

# Development Management Committee

## Members of the Development Management Committee:

### Conservatives      Liberal Democrat

Mr V Thomson      Mr T Laidlaw  
(Chairman)  
Mrs L Neal  
(Vice Chairman)  
Mr D Bills  
Mr G Minshull

## PUBLIC ATTENDANCE

This meeting will be live streamed for public viewing via the following link: <https://www.youtube.com/channel/UCZciRgwo84-iPyRlmsTCIng>.

## PUBLIC SPEAKING

You may register to speak by emailing us at [democracy@s-norfolk.gov.uk](mailto:democracy@s-norfolk.gov.uk), no later than 3.00pm on Monday, 10 August 2020.

## Agenda

### Date

Thursday 13 August 2020

### Time

10.00 am

### Place

**To be hosted remotely at**

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

### Contact

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Website: [www.south-norfolk.gov.uk](http://www.south-norfolk.gov.uk)

**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.

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**

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

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

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

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

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

#### **THEREFORE, we will:**

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

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

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

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

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

## **A G E N D A**

- 1. To report apologies for absence and identify substitute voting members (if any);**
- 2. To deal with any items of business the Chairman decides should be considered as matters of urgency pursuant to Section 100B (4) (b) of the Local Government Act, 1972;** [Urgent business may only be taken if, "by reason of special circumstances" (which will be recorded in the minutes), the Chairman of the meeting is of the opinion that the item should be considered as a matter of urgency.]
- 3. To receive Declarations of Interest from Members;**  
(Please see flowchart and guidance attached, page 6)
- 4. Minutes of the Meeting of the Development Management Committee held on Wednesday, 29 July 2020;** (attached – page 8)
- 5. Planning Applications and Other Development Control Matters;** (attached – page 12)  
To consider the items as listed below:

Item No.	Planning Ref No.	Parish	Site Address	Page No.
1	2019/1583/F	WRENINGHAM	Land adjacent to Wreningham Village Hall, Mill Lane, Wreningham	12

- 6. Sites Sub-Committee;**  
Please note that the Sub-Committee will only meet if a site visit is agreed by the Committee with the date and membership to be confirmed.
- 7. Planning Appeals (for information);** (attached – page 24)
- 8. Date of next scheduled meeting – Wednesday, 26 August 2020**

## 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.

**MICROPHONES:** The Chairman will invite you to speak. An officer will ensure that you are no longer on mute so that the Committee can hear you speak.

**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.

## PLANNING APPLICATIONS AND OTHER DEVELOPMENT CONTROL MATTERS

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

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

### Key to abbreviations used in Recommendations

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



## DECLARATIONS OF INTEREST AT MEETINGS

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

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

Does the interest directly:

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

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

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

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

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

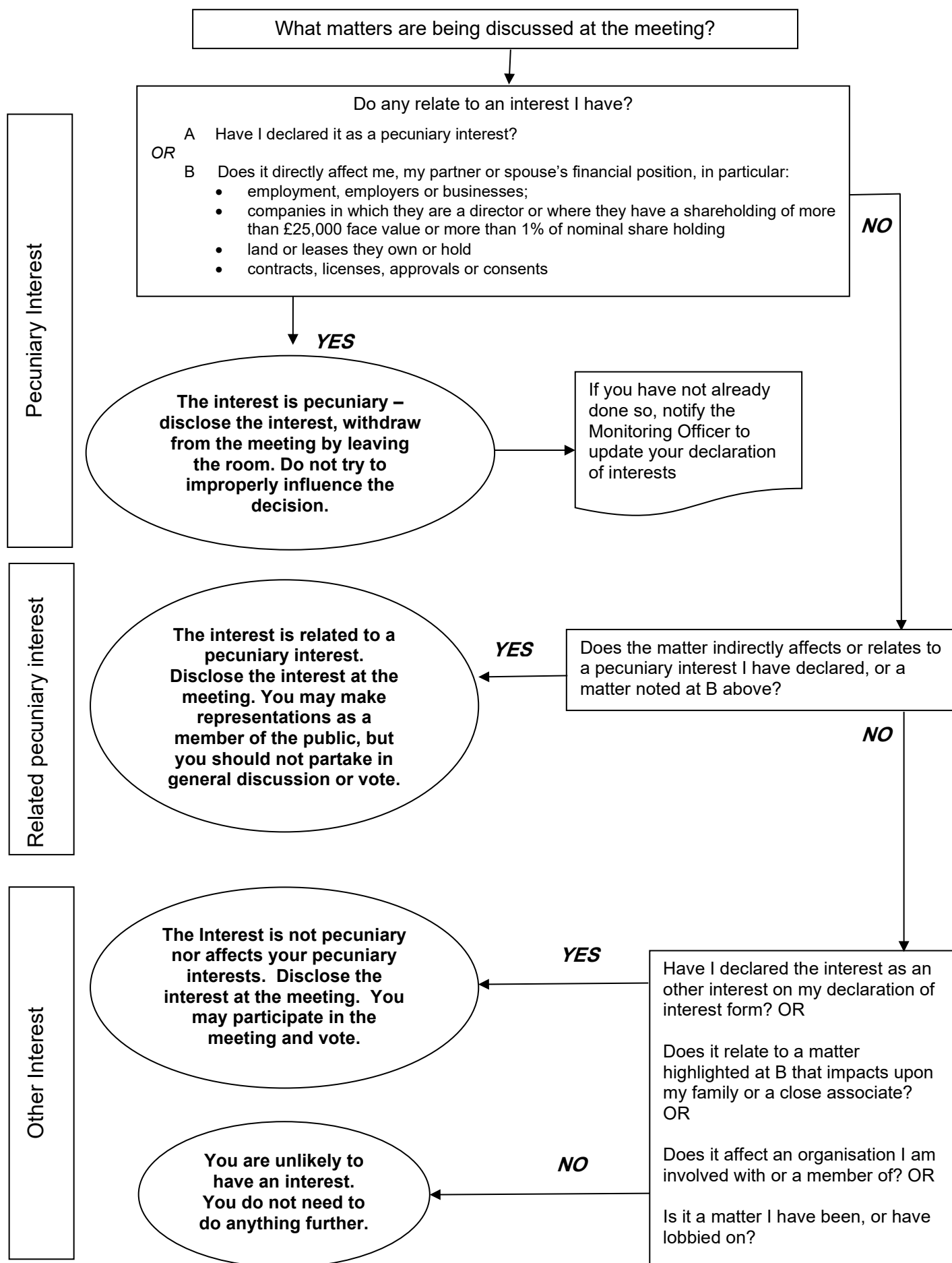
Is the interest not related to any of the above? If so, it is likely to be an other interest. You will need to declare the interest, but may participate in discussion and voting on the item.

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

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

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

## DECLARING INTERESTS FLOWCHART – QUESTIONS TO ASK YOURSELF





## DEVELOPMENT MANAGEMENT COMMITTEE

**Minutes of a meeting of the Development Management Committee of South Norfolk District Council held remotely on Wednesday, 29 July 2020 at 10.00 am.**

**Committee Members Present:** **Councillors:** V Thomson (Chairman), D Bills, T Laidlaw and G Minshull

**Apologies:** **Councillor:** L Neal

**Substitute Members:** **Councillor:** F Ellis for L Neal

**Officers in Attendance:** The Assistant Director, Planning (H Mellors), The Development Manager (T Lincoln) and the Principal Planning Officer (G Beaumont)

### 508. 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
2020/1006/F (item 1)	KIRBY CANE	All	Local Planning Code of Practice Lobbied by the Agent to the Applicant
		All	Local Planning Code of Practice Lobbied by Local Member Cllr C Brown

### 509. MINUTES

The minutes of the Development Management Committee meeting dated 16 July 2020 were confirmed as a correct record and signed by the Chairman.

### 510. 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 application listed below.

APPLICATION	PARISH	SPEAKERS
2020/1006/F (item 1)	KIRBY KANE	M Skipper– Parish Council J Putman – Agent to the Applicant

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

#### **511. PLANNING APPEALS**

The Committee noted the planning appeals.

(The meeting closed at 10.55am)

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Chairman

**Updates for DEVELOPMENT MANAGEMENT COMMITTEE**  
**– 29 July 2020**

<b>Item</b>	<b>Updates</b>	<b>Page No</b>
Item 1	Verbal update given by officers at the meeting: Letter of support received from a resident from Colchester	14

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**                 :     **2020/1006/F**  
        **Parish**                 :     **KIRBY KANE**  
  
        Applicant's Name     :     Mr J Holly & Mr R Putman  
        Site Address         :     Wardley Hill Campsite Wardley Hill Road Kirby Kane NR35 2PQ  
        Proposal             :     Proposed campsite service building with warden's accommodation  
                                       and extension of campsite total area to south boundary.  
  
