in the loss of employment

Recommendation : Approval with Conditions  
 (Summary)

1 Proposal and site context

- 1.1 The proposal site contains a builder's yard and workshop and is located in a central area of Diss, within the development boundary. The site is immediately adjacent to, but outside of both the Heritage Triangle and Town Centre but it is within the Diss Conservation Area.
- 1.2 The main part of the workshop is a brick-built building, formerly a late C18/C19 stables which formed part of the brewery complex and later a workshop and stores. The north part of the built form contains a 20th century lean-to addition. The yard contains stores, parking and access to a neighbouring property.
- 1.3 The proposal is for change of use of the original element of the workshop to 3 residential dwellings to include the demolition of the modern lean-to and associated, parking turning, hard and soft landscaping.

2. Relevant planning history

- 2.1 1995/0075 Demolition of existing porch and rebuild Approved

3 Planning Policies

3.1 National Planning Policy Framework (NPPF)

NPPF 02: Achieving sustainable development  
 NPPF 05: Delivering a sufficient supply of homes  
 NPPF 06: Building a strong, competitive economy  
 NPPF 07: Ensuring the vitality of town centres  
 NPPF 08: Promoting healthy and safe communities  
 NPPF 09: Promoting sustainable transport  
 NPPF 11: Making effective use of land  
 NPPF 12: Achieving well-designed places  
 NPPF 14: Meeting the challenge of climate change, flooding and coastal change  
 NPPF 16: Conserving and enhancing the historic environment

3.2 Joint Core Strategy (JCS)

Policy 1: Addressing climate change and protecting environmental assets  
 Policy 2: Promoting good design  
 Policy 3: Energy and water  
 Policy 4: Housing delivery  
 Policy 5: The Economy

Policy 6: Access and Transportation  
Policy 13: Main Towns

### 3.3 South Norfolk Local Plan (SNLP)

DM2.2: Protection of Employment Sites  
DM3.4: Residential Extensions and conversions Within settlements  
DM3.8: Design Principles  
DM3.11: Road Safety and the free Flow of Traffic  
DM3.12: Provision of Vehicle Parking  
DM3.13: Amenity, Noise and Quality of Life  
DM3.14: Pollution, Health and Safety  
DM4.2: Sustainable Drainage and Water Management  
DM4.10: heritage Assets

### 3.4 South Norfolk Local Plan Development Management Policies

### 3.5 Supplementary Planning Documents (SPD)

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

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

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

## 4. Consultations

### 4.1 Diss Town Council

Approve

### 4.2 District Councillor

- Cllr J Wilby

I am happy for this application to be delegated.

### 4.3 SNC Conservation And Design

The street frontage is a blank unrelieved wall with some cast iron ventilation hole covers. Consequently, although this does present an early industrial uncompromising functionality, it does appear quite a blunt and oppressive street frontage within the street scene, especially abutting the street so closely. Finding a viable long-term use for the historic building, which would ensure its future maintenance, would be desirable. The insertion of windows on the south side of the building will allow natural day light to enter the building, with the windows being designed to replicate traditional functional casement windows under the eaves/with segmental arches which feature as C19 industrial aesthetic, including the converted brewery buildings further to the rear.

The later additions to the north are of no historic or architectural value and I have no objection to their demolition. Internally the building has been adapted for workshops, and

there is little remaining of the character of the stables. There is some boarding internally to the south wall, but this is fairly plain. The north side has several adapted openings.

The most interesting historic feature is the timber roof trusses, which can be retained as part of the conversion. It will be important to get appropriate design for the segmental arches to the lower floor windows and to install flush fitting casement windows. I would therefore suggest materials and design detail are conditioned. A condition for a repair specification/schedule may be use for replacement brickwork - which are required at the lower level, and any repointing, and this can include trusses. The brick arches do not need to be "rubber" gauged brickwork, but simple header bricks, as would normally be found on functional buildings of the period.

#### 4.4 SNC Community Services - Environmental Quality Team

Having reviewed the application documentation, we do not wish to object to this planning application. However, we would recommend that any approval of this application include the following conditions and notes:

Conditions:

Contaminated land scheme to be submitted

Implementation of approved remediation scheme

Contaminated land during construction

Advisory Notes:

Disclaimer re contamination

Construction Impacts

Asbestos

#### 4.5 Historic Environment Service

There are no known archaeological implications.

#### 4.6 NCC Minerals and Waste Planning Officer

No comments received

#### 4.7 SNC Water Management Officer

Having reviewed the application documentation, we wish to offer the following observations and recommend that should the surface water drainage aspect of this application not be formally agreed prior to any approval being granted, the permission should include the condition set out below:

- DW/SW Surface water

We would request water butts are incorporated into the design of each new dwelling to encourage rain water re-use and water conservation.

We would wish to draw the applicant/developer's attention to the surface water drainage advisory note on our website; <https://www.southnorfolk.gov.uk/residents/neighbourhood-issues/drainage-and-flood-risk-newdevelopment#open>

It should be noted that it is the developer's responsibility to ensure adequate drainage of the site so as not to adversely affect surrounding land, property or highway.

#### 4.8 Other Representations

1 Objection from 1 address:

- Additional Disturbance from residential use
- Concern regarding access across application site - currently subject to legal agreement



- Potential impact on drainage system - any rebuild will cause disturbance
- Impacts will be higher from a residential use due to noise from residents / visitors and additional vehicle movements

## 5 Assessment

### **Key considerations**

- 5.1 The key considerations with regard to the proposal include the loss of an employment site, the provision of new dwellings through the conversion of a building within the settlement boundary. As such the key policy considerations are DM2.2 of the Local Plan with regard to the loss of employment and DM3.4 with regard to the conversion of the building to dwellings with associated impacts relating to heritage, residential amenity and highways.

### **Principle**

- 5.2 With regard to the current use; the building has been in long term continuous use as a building workshop for a small business. Policy DM2.2 requires loss of an existing employment use to be justified through overriding economic, environmental or community benefit from redevelopment or change of use which outweighs the current lawful use continuing.

### **Economic Considerations:**

- 5.3 Existing Use:  
The unit is in a central location and through the passage of time and changing business conditions has become less suited to this location. The size, design and access to the building is such that alternative employment use is also unlikely to be found. The applicant has submitted supporting information in support of this position. The site is outside of the defined Town Centre and is likely therefore not central enough for a viable Town centre use to be considered probable. The level of benefit given to the existing lawful use continuing is therefore considered to be low.

#### Proposed Use:

With regard to the proposal, there will be a modest level of economic benefit through the conversion / construction process. In addition, the change of use will add new residents into a central, sustainable location with easy access to the town centre which would increase local spending.

