

# 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**

In line with Government guidance, the Council currently has restricted public access to its offices. Should members of the public wish to observe this meeting remotely, they can do so by emailing a request to [democracy@s-norfolk.gov.uk](mailto:democracy@s-norfolk.gov.uk), no later than 3.00pm on Friday 1 May 2020.

#### **PUBLIC SPEAKING**

Please note that there will be no public speaking at this meeting, instead, the public can make written representations, to be forwarded to [democracy@s-norfolk.gov.uk](mailto:democracy@s-norfolk.gov.uk), no later than 3.00pm on Friday 1 May 2020

## Agenda

### **Date**

Wednesday 6 May 2020

### **Time**

10.00 am

### **Place**

#### **To be hosted remotely at**

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

### **Contact**

Tracy Brady: tel (01508) 535321

South Norfolk House  
Cygnet Court  
Long Stratton Norwich  
NR15 2XE

Email: [democracy@s-norfolk.gov.uk](mailto:democracy@s-norfolk.gov.uk)  
Website: [www.south-norfolk.gov.uk](http://www.south-norfolk.gov.uk)

**PLEASE NOTE** that 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.

An audio recording of this meeting will be published on the website.

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**

## **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 11 March 2020;** (attached – page 8)
  
5. **Planning Applications and Other Development Control Matters;**

(attached – page 13)

To consider the items as listed below:

Item No.	Planning Ref No.	Parish	Site Address	Page No.
1	2019/2566/F	BROOKE	Storage Land Welbeck Brooke Norfolk	13
2	2020/0051/F	COLNEY	Land to the rear of 37 Watton Road Colney Norfolk	25

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 32)
  
8. **Date of next scheduled meeting – Wednesday, 3 June 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.

## PLANNING APPLICATIONS AND OTHER DEVELOPMENT CONTROL MATTERS

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

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

### Key to abbreviations used in Recommendations

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



## DECLARATIONS OF INTEREST AT MEETINGS

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

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

Does the interest directly:

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

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

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

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

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

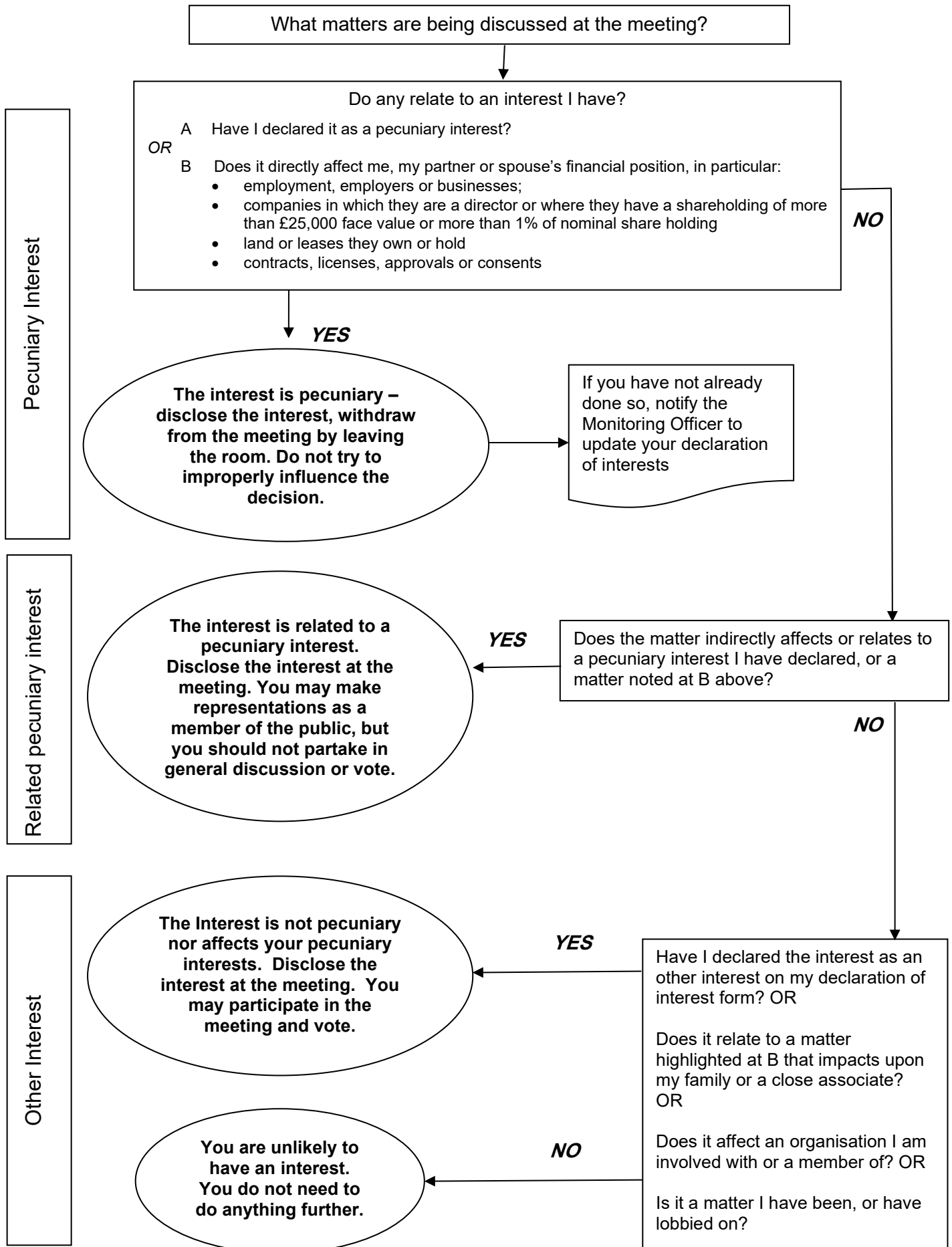
Is the interest not related to any of the above? If so, it is likely to be an other interest. You will need to declare the interest, but may participate in discussion and voting on the item.