        Decision             :     Members voted 4-1 for **Refusal**  
  
                                       Refused  
  
                                       1 No Functional Need  
                                       2 Encroachment of built form into the Countryside



1.     **Application No:**         **2019/1583/F**  
       **Parish:**               **WRENINGHAM**

Applicant's Name:     Miss Naomi Todd  
Site Address           Land adjacent to Wreningham Village Hall, Mill Lane, Wreningham  
Proposal               1   Extension to day room to form study and sitting room;  
                             2   Addition of concrete pad;  
                             3   Addition of lean-to shelter to northeast elevation of existing day  
                                      room (facing Mill Lane).

Reason for reporting to Committee

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

Recommendation summary: Approval with conditions

1     Proposal and site context

- 1.1    This application seeks planning permission to extend an existing day room at a traveller site, to provide an additional concrete pad and to construct a lean-to shelter to the existing day room. The site is occupied by one traveller family and the day room was granted planning permission at Development Management Committee in February 2019. At present, the site comprises a day room in the eastern corner of the site with an area of concrete hardstanding immediately to the south that provides space for two touring caravans. The day room accommodates a bathroom and an open plan dining, living, kitchen and utility room.
- 1.2    This application was due to be considered by Members in December 2019 but was withdrawn from the agenda prior to the meeting. Since then, work started (then ceased) on the extension, this is about eight courses of bricks up from the ground. The hardstanding has also been laid.
- 1.3    The application proposes to construct a link under the canopy of the existing day room to provide a new living room and study to the south, resulting in an L-shaped building. The extension will be built on part of the original concrete pad that was permitted in 2019 and to compensate for the loss of this, the application proposes to extend the concrete pad to the west. The lean-to shelter is proposed for the northeast elevation facing Mill Lane to provide storage for the applicant's garden equipment.
- 1.4    The site is located to the southeast of Wreningham Village Hall on the southwestern side of Mill Lane outside of the development boundary that has been defined for the village. It is accessed via 1.8m high wooden gates at the northern end of the front/northeast boundary and with the exception of those items referred to above, it comprises tarmac chippings, a play house, two touring caravans and a package treatment plant. The meadow to the south is outside of the application site but is owned by the applicant.
- 1.5    Boundary treatments include trees and a mature hedge along the front/northeast and side/east boundaries. The northwest boundary with the village hall has been planted with laurel. Ditches run along part of the side boundaries of site and continue to run alongside the applicant's meadow to the south. Ground levels slope very slightly across the site and levels are below those of the village hall car park to the northwest.
- 1.6    Neighbouring properties comprise the applicant's own meadow to the south, agricultural land to the east, woodland to the southwest (a County Wildlife Site) and Wreningham Village Hall and its car park to the northwest.

## 2. Relevant planning history

2.1	2017/1979	Change of use to paddock and erection of stable	Approved
2.2	2017/2831	Change of use to paddock and erection of stable (revised)	Approved
2.3	2018/1658	The change of use of land to a residential Traveller Site for one family, involving the retention of one stable building for use as a dayroom, the standing of 2 touring caravans on 2 concrete pads, the installation of 2 outdoor security lights, a sewage treatment plant, a children's play house, and post and rail fencing.	Approved
2.4	2019/1131	Application to discharge conditions 6 - Ecology enhancements and 7 - lighting scheme of planning permission 2018/1658	Approved

## 3 Planning Policies

- 3.1 National Planning Policy Framework (NPPF)  
NPPF 02 : Achieving sustainable development  
NPPF 04 : Decision-making  
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
- 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  
DM3.3 : Gypsy and Traveller sites  
DM3.8 : Design principles applying to all development  
DM3.12 : Provision of vehicle parking  
DM3.13 : Amenity, noise, quality of life  
DM4.2 : Sustainable drainage and water management  
DM4.5 : Landscape Character Areas and River Valleys  
DM4.8 : Protection of trees and hedgerows

## 4. Consultations

- 4.1 Wreningham Parish Council

### Comments on originally submitted plans:

Objects.

This application is for further development on land beyond the building line for the village.