### **Community Considerations:**

- 5.4 Design / Heritage:  
The building is not listed although there is historical interest through association with the nearby former brewery. It is located within the Conservation Area and the main building has a significant street frontage on Roydon Road.
- 5.5 The proposal has been assessed by the Senior Conservation and Design Officer who has highlighted the benefit of enabling the renovation and re-use of the building as a method of safeguarding its future viability.
- 5.6 With regard to design details, the introduction of windows in the southern elevation is considered to soften this elevation with regard to the street scene on Roydon Road. As such the proposal enables the building to interact visually with the conservation area through an appropriately designed street frontage. The design details are considered acceptable in principle, but due to the prominent nature of the site on this elevation a condition requiring details to be submitted and approved is considered necessary in this instance. In principle the alteration is considered to meet the aims of Policy DM4.10 and the NPPF with regard to preserving or enhancing the character and appearance of the conservation area.

- 5.7 The removal of the lean-to structure is considered to be a benefit through the removal of modern fabric that is inconsistent with the character of the Conservation Area. The design of the northern elevation is considered acceptable in its context, especially given the lack of visibility of this element from outside of the site.
- 5.8 Policy 16 of the NPPF and Policy DM4.10 of the SNLP requires Local Planning Authorities to assess the impact of any development on the significance of heritage assets and Sections 16 and S66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that local planning authorities must 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. This application is would involve development within the setting of a grade II listed building to the west on Roydon Road. Taking into consideration the significance of the listed building and its setting, the proposal would not have a detrimental impact on the significance of the listed building or its setting through its design, (particularly on the Roydon Road elevation) and removal of modern fabric. As such, it is considered that the proposal would accord with Policy 16 of the NPPF, Policy DM4.10 of the SNLP and Sections 16 and S66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.
- 5.9 The impact on Conservation Areas requires consideration under the development management policies and S72 Listed Buildings Act 1990 requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of Conservation Areas. The application has been assessed by the Senior Conservation and Design Officer who has raised no objection to the scheme on the grounds that it would not have any harmful impact on the character or appearance of the Conservation Area, with a potential that the design could benefit particularly the Roydon Road elevation with regards to visual appearance of the building. As such, it is considered that the proposal would accord with section 16 of the NPPF, Policy DM4.10 of the SNLP. Equally in consideration of the Council's duties under the Act it is considered that for the reasons set out above that the proposal would not adversely affect the Conservation Area.
- 5.10 Therefore, in returning to the requirements of Policy DM2.2 of the SNLP which requires the justification for the loss of an employment use, I am satisfied that the removal of a use that could cause amenity issues for surrounding properties and the ability to safeguard the long term viability of an undesignated heritage asset is sufficient to justify the loss of the current commercial use (builders workshop).
- 5.11 Given that it is a conversion project, Policy DM3.4 of the SNLP is directly applicable. This permits conversion within the development limit, as is the case here, where the character and appearance of the area is respected and there would be no adverse impact on neighbour amenity or highway safety matters.
- 5.12 In terms of the impact on the character and appearance of the locality, this has been assessed above and I am satisfied that the scheme respects the locality.

Residential Amenity:

- 5.13 The proposal has been considered with regard to the amenity of both neighbouring residents and potential future residents of the converted building. An objection has been received from a neighbouring property with regard to noise and vehicle intensification caused by the proposed change of use.
- 5.14 The neighbour comment has highlighted that the existing use currently does not cause disturbance, however, the lawful use as a workshop allows a range of activities that may generate additional impacts should an alternative business occupy the site. As such, overall the change of use to residential is considered to pose a lower risk of noise/dust and general disturbance to neighbours than the current lawful use.

- 5.15 With regard to the design, layout and location of the proposed residential units, the removal of the lean-to structure enables a small outdoor amenity space

Highways/Parking:

- 5.16 The proposal uses the existing highways access and parking is proposed to be located in the existing yard area currently used for storage. Concerns have been raised by a neighbouring property with regard to a right of access across the land. The right of access itself is a civil matter between the applicant and neighbour. However, the parking and turning space for the proposal is clearly defined in the site plan and is suitable for the proposed development while maintaining the current access through the site. Therefore, in the interests of sustainable parking arrangements and in accordance with the aims of policy DM3.12, a condition requiring the parking and turning arrangements to be provided prior to first occupation of the development has been proposed.

**Other Considerations:**

Land Contamination

- 5.17 The previous land uses of the proposal site over time result in the potential for contamination to be present. Environmental Protection have assessed the proposal and have not objected to the principle of the development but required contamination assessment to be completed prior to commencement on site. As such, subject to the imposed conditions and the results of the assessment the proposal is acceptable in this regard.
- 5.18 The proposal will likely have a neutral or beneficial impact in this regard depending on the level of contamination found and remediation required. Due to the current unknown this is afforded little weight in the balance of consideration in this instance.
- 5.19 Paragraph 68 of the NPPF states that small and medium sized sites can make an important contribution to meeting the housing requirement of an area. The Council has taken a proactive approach to this through the allocation of a range of small and medium sized sites and through defining Development Boundaries for over 80 settlements to facilitate suitable windfall development. Point (c) of NPPF para 68 states that local planning authorities should '*support the development of windfall sites through their policies and decisions – giving great weight to the benefits of using suitable sites within existing settlements for homes*'. Although this is a material consideration in the determination of the application, it can only be afforded limited weight, given the previous supply of housing on small sites within the district.
- 5.20 The application can be considered to be previously developed land (brownfield land). In line with the NPPF, I have considered the benefits of the efficient use of land, but consider that in this case, this does not outweigh the other material considerations.
- 5.21 Under Section 143 of the Localism Act the council is required to consider the impact on local finances. This can be a material consideration but in the instance of this application the other material planning considerations detailed above are of greater significance.
- 5.22 **This application is not liable for Community Infrastructure Levy (CIL) – The application site is still in active commercial use and has been long term. There is no net increase of floorspace for the proposal.**