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

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

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

## DECLARING INTERESTS FLOWCHART – QUESTIONS TO ASK YOURSELF





## DEVELOPMENT MANAGEMENT COMMITTEE

**Minutes of a meeting of the Development Management Committee of South Norfolk District Council held at South Norfolk House, Long Stratton, on Wednesday, 11 March 2020 at 10.00 am.**

**Committee Members Present:** **Councillors:** V Thomson (Chairman), D Bills, J Easter, R Elliott, F Ellis, T Laidlaw, G Minshull and L Neal  
(for items 1 and 2)

**Apologies:** **Councillor:** V Clifford-Jackson

**Officers in Attendance:** The Development Manager (T Lincoln), the Principal Planning Officer (G Beaumont) and the Senior Planning Officers (S Everard and B Skipper)

11 members of the public were also in attendance

### 488. DECLARATIONS OF INTEREST

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

Application	Parish	Councillor	Declaration
2019/2562/F	YELVERTON	V Thomson	Other Interest Lives on the same road that the application refers to.
2020/0065/F	LONG STRATTON	L Neal	Local Planning Code of Practice As a Cabinet Member, Cllr Neal left the room while this item was considered.

### 489. MINUTES

The minutes of the Development Management Committee meeting dated 12 February 2020 were confirmed as a correct record and signed by the Chairman.

### 490. 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>2019/2115/O (Item 1)</b>	<b>REDENHALL WITH HARLESTON</b>	B Woods – Objector M Carpenter – Agent for the Applicant
<b>2019/2562/F (Item 2)</b>	<b>YELVERTON</b>	M Dixon – Agent for 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.

#### **491. PLANNING APPEALS**

The Committee noted the planning appeals.

(The meeting closed at 10.50pm)

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Chairman

**Updates for DEVELOPMENT MANAGEMENT COMMITTEE**  
**– 11 March 2020**

<b>Item</b>	<b>Updates</b>	<b>Page No</b>
Item 1 2019/2115	<p>1 further objection received;</p> <p>Remain concerned with speed of vehicles along Station Road and Station Hill. Simple give way junction inadequate. HGVs move slowly compared to small cars.</p> <p>Officer comment: For the avoidance of doubt the application has been assessed by the Highway Authority and they have not objected on highway safety grounds.</p>	<b>21</b>
Item 2 2019/2562	<p>An additional response has been received from Alington with Yelverton Parish Council setting out:</p> <p>We consider the application should be APPROVED for the following reasons;</p> <p>Concerns of neighbours have been answered satisfactorily.</p>	<b>32</b>
Item 3 2020/0065	<p>An additional condition is proposed for used that stipulates that the wall mounted spotlights are installed so as to prevent upward and outward light radiation.</p> <p>This condition has been added in the interests of highway safety and the appearance of the local area.</p>	<b>42</b>

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.