The application documentation is very basic and requires special attention to work out exactly what is being asked for. This creates a confusion about intent and provides a fuzziness which permits implementation interpretations and in which boundaries can be pushed. SNC has not required the clarity of presentation with full dimensions, materials, description, etc. that it receives/expects in other applications. This is illustrated by the differences in plan layout with the approved plan from application 2018/1658. There the concrete pads are set at an angle to the stable/day-room in this application they are parallel and possibly closer reflection of the built reality compared to the agreed application. The application is also incomplete it does not mention the hallway nor details its construction characteristics and how it links between the concrete pads and stable/day-room.

There is no analysis or consideration of the additional impact of the further development of this site with additional buildings and concrete pads e.g. flood/water survey, ecological survey.

Ms Todd's email states she wants a further expansion in accommodation for a family of four who are growing - not enough room. However, there is approved and existing provision for a mobile home and a caravan. The mobile home has not been on site for some time. Part of Ms Todd's argument to support application 2018/1658 was that she could not live within brick buildings. This application is contrary to that preference. We consider that the case has not been made for additional accommodation, especially as current approved accommodation (mobile home) is not being taken up/used.

The link corridor is described as a hallway. This provides an insight into the intentions for the future development of this site.

The connection of the extra accommodation to the existing stable/day-room creates a "U" shaped, fully roofed, permanent structure and incorporates the concrete pads into the whole. This is certainly out with the intention of the permission granted to the previous application.

The Parish Council does not accept that the status of the applicant as a traveller has been proven and there appears to be no evidence of traveller status.

This application is creeping development – from meadow land, to stable, to day-room, to traveller site – four applications, now a fifth to increase accommodation provision - each building on its predecessor to gather wider permissions which would not have been received if presented as a single step.

#### Comments on amended plans:

The Parish Council's comments on the original application are still relevant to this application and have not been addressed and the applicant is not compliant with the conditions imposed in previous applications.

The Parish Council has engaged with its parishioners to establish their views on this and previous planning applications for this site. They remain consistent and unanimous in their opposition to the site being developed and are completely bemused by the continual approval by South Norfolk of each application received. Residents have presented South Norfolk with evidence, observations and comments which establish a strong case that this is a carefully orchestrated development of the site from a greenfield to permanent living accommodation. It is circumventing the normal planning regime of inspection, regulation and conditions that would be applied if the whole series of applications in this development had been presented as a single application.

Therefore we oppose this latest application and urge South Norfolk to reject it on the grounds that it is unnecessary. The last application delivered the clearly stated expectations and requirements of the applicant.

The net effect of the application is to create a much larger base of total accommodation for a site which already had planning permission for sufficient accommodation for the applicant and her family.

The Planning Officer stated in his email that *“In determining the [previous] application, the Council was satisfied that the application demonstrated an intention to lead a nomadic habit of life and this was carried forward to condition 2 of the planning permission, which requires occupiers of the site to meet the definition of Gypsies and Travellers as set out in Annex 1 of the Planning Policy for Traveller Site 2015.”*

This application for additional built accommodation ignores:

- that the previous approval exactly met the stated needs of the applicant and family
- that the applicant is demonstrating an intention to avoid the nomadic life – which was pivotal in condition 2 of the previous planning decision – by settling in new, larger and more permanent building(s).

The Planning Officer, in emails to the applicant, is using SNC planning decision precedent to guide the applicant towards an acceptable application and hence implies that this application, being of the same type and scale, would consequently obtain approval. SNC planning officers are keen to emphasise that precedent is not a consideration and that all applications are assessed on the basis of their individual merits. So, any guidance based on matching precedent should be removed from this process completely.

The applicant has not provided the additional information requested. The “revised site plan” is identical to the originally submitted site plan. The applicant was asked to submit a substantially revised plan which demonstrated a reduced requirement for additional space – the amended “elevation drawings” show a slight change from 50sq m to 45 sq m falls short of the planning officer's suggested 33/34 sq m.

The hallway – without dimensions, and apparently glazed to sides and roofed over – must be included in the measurements of overall floor space being applied for. From the elevation diagram, this appears to have a floor area of 6.75 sq. m.

The application drawings and documents are deficient in several aspects.

There is no further assessment of the additional flood risk presented by this application. This is an important aspect which drew critical comment from SNC's Water Management Officer in the previous applications.

#### Comments following addition of lean-to shelter:

This redrawn “plan” is more than an amendment. This is a completely new situation. The site is being further developed on the back of a roughly drawn sketch purporting to present a lean-to. In fact this sketch is becoming quite complex and without supporting documentation. The sketch includes items which are not explained, not described, not itemised, not documented and are outright misleading.