## Conclusion:

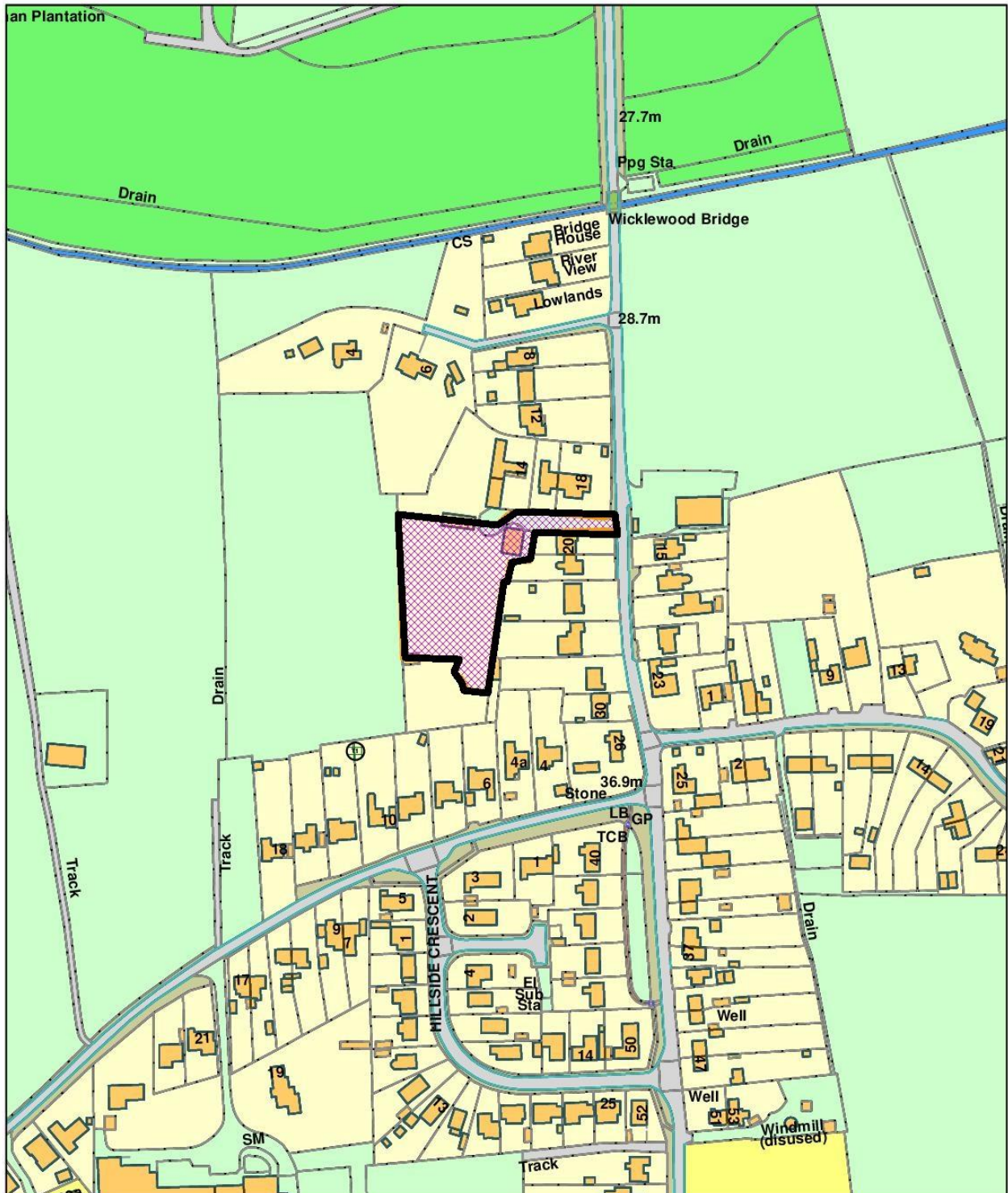
- 5.23 The loss of employment is justified through the removal of a commercial premises which has the potential to cause harm to local amenity and through safeguarding the integrity of an undesignated heritage asset. The proposal would provide three dwellings in a sustainable location within the development boundary and would respect the character and appearance of the area, neighbour amenity and highway safety. Therefore, the proposal is considered to accord with Policies DM2.2, DM3.4, DM3.8, DM3.11, DM3.12, DM3.13 DM3.14, DM4.2 and DM4.10 of the Local Plan and Policies 1, 2, 3, 4 ,5, 6 and 13 of the Joint Core Strategy.

Recommendation : Approval with Conditions

- 1 Full Planning permission time limit
- 2 In accord with submitted drawings
- 3 Contaminated land - submit scheme
- 4 Implement of approved remediation
- 5 External materials to be agreed
- 6 Surface Water
- 7 New Water Efficiency
- 8 Provision of parking
- 9 Reporting of unexpected contamination

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2019/1018



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**7. Appl. No : 2019/1018/F**  
**Parish : WICKLEWOOD**

Applicant's Name: Mr & Mrs Shepherd  
 Site Address Land west off High Street, Wicklewood, Norfolk  
 Proposal Erection of 3 detached dwellings, access road, associated landscaping and enabling works

Reason for reporting to committee

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

Recommendation : Approval with conditions  
 (Summary)

**1 Proposal and site context**

- 1.1 This application seeks full planning permission for the erection of three 1.5 storey detached dwellings and an access road on land to the west of the High Street in Wicklewood. The site is currently a mown field accommodating a group of agricultural buildings at its northern end and is outside but adjacent to the development boundary that has been defined for the village. However, material to the consideration of this application is that outline planning permission ref. 2018/1607 was granted in September 2018 for three detached dwellings albeit with a condition that restricts the dwellings to single-storey in size.
- 1.2 The site is at the northern end of High Street and is largely behind numbers 20 to 26 (even numbers only). It will be accessed from High Street via an existing track that serves three dwellings. The track will be extended to provide the access to the proposed dwellings and will curve behind the rear boundaries of those dwellings that front High Street. Plot 1 at the northern end of the site will accommodate four bedrooms, Plot 2 will accommodate three bedrooms and Plot 4 will accommodate three bedrooms and an upstairs study.
- 1.3 The dwellings seek to provide a contemporary twist on a traditional form and although a mixed palette of materials is proposed for use, those to be used on the main parts of the dwellings include white render, dark stained horizontal weatherboarding and a zinc profiled roof. The maximum height of Plot 1 will be 7.6m, Plot 2 will be a maximum of 7.3m in height and Plot 3 will be a maximum of 7.5m in height.

**2. Relevant planning history**

- |     |           |  |          |
|-----|-----------|--|----------|
| 2.1 | 2018/1607 | Residential development of up to 3no. detached dwellinghouses (outline with all matters reserved except for access). | Approved |
|-----|-----------|--|----------|

**3 Planning Policies**

- 3.1 National Planning Policy Framework (NPPF)  
 NPPF 09: Promoting sustainable transport  
 NPPF 12: Achieving well-designed places  
 NPPF 15 : Conserving and enhancing the natural environment
- 3.2 Joint Core Strategy (JCS)  
 Policy 1: Addressing climate change and protecting environmental assets  
 Policy 2: Promoting good design  
 Policy 3: Energy and water  
 Policy 4: Housing delivery  
 Policy 15: Service Villages

- 3.3 South Norfolk Local Plan (SNLP) Development Management Policies Document  
DM1.1: Ensuring Development Management contributes to achieving sustainable development in South Norfolk  
DM1.3: The sustainable location of new development  
DM1.4: Environmental Quality and local distinctiveness  
DM3.8: 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

4. Consultations

4.1 Wicklewood Parish Council

Object as the site is outside of the development boundary for the village. Also, the initial outline planning application was approved as a single-storey with no rooms in the roof. This application is two-storey.