**Major Applications**

1.     **Appl. No**                 :     **2019/2115/O**  
        **Parish**                 :     **REDENHALL WITH HARLESTON**
  
- Applicant's Name:     CODE Development Planners  
 Site Address           Land off Station Hill Harleston Norfolk  
 Proposal               Outline application for demolition of one building and erection of up  
                              to 40 dwellings with public open space and associated  
                              infrastructure.
  
- Decision                 :     Members voted unanimously for **Approval** subject to a S106 agreement  
                                  to secure affordable housing and open space provision
  
- Approved with conditions
  
- 1     Time Limit - Outline Permission
- 2     OL requiring approval of Reserved Matter
- 3     In accordance with submitted drawings
- 4     Standard estate road
- 5     Highway improvements offsite
- 6     Construction traffic management plan
- 7     Surface water drainage
- 8     Foul water disposal
- 10    Construction Environmental Management Plan
- 11    Contamination Remediation
- 12    Reporting of unexpected contamination
- 13    Landscaping scheme to be submitted
- 14    Tree protection
- 15    Ecology mitigation
- 16    Archaeological work to be agreed
- 17    Fire hydrant
- 18    New water efficiency
- 19    Renewable energy – decentralised source

## Other Applications

2.     **Appl. No**                 :   **2019/2562/F**  
       **Parish**                 :   **YELVERTON**

Applicant's Name:   Mr R Long  
Site Address         Hill Farm Framingham Earl Road Yelverton NR14 7PD  
Proposal             Demolition of 6 buildings and erection of 4 detached dwellings,  
                              associated garages and works

Decision             :   Members voted unanimously for **Approval**

Approved with conditions

- 1   Time Limit
- 2   In accordance with submitted plans
- 3   Onsite Parking and turning
- 4   Materials to be agreed
- 5   Boundary Treatments
- 6   Surface Water Drainage
- 7   Foul Water Drainage
- 8   New Water Efficiency
- 9   Contaminated Land – Investigation
- 10  Implementation of approved remediation scheme
- 11  Contaminated land during construction

## Applications submitted by South Norfolk Council

3.     **Appl. No**                 :   **2020/0065/F**  
       **Parish**                 :   **LONG STRATTON**

Applicant's Name:   South Norfolk Council  
Site Address         Long Stratton Leisure Centre, Swan Lane, Long Stratton, NR15  
                              2UY  
Proposal             2 No. solar lamp posts and 3 No. wall mounted spotlights to  
                              improve lighting in car park.

Decision             :   Members voted 7-0 for **Approval**

Approved with conditions

- 1   Time Limit - Full Permission
- 2   In accordance with submitted drawings
- 3   Spotlights to be directed down

PLANNING APPLICATIONS AND OTHER DEVELOPMENT CONTROL MATTERS

**Report of Director of Place**

**Other Applications**

**Application 1**



1.     **Application No :       2019/2566/F**  
       **Parish :            BROOKE**

Applicant's Name:     Mr Rix, Tobin and Plume  
Site Address           Storage Land Welbeck Brooke Norfolk  
Proposal               Erection of 3 dwellings for self-build purposes

Reason for reporting to committee

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

Recommendation summary : Refusal

1     Proposal and site context

- 1.1     This application seeks the erection of three self-build dwellings on land at Welbeck to the north-east of the village of Brooke. It is outside of the main settlement in a rural location next to a small number of dwellings.
- 1.2     The site is currently used as a builder's yard and contains two permanent buildings and a number of containers, portacabins and other temporary structures. The site is bordered by a residential dwelling to the south of the site, with agricultural land to the west, the stream known as the Welbeck to the north with agricultural land beyond and the road also known as Welbeck to the east with agricultural land on the opposite side to the east as well.