To rely on an inaccurate sketch when considering the application is neither sustainable nor is it fair to other applicants who are expected to present a much higher standard of documentation, description, accuracy and openness. Further, it is unfair to consultees, as they cannot make fully informed comments and observations without the information necessary to help them do so. SNC is being remiss in its duty to all parties

by not requiring adherence to sufficient standards in such applications to enable informed decision making.

As with earlier applications the applicant continues to ignore requests for reports, information and documents; SNC supports this evasion by failing to insist that such requests are satisfied.

The word "stable" is evident on the west side. There are no supporting details, explanation or argument for it. Indeed the revised plan has retained this word – so it is not a mistake. SNC cannot accept the appearance of the word “stable” on a plan without challenge. One could just as well write “house” – would SNC accept without question any application with the word “house” randomly assigned across a plan plus no explanation?

The area between the existing stable building and the concrete pad has been enclosed and marked "concrete" - no description or explanation or rationale. In an earlier approval the applicant was required to maintain a gap between the concrete pads and the stable/day room. This compromises that requirement by allowing the repositioning of caravans closer to the building. In the first plan this area was a very lightly drawn aspect which could be missed – and indeed it was overlooked by the planners until a resident raised the question. The subsequent plan had it drawn in more visibly but still without explanation, dimensions, specification or planned use.

The lean-to at 2m deep will sit in the hedgerow. The sketch has a scale which does not reflect the realities on the ground. Then there is yet more concrete being laid on the site. Surely this will have an environmental impact? Before long the whole site will be covered in concrete and hardcore. The gap between the building and the road is scaled as being nearly 5m – it is considerably less than that. The wall of wood adjacent/within/over the hedge presents a damaging aspect to the rural nature of the lane. Even here the height is uncertain – 2m where it meets the building or 2m by the hedge? If the latter then the sloping roof will add to the visual intrusion over the hedge as viewed from the roadside. A previous condition stipulated all hedges and trees must be protected in the interests of the rural nature of Mill Lane and rooves not be visible from the road.

The reality of the "playhouse" with its veranda is not sufficiently described by a square marked "full size" (what does that mean??) on the sketch. This also has not been questioned by SNC. Social media postings show this to be much more than a playhouse.

SNC must:

- Reject this application and request that fully detailed plans be submitted for the whole site - too much is being based on a complex and poorly detailed sketch. Public engagement and comment cannot be supported with this very low level of information
- Apply a condition to the planning to protect the hedgerow from incursion or damage. This is both a visual impact and a threat to continued well-being of the hedgerow. The hedgerows on Mill Lane are a valuable asset to the village.
- Require that the extended concrete between the pad and the stable is separately declared, described and not "slipped in" whilst no-one is looking.
- Require the "STABLE" to the West of the site be removed from the plans (as one hopes they will be when properly drawn and presented).
- Ensure that previous approval conditions are complied with: use of site lighting (still not met); restrictions on overnight accommodation; placing of caravans; etc.
- Apply the standards it expects of other applicants, such that it and consultees have sufficient information to inform their judgements and comments. Dimensionless or dimension-light plans cannot be acceptable.

#### 4.2 District Councillors

##### Comments on originally submitted plans:

Cllr Francis: delegated decision

Cllr Legg: To be determined by Committee. Need to establish the principle of the extra accommodation on a single residential plot and to address the concerns of many local residents.

##### Comments on amended plans:

Cllr Legg: My previous recommendation that the application should be referred to the DMC for determination still apply. The plans currently submitted lack any detail in terms of design or location. There is considerable local concern about the proposals as evidenced by the many submissions on the website.

##### Comments following addition of lean-to shelter:

Cllr Francis: This should be determined by Committee due to the history of the site.

#### 4.3 UK Power Networks

Whilst we have no objection to register against the application the proposed development appears to be in close proximity to a UK Power Networks' high voltage overhead line and it is essential that the applicant seeks guidance with regards to compliance with 'Health & Safety Executive Guidance Document GS6 - Avoidance of Danger from Overhead Electric Lines'.

#### 4.4 SNC Water Management Officer

The site and the location of the proposed development to be on a surface water flood flow path with a low risk (0.1% annual probability) of flooding. Depths are indicated as below 0.3m. The Planning Practice Guidance (PPG) advises that other forms of flooding should be treated consistently with river flooding in mapping and assessing vulnerability and to apply the sequential approach across all flood zones.