4.2 District Councillor

- Cllr R Elliott

I request that the application be determined by the Development Management Committee for the following reasons:

- Overlooking - the proposal may lead to previously private areas being overlooked to an unacceptable level, and
- Disturbance - there may be unacceptable intrusion in the form of noise, odour, general disturbance.
- I refer also to item 4 of the Planning Decision for application 2108/1607 at the same site, which states:

*The details to be submitted for approval shall be for a single storey dwelling only with no habitable floor space or windows in the roof.*

*Reason for the condition: For the avoidance of doubt and to ensure a form of development compatible with adjacent property and in the interests of the residential and visual amenities of the locality, as required by Policy 2 of the Joint Core Strategy and Policy DM3.13 of the South Norfolk Local Plan Development Management Policies Document 2015.*

I am aware of concerns by some local residents, however, I have an open mind on this application and will consider it fully as and when it is heard by Committee.

4.3 NCC Highways

Recommend the use of a planning condition that requires the provision and retention of the parking area.



#### 4.4 SNC Water Management Officer

Request conditions relating to details being provided on surface water drainage and that foul water is discharged to a foul sewer.

#### 4.5 SNC Community Services - Environmental Quality Team

No comments received

#### 4.6 Other Representations

Support received from three residents:-

- The removal of the large concrete building and replacement with three sympathetically designed homes is a huge improvement.
- These three properties will improve and tidy the area significantly whilst causing absolute minimal intrusion to existing properties.
- The three 1.5 storey dwellings minimises the footprint on each site. The design will not result in over-imposing structures and they are a reasonable distance from existing properties.
- Glazing on the upper storeys looking to the east is minimal.
- The traffic to and from these dwellings will be minimal and slow moving.

Objections received from two residents:-

- The previous outline permission clearly states that the development shall be single storey dwellings only. The site is at a raised elevation to that of the existing housing and the proposed second storey will overlook these properties.
- The new dwellings appear to have a larger footprint than those originally proposed and seem to be closer to existing dwellings, which will add to the problem of overlooking.
- Concerned about the access road running behind the cattery because of the anxiety that it would cause to the cats, not only during construction but later with the noise of traffic.

### 5 Assessment

#### **Key considerations**

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

#### **Principle**

- 5.2 Although outside of the development boundary, the site benefits from an extant planning permission which established the principle of development for three detached dwellings, albeit with a planning condition that restricts the dwellings to single storey in size. An assessment of the appearance of the dwellings and their impact on neighbouring properties is made below but otherwise the extant permission is a material consideration that weighs heavily in favour of the application. For that reason, in this instance it is not considered necessary to consider the housing supply situation within the district.

#### **Impact on appearance of area**

- 5.3 The site is a mown field that has residential development adjoining it to the east, south and north. The demolition of existing buildings at the northern end of the site and the construction of three dwellings will clearly change its appearance although it should be noted that the site is relatively contained and is not widely visible from long distance views.

- 5.4 From High Street, parts of the dwellings may be glimpsed between some of the gaps between the existing houses but it is not considered that they will be so obvious so as to appear discordant. Instead, the most visible point will be from the junction of the existing access drive with High Street where Plot 1 will be partly visible from. However, it will be seen within the context of other dwellings and when taking account of the mixed pattern of development within the vicinity and also being mindful of the previous planning condition that sought to ensure a form of development compatible with the visual amenities of the locality, the appearance of the dwellings will be acceptable in this setting. In addition, the large concrete building that will be removed to make way for the access into the site will result in a positive improvement to the appearance of the area. The application therefore complies with Policies 1 and 2 of the JCS and Policies DM3.8 and DM4.5 of the SNLP.

### **Residential amenity**

- 5.5 Concerns have been raised about the prospect of overlooking from the dwellings, that the dwellings will be overbearing and the impact of the development on a neighbouring cattery business, including from vehicular movements. As part of the extant outline planning permission, a planning condition was imposed that requires the dwellings to be single storey only. The reason for this condition was to avoid potential overlooking of the dwellings that front High Street but also to assist in mitigating the potential impact on the surrounding landscape. The impact on the appearance of the surrounding area has been considered above. In respect of potential overlooking, consideration should be given to the following which are proposed for the first floor east/front elevations of the proposed dwellings:

Plot 1 - two rooflights serving bedrooms, one rooflight serving an en-suite and one rooflight serving a landing;

Plot 2 - three rooflights serving bedrooms; and,

Plot 3 - three rooflights serving bedrooms and one rooflight serving a landing.

For Units 1 and 3, the agent has provided a sectional drawing showing that the bottom cill of the rooflights in the front elevations will be 1.735m above floor level. This height is sufficient to avoid overlooking of the neighbours to the east.

For Unit 2, the rooflight for bedroom 1 will be largely obscured by the front projecting lounge element. One of the rooflights proposed for bedroom 2 extends to a glass panel in the wall. The rooflight will be 1.735m above floor level while the lower glass panel will be non-opening and in obscured glass. The second rooflight in bedroom 2 appears lower within the roof slope but it is nevertheless reasonable and necessary to impose a condition that requires the bottom cill height of this rooflight to be no less than 1.7m above finished floor level.

- 5.6 Taking account of the arrangement of rooflights and that potential impacts can be mitigated through the use of planning conditions, it is considered that this satisfactorily addresses the reasons for imposing the previous planning condition and will not result in direct intrusive overlooking of existing residential properties. As for the proposed dwellings, the position of rooflights and windows and the layout of the dwellings in relation to each other will result in adequate standards of amenity.
- 5.7 In terms of the massing of the dwellings, it is evident that they will be visible from the rear windows and gardens of numbers 20, 22, 24 and 26 High Street. However, the most forward part of the front elevations of the dwellings will be between approximately 34 metres and 42 metres from rear elevations of those properties on High Street and between approximately 10.4 metres and 11.8 metres from the rear boundaries of those properties. In view of these levels of separation, the proposed dwellings cannot be described as being so significantly overbearing so as to warrant refusal of the application.

- 5.8 The access drive will run to the rear of the same properties on High Street but it is considered that the frequency of vehicular movements generated by the dwellings will not lead to a significant degrees of disturbance to these properties and those three properties that already use the driveway to the north.
- 5.9 Overall, while noting that the application will result in impacts, the development will allow existing and future residents to be provided with a reasonable standard of amenity. The application therefore complies with Policy DM3.13 of the SNLP.

### **Highway safety and parking**

- 5.10 In its capacity as Highway Authority, Norfolk County Council has not objected to the application on the grounds of highway safety. Sufficient parking is also shown as being provided within the curtilage of each property. The application therefore complies with Policies DM3.11 and DM3.12 of the SNLP.

### **Accessibility of site**

- 5.11 The site is adjacent to the development boundary that has been defined for Wicklewood and has residential development adjoining it to the east and south. The village hall and recreation ground are on the High Street and within walking distance as is the public house at the southern end of the High Street. The primary school and church are a little further away to the southwest but still within realistic walking distance. Accordingly, the application complies with Policy 1 of the JCS and Policy DM3.10 insofar as they aim to reduce the need to travel.