2.     Relevant planning history

- |     |           |  |                                 |
|-----|-----------|--|---------------------------------|
| 2.1 | 1995/0401 | Erection of 2 houses   | Refused and<br>appeal dismissed |
| 2.2 | 1995/0070 | Use of land as builders yard with storage<br>sheds and garages | Approved                        |

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 06: Building a strong, competitive economy  
NPPF 09: Promoting sustainable transport  
NPPF 11: Making effective use of land  
NPPF 12: Achieving well-designed places  
NPPF 14: Meeting the challenge of climate change, flooding and coastal change  
NPPF 15: Conserving and enhancing the natural environment
- 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 17: Small rural communities and the countryside  
Policy 20: Implementation

- 3.3 South Norfolk Local Plan Development Management Policies  
DM1.1: Ensuring Development Management contributes to achieving sustainable development in South Norfolk  
DM1.3: The sustainable location of new development  
DM1.4: Environmental Quality and local distinctiveness  
DM2.2: Protection of employment sites  
DM3.1: Meeting Housing requirements and needs  
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  
DM4.5: Landscape Character Areas and River Valleys  
DM3.10: Promotion of sustainable transport  
DM4.8: Protection of Trees and Hedgerows  
DM4.9: Incorporating landscape into design

3.4 Supplementary Planning Documents (SPD)

3.5 South Norfolk Place Making Guide 2012

4. Consultations

4.1 Brooke Parish Council

Approve

4.2 District Councillor

Cllr John Fuller

To Committee

Original comments:

I'm told you have concerns on this one on the grounds of loss of commercial land.

I'm not sure that this should be that concerning in this case. The site is immediately next to the Welbeck and next to other dwellings and alongside a very minor road with a hairpin bend.

It's not suitable for commercial use and would never be allocated as such nowadays. It is one of those brownfield sites that you often get in small villages that are historic but not up to scratch for today.

I would point out that there is commercial space elsewhere in Brooke and also in Seething in allocated industrial areas. The Council is building new offices in Poringland.

I'm not sure a refusal is justified on loss of business land criteria.

Therefore, if you wish to sustain this line of argument I ask that this is brought to Committee if refusal is recommended.

Further comments:

I have previously asked for this to go to committee. But, now I hear that all other matters have been disposed of save for the 'advertising' point, we really do have to ask ourselves whether marketing at this juncture [all other matters being 'green' so-to-speak] would be effective, justified or appropriate. There is a materiality point here in assessing what added value marketing would provide given the economic shock that has befallen us.

In considering this, I am guided by the NPPF and in fact the very first substantive paragraph that defines what sustainable development is. To quote [my emphasis]

*11. Plans and decisions should apply a presumption in favour of sustainable development.*

*For plan-making this means that: a) plans **should positively seek opportunities to meet the development needs of their area, and be sufficiently flexible to adapt to rapid change;***

It is common ground that the development would be sustainable. All the other matters are 'green'.

You will no doubt tell me that the development needs of the area are covered by the existing allocations.

But in this time of emergency and noting that this is brownfield land [tick], within the village envelope [tick], with the widespread support of the parish [tick] and that it is only for three [tick] and it is for self-build [tick], for which I think we can assume a rapid start and delivery [double tick], then on the planning balance a recommendation for approval given our working assumption at this time is that we might only get 20pc of the completions previously hoped-for.

Given all the other material considerations being satisfied I believe that placing an advert in the paper as a device does not meet the "*any adverse impacts of doing so would significantly and **demonstrably outweigh the benefits***" test [also in para 11]. That is not to disapply the advertising policies for ever. But it is to be realistic of how useful they are likely to be otherwise sustainable proposals for the duration of the crisis.

This is not a case of allowing the CV19 crisis as cover for a 'no-hoper' to slip under the radar. This is about being realistic about the economic emergency that has befallen us and being *sufficiently flexible to adapt to rapid change* for an otherwise *sustainable proposal* whilst recognising the materiality of 3 dwellings on a brownfield site for which we all know and concede - advertised or not - is unlikely to find an alternative commercial use that will not result in substantial adverse impacts on neighbouring amenity for the immediately adjacent dwelling houses on an unsuitable road next to a sharp bend with no visibility splay.

So, as you want a further policy reason, I refer to para 11 of the NPPF and in particular the need to be flexible given the rapid changes that have befallen us and to assert strongly that in judging harm vs benefit in the balance, at this stage, advertising is not likely to help, all other matters having been disposed of. This outweighs DM2.2 and I disagree that 1.3 as a consequence is engaged as you say. They are weak points when measured against my reading of the national policy at this time.