Where possible ground floor levels should be a minimum of 300mm above the estimated flood level. Maximum flood level is identified as 0.3m, therefore finished floor levels should be a minimum of 0.6m above ground level. If it is not possible to raise floor levels above the estimated flood level, additional flood resistance and resilience measures will need to be considered.

Planning Guidance advises that the assessment should "demonstrate that the development will be safe for its lifetime taking account of the vulnerability of its users by showing that appropriate evacuation and flood response procedures are in place to manage the residual risk associated with an extreme flood. Access considerations should include the voluntary and free movement of people during a "design flood" (the 1 in 100 year event including climate change (or the surface water low risk event)).

Access routes should allow occupants to safely access and exit the development in design flood conditions including climate change. An Emergency Flood & Evacuation

Plan should be developed to meet the needs of occupiers and users of the proposed development. Safe refuge may be available within the building or other accommodation on the site where floor levels are above 0.3m.

You may wish to consider an appropriate condition to ensure that sufficient consideration is given to flood risk mitigation and the safety of occupiers.

#### 4.5 Other Representations

##### Comments on originally submitted plans:

Objections received from 28 residents raising the following issues:

- Why is the extension needed so soon after the day room was granted planning permission? The family has not increased in size and the requirements for living were known at the time of the last planning approval.
- Why is another concrete pad required.
- When will applications for this site cease?
- The application will double the size of the existing bricks and mortar accommodation.
- The application is for the building of a bungalow in all but name.
- The application represents creeping development for a bungalow outside of the development boundary.
- Having previously set out that she cannot live in brick and mortar, it appears that the applicant is content to live in bricks and mortar again.
- The existing day room is almost exactly in line with the ideal requirements set out in the Government's design standards for an amenity building.
- Mr Sweeney does not appear to live at the site anymore
- Do not consider that the application is a Traveller.
- Development of the site has ruined its character. The development should be refused and the site returned to a water meadow.
- The site adjoins a County Wildlife Site. Further development and expansion will negatively impact it.
- Concerned about increased noise and traffic arising from increased construction traffic and as a result of the extension.
- The site is too dangerous for continuous habitation as it is crossed by 11kV overhead power lines.
- By approving a Traveller site on what had been a recognised intentional unauthorised development, the local planning authority placed the applicant in deliberate isolation from the rest of the community. With the approval of this application that isolation will only intensify, signalling to the settled community that the local planning authority places no value in fostering community cohesion.
- The Council should consider the impact of approving the development on the settled community too.
- The applicant has not complied with previously imposed planning conditions and is undertaking unauthorised intentional development prior to any decision being made with materials already on site.
- The concrete pads have not been laid in accordance with the approved plans.
- The site is at risk from surface water flooding
- Mill Lane is not wide enough for big vehicles.
- The submitted drawings are of poor quality.

##### Comments on amended plans:

Objections received from 12 residents raising the following summarised issues:

- Nothing has changed in the applicant's circumstances to warrant more building.
- Extension represents poor quality design and poor build.
- The two caravans that the applicant has permission for can accommodate her storage and living space needs without the need for more bricks and mortar accommodation.

- Unhappy with how SNC has dealt with the application.

#### Comments following addition of lean-to shelter

Objections received from 18 residents raising the following summarised grounds:

- All previous comments still stand
- Submitted drawings are not acceptable.
- The applicant is being treated differently to other parishioners
- The lean-to could become a generous extension to the day room
- Concerned about damage to hedge along the front boundary
- No sign of the floor plans being elevated to off-set any flooding problems.
- Work has started on the extension to the day room. The application represents Intentional Unauthorised Development.
- Proposal represents development creep.
- Proposal represents a bungalow by stealth.
- More information needs to be provided on the stable that is labelled on the plan of the site. It is clearly the intention to erect another building there and given the previous history of Intentional Unauthorised Development, it is obvious what is intended. The Council needs to take notice and action to prevent this abuse continuing and act in the interests of the whole community.
- Information submitted by residents of the village casts doubt on the applicant's Traveller status.
- The development of the site needs to be looked at for what it is – the construction of a sizable permanent bungalow and assorted permanent outbuilding on land outside of the development boundary by a family that deliberately submitted false information to support their Traveller status.
- Development at the site needs to be better monitored and enforced
- Do not have any faith in the Council
- A condition that does not allow the extension to be used for overnight accommodation is not enforceable. How will it be monitored?
- A full inquiry should be held by the Council regarding all previous planning permissions
- The whole process has been a complete sham and should not be allowed to be developed further on land outside of the development boundary.