### **Other matters**

- 5.12 The owner of Wicklewood Cattery has expressed concern about the impact of the development on her business during the construction phase and subsequent occupation of the development. The cattery is based in the rear-most section of the garden at 24 High Street. There may be some disruption during the construction phase of the development but given the quantum of development, it is considered that this will be relatively shortlived. When the dwellings are occupied, the frequency and number of vehicular movements to and from the site and daily residential activity at the front of each plot are not likely to be of such a scale that would be significantly disruptive.
- 5.13 A Preliminary Ecological Appraisal was submitted in support of the application. This identified the presence of Bee Orchids, the report identifies necessary mitigation and enhancement measures. These details can be secured via appropriately worded conditions.
- 5.14 Details of how surface water and foul water are to be discharged can be secured via appropriately worded planning conditions.
- 5.15 The extant outline planning permission was granted on the basis that the Council was unable to demonstrate that it had a five year housing supply at the time of that decision. To encourage that development to come forward quickly, it was subject to a reduced time limit condition that required the submission of reserved matters within one year and the development to begin within two years of the last reserved matters approval. To reflect the latter part of that condition, it is proposed that this application is subject to a condition that requires development to commence within two years.
- 5.16 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.
- 5.17 **This application is liable for Community Infrastructure Levy.**

## Conclusion

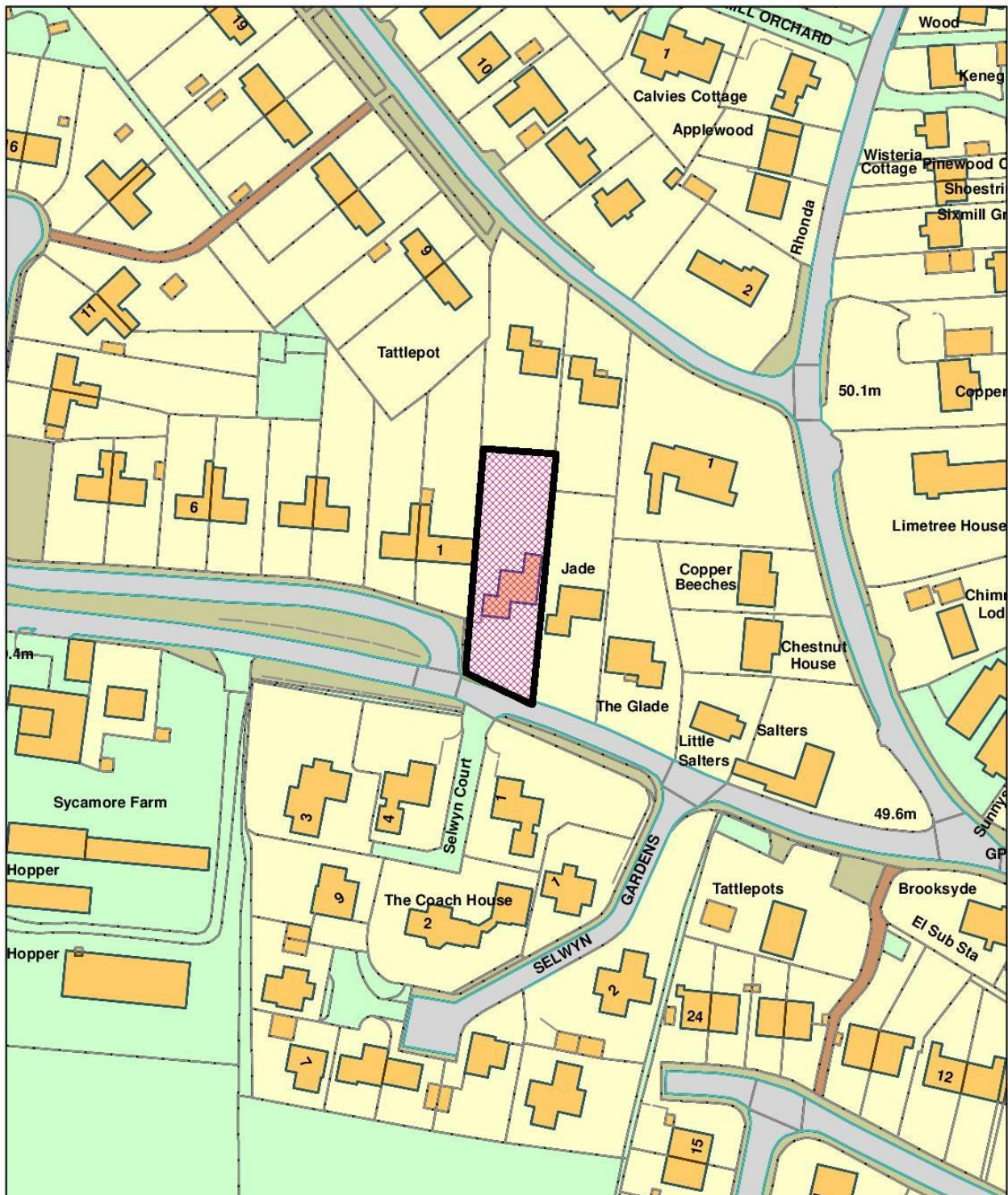
- 5.18 When having regard to those matters raised, it is considered that the application results in acceptable impacts on the appearance of the area, residential amenity and highway safety and complies with Policies 1 and 2 of the JCS and Policies DM3.8, DM3.10, DM3.11, DM3.12, DM3.13 and DM4.5 of the SNLP.

Recommendation : Approval with Conditions

- 1 Full planning permission reduced time limit (2 years)
- 2 In accordance with drawings
- 3 Materials and boundaries
- 4 Surface water
- 5 Foul water disposal
- 6 Bat and bird boxes
- 7 Ecological mitigation
- 8 Parking area
- 9 No additional first floor front windows
- 10 Lower panel of window in front of Unit 2 to be obscure glazed and non-opening
- 11 Rooflight in bedroom 2 above garage to be 1.7m above finished floor level
- 12 Water Efficiency

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2019/1048



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**8. Appl. No : 2019/1048/H**  
**Parish : PULHAM MARKET**

Applicant's Name: Mr & Miss Simon & Debbie Gotts & Storey  
 Site Address 3 Tattlepot Road Pulham Market Norfolk IP21 4TH  
 Proposal Demolition of existing garage and replace with two storey extension and front porch. Erection of detached garage

Reason for reporting to committee

The applicant is known to be a member, employee, or close relative of a member of South Norfolk Council.

Recommendation : Approval with Conditions  
 (Summary)

1. Proposal and site context

- 1.1 The existing dwelling is a detached two-storey house with an adjoining garage. The proposal involves the demolition of the existing garage, the erection in its place of a two-storey extension and a porch to the house, and the erection of a detached single-storey garage to the front.
- 1.2 The site is located within the development boundary of Pulham Market. The house is modern in design and construction, and adjacent houses are similarly modern. The site is located outside but in the setting of the Pulham Market conservation area.