#### 4.3 Environment Agency

Guidance provided for determination of application

Sequential and Exception Test required

#### 4.4 NCC Highways

Conditional Support

- no objection for three dwellings given previous commercial use of site
- only concern is distance of site to village given no footway along winding and unlit road

#### 4.5 SNC Water Management Officer

Conditional Support

#### 4.6 Other Representations

7 letters of support received

65 Burgess Way, Brooke

The application can only enhance this area as it is a brownfield site. The added traffic if any will not place any extra strain or give any interference to what already uses this road.

10 High Green, Brooke

In full support as it is well designed and on a brownfield site.

North Cones, 33 Norwich Road, Brooke

The area would lend itself well to this kind of construction without any impact on the surrounding properties.

The plan looks good and is generally a well thought out construction.

53 High Green, Brooke

The proposal will be a more appropriate use of the site than the existing use as a builder's yard. If approved the land will provide the rare opportunity for three families to build their own homes in Brooke. The proposed buildings and density of development are appropriate for this location.

Walkers Scaffolding

It is our intention to relocate the storage facility we have at Welbeck regardless of whether this application is granted or not. We have secured a new location which has much better transport links on the A140. If the application were to be granted then our business would be unaffected.

Hunters Moon, Welbeck, Brooke (2 letters)

We have lived in Welbeck for over forty years, and the land involved has always been used for storage and for use by small businesses. As the first site viewed as one approaches Brooke from the Bergh Apton direction, it can never have been said to be a fitting or attractive introduction to what is always regarded as a particularly lovely Norfolk village.

We are the nearest neighbours to the site, and find the present application for three four-bedroomed houses, of varied appearance, an excellent one. Mr. Plume very kindly came to explain the application to us, and showed us the plans for this small development, which we found delightful. We greatly hope that in due time we shall be able to welcome the families concerned as neighbours.

It would be infinitely preferable to us to have three attractive houses on this site to the present somewhat chaotic landscape, with its piles of rubbish and inevitable noise from 7am, as lorries are loaded and deliveries made. Some of these deliveries are made by huge lorries entirely unsuitable to the narrow width of Welbeck Hill with resulting damage to the verges. Access to the site from such a narrow gateway is hazardous. I would stress that the occupants of the yard have over many years been good neighbours but it is also impossible to load vehicles with materials and scaffolding without a certain amount of disruption and there is also noise from the concrete crusher.

We have been kept informed of the application's progress and understand that planning permission may be withheld because the small businesses which use the yard will no longer have a premises from which to operate, but I also understand that alternative accommodation has been found by most, probably all, of the current occupants. If there were no other commercial premises in Brooke it would be different but there is the Brooke Industrial Park sited on the main road with excellent access.

We are sure that our days would be more serene without the interventions of the concrete crusher.

## 5. Assessment

### **Key considerations**

- 5.1 The key considerations in the assessment of this application are the principle of residential development including the loss of the existing use of the site, the accessibility of the site, the visual impact of the development, flood risk and access.

### **Principle**

- 5.2 The application site is outside of any defined development boundary and thus is in a countryside location.
- 5.3 The published Annual Monitoring Report for 2017-18 sets out that the Council can demonstrate a housing supply of 6.54 years meaning that full weight can be given to its planning policies for development proposals outside of development boundaries. Policy DM1.3 of the Local Plan permits development outside of development boundaries where specific development management policies allow (criterion (c)) or where there are overriding benefits in terms of the economic, social and environmental dimensions of sustainable development (criterion (d)).

- 5.4 In considering whether development complies with the requirement to providing overriding benefits in circumstances where the Council can demonstrate a five year housing land supply it is appropriate to be guided by the reasoned justification that accompanies policy DM1.3. This confirms at paragraph 1.23 that:

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

- 5.5 It also states at paragraph 1.28 that:

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

- 5.6 It is clear from the supporting text that development boundaries have been drawn on the basis of focusing development in locations that are close to facilities and amenities and so as to limit environmental and landscape impacts and these have been scrutinised by a Planning Inspector through a public examination and consequently should not be set aside lightly, namely when one of the two aforementioned criteria are met.