## 5 Assessment

### **Key considerations**

- 5.1
- Principle of development
  - Impact on the character and appearance of the area

### **Principle of development**

- 5.2 Policy DM3.3 of the SNLP refers to proposals for all new sites for Gypsies and Travellers inside and outside of settlement limits. Since the site is an existing Gypsy and Traveller site and an increase in the number of pitches is not being proposed, I do not consider this policy to be a key factor in the assessment of the application. Similarly, the Planning Policy for Traveller Site does not contain policies that are directly applicable for extending day rooms.
- 5.3 However, although withdrawn on 1 September 2015 following the publication of the Planning Policy for Traveller Site, some informal guidance is available in the DCLG document entitled Designing Gypsy and Traveller Sites – a Good Practice Guide. There is no one size fits all approach to providing amenity buildings but as a minimum, the guidance sets out that amenity buildings must include secure storage space for

harmful substances/medicines; enclosed storage for food, brooms, washing, cleaning items, etc; and, space for connection of a cooker, fridge/freezer and washing machine. The inclusion of a day/living room for family meals is also recommended and the Guidance notes that this could be combined with a kitchen. This is what the applicant has. However, there is no indication that separate living rooms as enjoyed as standard by other sectors of the population should not be provided.

- 5.4 In support of the application and despite the recent construction of the existing day room, the applicant has set out that the day room is too small for her family, which includes four children. As the children grow older, more space will be required for the family to grow into and for storage.
- 5.5 The applicant also drew attention to the size of other day rooms that the Council has previously approved, including those of her brother (application ref. 2017/0407) and at a site in Bawburgh (application ref. 2016/1018). These day rooms had an internal floor areas of between 73 and 74 sq m. Although each application should be considered on its own merits, the size of these day rooms provide an indication of what might be acceptable if the application is satisfactory in all other respects.
- 5.6 Having measured its size, the external footprint of the existing day room is approximately 39.7 sq m with its internal floor area being approximately 33.8 sq m. The extension will have an external footprint of 45 sq m and if the internal walls are the same thickness as the existing day room, its internal floor area will be approximately 38.8 sq m. For completeness, the link will have an external footprint of approximately 6.7 sq m. Not including the link between the two buildings, the internal floor area of the existing day room and new living room/study will be approximately 72.6 sq m. This is within the same range as the day rooms referred to above and in principle, this size is acceptable subject to consideration being given the matters assessed below. Residents of the village have expressed concern that if permitted, the total size of the day room would be akin to that of a dwelling. I am keenly aware of this and so to ensure that the site as a whole remains as a Gypsy and Traveller site and does not become a bungalow, it is reasonable and necessary to impose a planning condition that does not allow the day room to be used for overnight accommodation.

#### **Impact on the character and appearance of the area**

- 5.7 The lean-to shelter will be closer to the boundary with Mill Lane and the extension to the day room will project to the south of the existing day room further into the site. Nevertheless, planting along the front and side boundaries and the access gates provide effective screening. As a result of these factors, the extension and lean-to shelter will not stand out as a prominent or visible feature within the immediate or wider area. Similarly, that the additional hardstanding will be at ground level means that it will also not be an obvious feature outside of the site.
- 5.8 In respect of its appearance, the lean-to will clearly be ancillary in size to the day room and the use of cladding will tie in with it. In its own right, although the monopitch of the extension does not mirror that of the existing day room, the brick plinth and use of horizontal cladding do match and represent an acceptable addition.
- 5.9 Concerns have been raised at the potential impact of the lean-to on the hedge that runs along the Mill Lane boundary of the site. The hedge is planted on a raised embankment and is elevated above the ground levels of the existing day room. The intention is to install four posts into the ground and fix cladding to these with the floor comprising paving slabs (which has been confirmed in writing by the applicant). The run of the hedge is such that it tapers towards the day room a little at the eastern end of the site and while the lean-to will obviously encroach towards the hedge, the space exists in which to provide it and ground levels will remain at similar levels to existing.

- 5.10 Taking account of the above, the application complies with Policies 1 and 2 of the JCS and Policies DM3.8 and DM4.5 of the SNLP.