2. Relevant planning history

- |     |           |   |          |
|-----|-----------|---|----------|
| 2.1 | 2016/0602 | Alterations and pitched roof to existing garden room. | Approved |
|-----|-----------|---|----------|

3. Planning Policies

3.1 National Planning Policy Framework (NPPF)

NPPF 02 : Achieving sustainable development  
 NPPF 12 : Achieving well-designed places  
 NPPF 16 : Conserving and enhancing the historic environment

3.2 Joint Core Strategy (JCS)

Policy 1 : Addressing climate change and protecting environmental assets  
 Policy 2 : Promoting good design

3.3 South Norfolk Local Plan Development Management Policies

DM1.4 : Environmental Quality and local distinctiveness  
 DM3.4 : Residential extensions and conversions within Settlements  
 DM3.8 : Design Principles applying to all development  
 DM3.11 : Road safety and the free flow of traffic  
 DM3.12 : Provision of vehicle parking  
 DM3.13 : Amenity, noise, quality of life  
 DM4.8 : Protection of Trees and Hedgerows  
 DM4.10 : Heritage Assets

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

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

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

**4. Consultations****4.1 Pulham Market Parish Council**

Support; agrees with the comments made by Highways that vehicles need to be able to re-enter the highway in forward gear.

**4.2 District Councillor**

To be updated if appropriate

**4.3 NCC Highways**

No objection; recommended a condition regarding satisfactory turning space for vehicles within the site so that vehicles can re-enter the highway in forward gear.

**4.4 Other Representations**

None

**5. Assessment****Key considerations and Principle**

- 5.1 The alteration and extension of the existing dwelling is acceptable in principle. As such the main considerations are design, impact on heritage assets, impact upon residential amenity and highway safety.

**Design and Heritage**

- 5.2 With reference to design and materials, it is considered that the proposed extension, porch and detached garage are appropriate in their scale, form and height, and are in-keeping with the existing dwelling and its surroundings. The use of cement fibre boarding and render is similar to that on either the existing dwelling or other dwellings in the near vicinity.
- 5.3 The Pulham Market Conservation Area includes Selwyn Court to the south of the site on the other side of Tattlepot Road, as well as the grade II listed building, Salters, located to the southeast of the site with the curtilages of the dwellings Jade and The Glade in-between. The proposed development is in the setting of both these heritage assets. It is not considered to be in the setting of The Coach House, a non-designated heritage asset, which is located within Selwyn Court.



- 5.4 The two-storey extension would be visible from the approach into the village from the west, along Julians Way or Tattlepot Road, and from the site frontage on Tattlepot Road, however it is considered that the appearance would not be prominent or incongruous due to its height, scale, form and materials together with its position set back from the road and with some intervening screening by trees and bushes.
- 5.5 The proposed detached garage is single-storey and with a four-slope, or pyramidal, roof form. The height proposed is 2.6 metres to the eaves and 4.7 metres to the apex. Although set forward of the house, by virtue of its height and roof form, together with the existing screening by trees and bushes to the west on the adjacent site boundary, and degree of setback from the carriageway, it is considered that the proposed garage would not appear prominent on the street scene, in particular being largely imperceptible on the approach into the village.
- 5.6 The garage would be most apparent viewed from the south and southeast, and would be viewed in context of the existing modern houses at 3 Tattlepot Road, Jade and The Glade. The garage would be set back approximately mid-distance between the house and the highway, with the garage door facing east and not directly towards the road. The existing three modern houses have pronounced garage doors facing the road and a jagged building line – it is noted that the proposed garage would be set behind the house at The Glade. It is considered that the proposed garage will not appear incongruous in this setting.
- 5.7 Further, it is considered by officers that the proposed roof form is preferable to possible dual-pitch or flat alternatives. A dual-pitch roof would increase its prominence on the street scene and a flat roof would not be considered acceptable in design for a detached building of this scale.
- 5.8 Section 16 of the NPPF and policy DM4.10 of the Local Plan requires local planning authorities to assess the impact of any development on the significance of heritage assets and sections 16 and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that local planning authorities must 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. This application would involve development within the setting of a grade II listed building, Salters, which is located to the southeast of the site. Taking into consideration the significance of the listed building and its setting, the proposal would not have a detrimental impact on the significance of the listed building and its setting would be preserved by virtue of the reasoning provided in the above paragraphs. As such, it is considered that the proposal does accord with section 16 of the NPPF, policy DM4.10 of the Local Plan and sections 16 and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.
- 5.9 The impact on conservation areas requires consideration under the development management policies and S72 Listed Buildings Act 1990 requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of conservation areas. It is considered that the character and appearance of the Pulham Market conservation area would be preserved for the reasoning provided in the above paragraphs. As such, it is considered that the proposal does accord with section 16 of the NPPF and policy DM4.10 of the Local Plan. Equally in consideration of the Council's duties under the Act it is considered that for the reasons set out above that the proposal would not adversely affect the conservation area.
- 5.10 It is therefore considered that the proposal is in accordance with policies DM1.4, DM3.4, DM3.8 and DM4.10 of the Local Plan.

**Residential amenity**

- 5.11 The house is significantly set forward of the neighbouring two-storey dwellinghouse to the west at 1 Julians Way, which has no fenestration on its side elevation. The two-storey extension would be adjacent to the front garden of the house at 1 Julians Way and, together with the size, heights and position of proposed fenestration, it is considered that it would not have an adverse impact on privacy, daylight, direct sunlight or outlook to the occupants of 1 Julians Way. The main private amenity space for 1 Julians Way is to the rear of that house.
- 5.12 The garage building would be positioned adjacent to the carriageway of Julians Ways and is single-storey, resulting in no discernible impact on neighbouring amenity.
- 5.13 The other neighbouring dwellings would not be discernibly impacted by the proposed development by virtue of distance and intervening buildings, means of enclosure and trees.
- 5.14 Adequate private amenity space would be retained at 3 Tattlepot Road.
- 5.15 Therefore, the proposal is considered to be acceptable with regards to impact upon residential amenity, and accords with policies DM3.4 and DM3.13 of the Local Plan.

**Highway safety**

- 5.16 The proposed enlargement of the dwelling would result in a total of four bedrooms. The recommended number of parking spaces is three and the existing and proposed site layout accommodates this number with sufficient space for the turning of vehicles within the site.
- 5.17 The Highways Authority has assessed the proposal and raised no objections. A condition was recommended by the Highways officer requiring the provision and retention of sufficient space for the turning of vehicles within the site, so that they may re-enter the highway in forward gear. This condition was also considered to be required by the parish council.
- 5.18 Officers consider that this condition is reasonable and necessary, and with this condition the application is in accordance with policies DM3.11 and DM3.12 of the Local Plan concerning highway safety and parking provision.

**Other issues**

- 5.19 The impact on surrounding trees, including those covered by a Tree Preservation Order at Selwyn Court, has been considered. Due to the distance of the works to the trees, it is considered that there would be no adverse impact on trees, and that it is not necessary for any further detail required to be submitted or a condition imposed in this regard. The proposal is considered to be in accordance with policy DM4.8 of the Local Plan.
- 5.20 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.
- 5.21 **This application is not liable for Community Infrastructure Levy (CIL).**

Conclusion

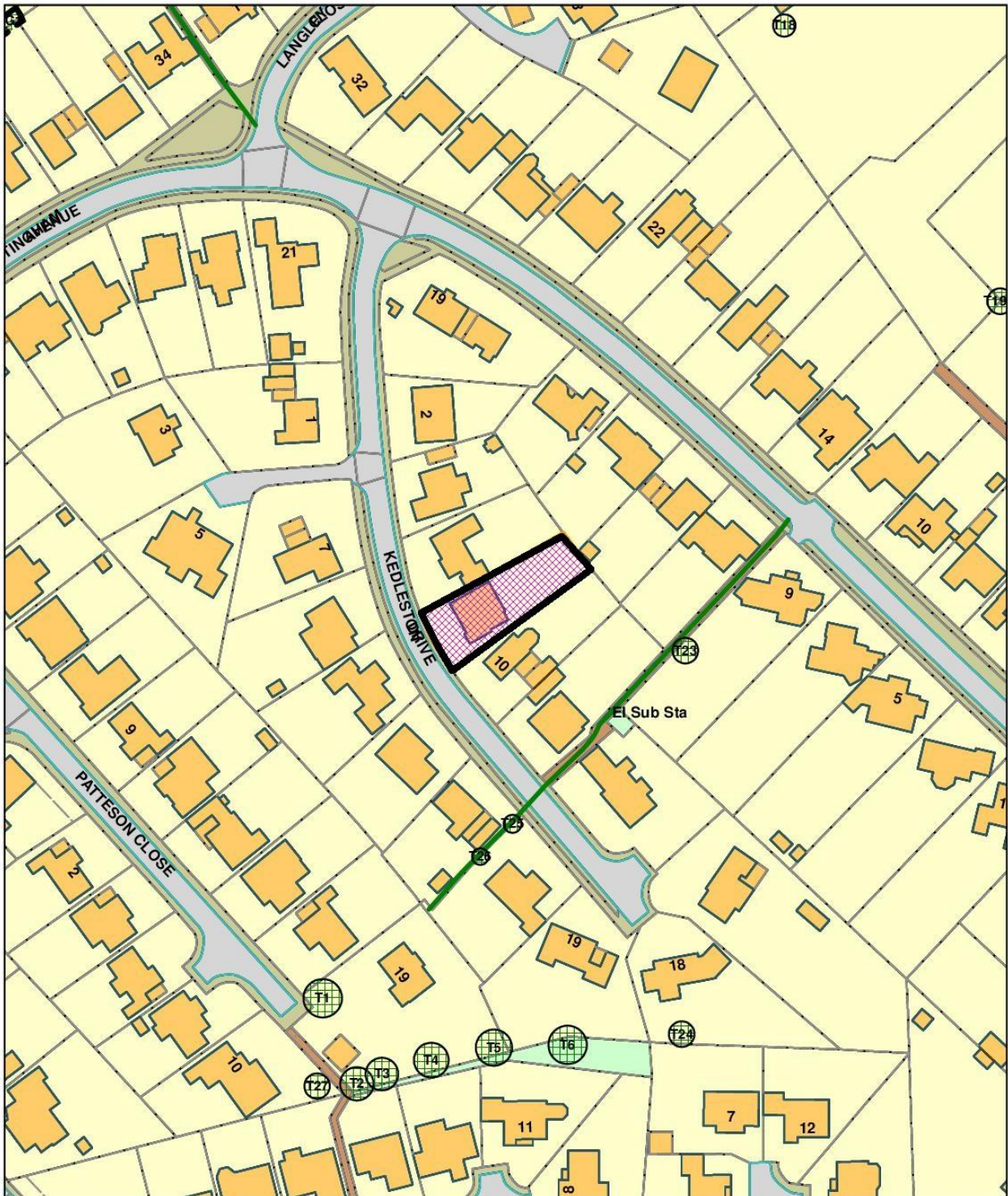
- 5.22 The proposal is in accordance with the relevant policies of the development plan referred to in this report, and is therefore recommended for approval with the standard conditions together with the condition considered necessary for highway safety.

Recommendation : Approval with Conditions

- 1 Full Planning permission time limit
- 2 In accord with submitted drawings
- 3 Provision of parking, service

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2019/1056



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**9. Application No: 2019/1056/H**  
**Parish: CRINGLEFORD**

Applicant's Name: Mr & Mrs Scowen  
 Site Address 8 Kedleston Drive, Cringleford, NR4 6XN  
 Proposal Proposed alterations of existing dwelling to two storey dwelling.  
 Replace roof on garage to tiled pitched roof. Works to driveway including dropped kerb.

Reason for reporting to committee

The applicant is known to be a close relative of an employee of Broadland District Council.

Recommendation : Approval with conditions  
 (Summary)

1 Proposal and site context

- 1.1 The property is a detached chalet-style dwelling positioned gable end onto the highway.
- 1.2 The street scene is a mix of one and a half and two storey dwellings. Immediate neighbouring properties to the site are two storey dwellings with the roof ridges running parallel to the road. The property to the south also has a gable element visible in the street scene.
- 1.3 The proposal is to raise the eaves height of the dwelling to form a second storey, replace the flat roof on the garage with a pitched roof, increase the width of the existing driveway, and provide a new driveway and a new dropped kerb. The overall height of the dwelling will raise by approximately 1 metre.

2. Relevant planning history

- 2.1 No relevant history.

3 Planning Policies

- 3.1 National Planning Policy Framework (NPPF)  
NPPF 12: Achieving well-designed places
- 3.2 Joint Core Strategy (JCS)  
Policy 2: Promoting good design
- 3.3 South Norfolk Local Plan (SNLP) Development Management Policies Document  
DM3.4 : Residential extensions and conversions within Settlements  
DM3.8: Design Principles applying to all development  
DM3.11: Road safety and free flow of traffic  
DM3.12: Provision of vehicle parking  
DM3.13: Amenity, noise, quality of life
- 3.4 Cringleford Neighbourhood Plan  
No relevant policies

4. Consultations

- 4.1 Cringleford Parish Council

No objection

## 4.2 District Councillor

No comments received

## 4.3 NCC Highways

If minded to approve, include a planning condition relating to the construction of the new access.

## 4.4 Other Representations

1 letter of objection received setting out concerns with regard to loss of privacy and increase in shadowing of first floor windows. Subsequent to this, a further letter was received withdrawing these concerns following further examination of the plans.

5 Assessment**Key considerations**

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

**Principle**

- 5.2 The site is within the development boundary that has been defined for Cringleford where the principle of extending dwellings is acceptable subject to compliance with Policy DM3.4 of the SNLP.