### **Other Issues**

- 5.11 In submitting comments on the application, a number of local residents have cast doubt on whether the applicant is a Traveller. At the time application ref. 2018/1658 was determined, it was accepted that the applicant had temporarily ceased travelling on the grounds of her children's educational needs but otherwise that sufficient evidence was submitted that demonstrated an intention to lead a nomadic habit of life, including from third parties. It was therefore accepted that the applicant met the definition of a Traveller (as set out in Annex 1 of the Planning Policy for Traveller Sites). Following the deferral of the application from December 2019's Committee meeting, legal advice was sought from Nplaw. Following that, I remain of the view that the original decision was sound and not flawed.
- 5.12 There are no residential properties in close proximity to the site. Therefore, the impact of the development on residential amenity will be neutral allowing it to comply with Policy DM3.13 of the SNLP.
- 5.13 The site is at risk from flooding from a surface water flood flow path for high, medium and low risk events. Depths are shown as being below 300mm for all events. The surface water flood risk extends across the whole of the site and includes the access and egress and highway. As part of the previous application for the day room, the agent explained that the area of hardstanding is between 300mm and 600mm thick and that it has a gradual gradient towards the southwest that directs surface water to the meadow at the rear. The agent also set out that the raising of levels provides a safe evacuation route in the event of flooding. Combined, the hardstandings and floor levels of the caravans were 450mm above current ground levels. Floor levels for the day room are 295mm above current ground levels. When taking account of the depth of the hardstanding that has been laid and floor levels of the day room and caravans, floor levels are above surface water flood depths. The Water Management Officer was satisfied with the information that was submitted at that time and I do not consider that the latest application substantially changes the situation. The application complies with Policy 1 of the JCS (insofar as it relates to flood risk) and Policy DM4.2 of the SNLP.
- 5.14 A County Wildlife Site is located to the west of the application site. The extension will be built above the existing concrete pad and will not encroach into the field to the rear. When planning permission was granted for the day room, it was subject to a planning condition that required a lighting scheme to be submitted for approval so as to minimise the impact on bats. Those details have been approved and in view of the position of the pole mounted light, I consider that this is sufficient to illuminate the site and that the current application should be subject to a planning condition that prevents any external lighting from being fixed to the building.
- 5.15 Sufficient space will remain at the site for parking and turning to be provided for vehicles. The application complies with Policy DM3.12 of the SNLP.
- 5.16 Overhead power lines cross the site and the extension will be positioned underneath these. UK Power Networks did not object to the application but noted that it is essential the applicant seeks guidance from the appropriate Health and Safety Executive Guidance document.
- 5.17 Concerns have been expressed over the quality of the drawings submitted and reference to a stable in the most recent block/layout plan. These drawings were checked prior to being uploaded and having checked them since, I am satisfied that they are to scale and show what is being applied for. It is correct to say that there is an annotation for a stable. However, it is important to note that no elevations of the

stables have been submitted and that it has not been included within the description of development so in the event of this application being permitted, it would not benefit from planning permission.

- 5.18 Under Section 143 of the Localism Act, the Council is required to consider the impact on local finances. This can be a material consideration but in the instance of this application the other material planning considerations detailed above are of greater significance.
- 5.19 This application is not liable for the Community Infrastructure Levy as the building has a floor area of less than 100 sqm.

### **Conclusion**

- 5.20 In having regard to those matters raised, the extension, lean-to shelter and areas of hardstanding will not be clearly visible from outside the site and their scale and appearance are appropriate to the site and the appearance of the surrounding area. Subject to the conditions recommended below being imposed, the application represents an acceptable form of development and is recommended for approval.

Recommendation: Approval with Conditions

- 1 In accordance with submitted drawings
- 2 No overnight accommodation within extension
- 3 No external lighting

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**Planning Appeals****Appeals received from 21 July 2020 to 2 August 2020**

<b>Ref</b>	<b>Parish / Site</b>	<b>Appellant</b>	<b>Proposal</b>	<b>Decision Maker</b>	<b>Final Decision</b>
None					

**Planning Appeals****Appeals decisions from 21 July 2020 to 2 August 2020**

<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>
2019/1816	Heckingham Land East of Briar Lane Heckingham Norfolk	Mr & Mrs Nick & Lizzie Roberts	Variation of condition 4 of permission 2019/1224 - to allow for increased hiring of facilities incorporating the gallops and manege	Delegated	Refusal	Appeal Allowed
2019/2226	Hethersett Land Adjacent to 19 Karen Close Hethersett Norfolk	Mr Chris Camp	One self build dwelling	Delegated	Refusal	Withdrawn