**Layout and design**

- 5.3 Policy 2 of the JCS and Policies DM3.4(a) and DM3.8 of the SNLP require a high quality of design. The proposed extension will change the character of the dwelling by raising the eaves and overall height. The street scene however is a mix of design types and it is considered that the alterations are of a quality of design that maintains the character and appearance of the original building, street scene and surrounding area.

**Impact on residential amenity**

- 5.4 Policies DM3.4(b) and DM3.13 direct that development should not be approved if it would have a significant adverse impact on nearby residential amenities.
- 5.5 The existing dwelling two dormer windows in the side elevations facing the neighbours. The window in the north elevation serves a bathroom with the window on the south elevation serving a bedroom. The proposed extension will bring the windows closer to the neighbouring properties however they remain a bathroom and bedroom window with the bathroom window being reduced in size. The neighbour to the north raised concerns regarding the impact of the bathroom window but has since withdrawn their objection. All the windows on the north elevation are proposed to be obscured and a condition has been placed on the decision notice to this affect.
- 5.6 The height of the dwelling will increase by approximately 1 metre. Although this height increase and the raising of the eaves height will increase the shadowing on the neighbouring property to the north, this is not considered significant enough to warrant refusing the application.

**Highways**

- 5.7 The proposal involves the widening of the existing driveway and a new driveway including dropping the existing kerb. The Highways Officer has been consulted regarding the proposed works and has no objection subject to a condition concerning the construction of the access meeting highway specifications. The proposal therefore accords with Policies DM3.3(d), DM3.11 and DM3.12 of the South Norfolk Local Plan.

**Other matters**

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

- 5.9 **This application is not liable for Community Infrastructure Levy.**

**Conclusion**

- 5.10 The appearance of the works proposed by this application is in keeping with the street scene and surrounding area and will not have a significant impact on the residential amenity of the neighbouring occupiers. As such the proposal accords with the criteria set out in Policy 2 of the Joint Core Strategy and Policies DM3.4, DM3.8, DM3.11, DM3.12 and DM3.13 of the SNLP.

Recommendation: Approval with conditions

- 1 Full planning permission time limit
- 2 In accordance with submitted drawings
- 3 Vehicular access
- 4 Windows to be obscure glazed

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**ENFORCEMENT PROCEEDINGS – PROGRESS REPORT**  
**Report of the Director of Place**

This report schedules progress on outstanding enforcement cases

<b>LOCATION</b>	<b>ALLEGED BREACH</b>	<b>DATE OF COMMITTEE AUTHORITY</b>	<b>ACTION TAKEN</b>
<b>DICKLEBURGH</b> 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
<b>CARLETON RODE</b> 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
<b>CARLETON RODE</b> 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
<b>CROWNTHORPE</b> Land adjacent to The Drift Crownthorpe Rd 2011/8025	Formation of Access	16.11.2011	Compliance achieved, no further action required
<b>WYMONDHAM</b> Copper Beeches Crownthorpe Road 2015/8005	Standing of residential mobile home	22.07.2015	Compliance achieved, mobile home removed, no further action required

LOCATION	ALLEGED BREACH	DATE OF COMMITTEE AUTHORITY	ACTION TAKEN
<b>HETHERSETT</b> Grove Farm 38 Grove Road 2017/8234	Change of use of land from agriculture and horticulture to land used for agriculture, horticulture and for the standing and storage of caravans	16/05/2018 Delegated authority	Enforcement Notice not complied with Further prosecution for non-compliance currently ongoing
<b>STARSTON</b> 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
<b>WICKLEWOOD</b> 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
<b>BRANDON PARVA</b> 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 Prosecution commenced for non-compliance

## Enforcement Statistics

	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019 (as of 10.07.19)
No. of complaints	439	370	349	324	309	347	321	332	319	353	336	142
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  
10.07.2019

**Planning Appeals****Appeals received from 13 June 2019 to 11 July 2019**

<b>Ref</b>	<b>Parish / Site</b>	<b>Appellant</b>	<b>Proposal</b>	<b>Decision Maker</b>	<b>Final Decision</b>
2018/2359	Ashwellthorpe and Fundenhall Disabled Motoring UK Ashwellthorpe Hall The Street Ashwellthorpe Norfolk	Mr J Kudhail	Erection of seven retirement properties (following demolition of B1 offices) with private and shared amenity, parking & turning.	Development Management Committee	Refusal
2018/2383	Morley Brook Cottage Deopham Road Morley St Botolph NR18 9AA	Mr Max Barnes	Erection of two storey dwelling	Delegated	Refusal
2018/2259	Bunwell Land to the rear of Hillcrest Bunwell Hill Bunwell Norfolk	Ms Carolyn Larkin	New self build house.	Delegated	Refusal
2018/1944	Fornsett Land at Tawny Farm Station Road Fornsett St Peter Norfolk	Mr Harry Bowers	Proposed erection of 3no detached two storey dormer style dwellings with garages	Delegated	Refusal
2018/2212	Poringland Sub Division of Garden at 37 Stoke Road Poringland Norfolk	Mr Alan Wright	Sub-division of garden to form residential building plot	Delegated	Refusal

<b>Ref</b>	<b>Parish / Site</b>	<b>Appellant</b>	<b>Proposal</b>	<b>Decision Maker</b>	<b>Final Decision</b>
2019/0126	Stoke Holy Cross Land to the rear of 9 Poringland Road Stoke Holy Cross Norfolk	Mr Sean Chambers	Erection of new bungalow and creation of new vehicular access.	Delegated	Refusal
2018/2427	Wicklewood Land adj to The Drift Crownthorpe Road Crownthorpe Norfolk	Mr J Cole	Convert Existing Workshop to Residential Unit	Delegated	Refusal
2018/2841	Ketteringham Land to the east of 5 High Street Ketteringham Norfolk	Mr D Austin	Erection of 1 dwelling with associated parking and landscaping	Delegated	Refusal

## Planning Appeals

### Appeals decisions from 13 June 2019 to 11 July 2019

<b>Ref</b>	<b>Parish / Site</b>	<b>Appellant</b>	<b>Proposal</b>	<b>Decision Maker</b>	<b>Final Decision</b>	<b>Appeal Decision</b>
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	Appeal Allowed

<b>Ref</b>	<b>Parish / Site</b>	<b>Appellant</b>	<b>Proposal</b>	<b>Decision Maker</b>	<b>Final Decision</b>	<b>Appeal Decision</b>
2018/0974	Diss Grove House Mount Street Diss IP22 4QQ	Mr & Mrs R Bartram	Part demolition of existing boundary wall. New access including new garden walls and gates, erection of new cart lodge building	Delegated	Refusal	Appeal Allowed
2018/0975	Diss Grove House Mount Street Diss IP22 4QQ	Mr & Mrs R Bartram	Part demolition of existing boundary wall. New access including new garden walls and gates.	Delegated	Refusal	Appeal Allowed
2018/2697	Burston and Shimpling 2 Station Road Burston Norfolk IP22 5UA	Mr & Mrs Garry Armour	Two storey side extension	Delegated	Refusal	Appeal dismissed