- 5.7 It is useful to note the Inspectors recent decision at St Mary's Road, Long Stratton, where they stressed at paragraph 45 that:

*"To present overriding benefits is to present benefits that are more important than anything else, and as a result, the proposed development would have to be exceptional."*

- 5.8 I will consider whether the proposal can meet criteria 2(d) further in the report.

- 5.9 In this case, under criterion (c), Policy DM2.2 is applicable as this makes provision for the redevelopment of a site with an employment use site such as this where specific criteria are met. These are:

a) the possibility of re-using or redeveloping the site / premises for a range of alternative business purposes has been fully explored and it can be demonstrated that the site or premises is no longer viable or practical for an Employment Use; or

b) There would be an overriding economic, environmental or community benefit from redevelopment or change of use which outweighs the benefit of the current lawful use continuing.

- 5.10 It is noted that the applicant contends whether this site should be considered as a site in employment use, however this site is clearly a site in lawful commercial use that a similar business could utilise if it is no longer needed by the businesses currently operating from the site.
- 5.11 No marketing of the site has been undertaken and therefore it has not been demonstrated that the use of the site for alternative business purposes has been fully explored and therefore the proposal does not comply with criteria (a) of the policy.
- 5.12 In regard to criteria (b), the applicant has contended that the proposal would result in an overriding environmental and community benefit as the current use of the site results in harm to the residential amenities of the properties to the south by smells, noise and general disturbance arising from use of the site as well as vehicles going to and from the site. They contend that this is clear from the level of support the application has received.
- 5.13 Whilst comments from some local residents received do support the scheme, none has referred to any significant nuisance generated from the site and I have not been made aware of any such complaints being made in the past. Whilst there may be some noise generated from the site, it is also possible that the development of dwellings on the site will generate movements to and from the site and can result in disturbance to neighbours as well. However, even accepting that commercial use of the site can generate more noise and disturbance than residential use there is no evidence that this constitutes an adverse impact so significant that the benefit from redeveloping the site to the environment or community could be considered overriding. It should also be noted that the site directly bounds dwellings on its southern boundary with agricultural use on all other boundaries which is a much less sensitive receptor for commercial activity on the site. It is therefore considered that the proposal does not accord with criteria (b) of policy DM2.2.
- 5.14 It is noted that the District Councillor has contended that it would not be reasonable and unrealistic in light of the current circumstances relating to the COVID-19 outbreak to require such marketing. However, in the absence of any further update to national policy we must continue to determine planning applications in accordance with the development plan. In this instance, there is a clear policy relating to loss of employment sites which it is considered that this proposal does not satisfy.
- 5.15 On the basis of the above it is not considered that Policy DM2.2 of the SNLP has been complied with and in turn the scheme does not satisfy the requirements of criterion 2c) of Policy DM1.3 of the SNLP.
- 5.16 In terms of whether the scheme complies with the requirements of 2d) of Policy DM1.3 of the SNLP insofar as it demonstrates overriding benefits in terms of economic, social and environmental dimensions as addressed in Policy 1.1 this will be concluded upon after the assessment of the specific planning issues associated with this scheme in the following paragraphs:

#### **Accessibility of site**

- 5.17 The site is over 400 metres from the development boundary of Brooke. Brooke has a number of services including a school, shop and public house. There is public transport available, with the nearest bus stop 550 metres from the site providing access to a wider range of services in Poringland a little over 3 km to the north as well as to Norwich. However, it is evident that there is no footway along Welbeck between the site and the village, which Norfolk County Council's Highways Officer notes as a concern. As such there is a strong likelihood that in order to access a range of services

and facilities to meet day to day needs, future occupiers of the dwellings will rely on private motor vehicles. Cumulatively, this will add up to a high number of miles and associated emissions. I do not consider therefore that the site is located to minimise the need to travel and is therefore contrary to Policy 1 (bullet 7) of the JCS and Policy DM3.10 of the Local Plan.

- 5.18 There have been a number of appeal decisions that have considered the issue of accessibility. In appeal decision APP/L2630/W/19/3226072, an Inspector dismissed an appeal on a site in Saxlingham Thorpe that was a similar distance from the development boundary of a service village due to the lack of footways as all future occupants are likely to be required to travel regularly by private motorised transport to access education, retail, employment and healthcare. Similarly, an Inspector concluded in an appeal on a site in Ditchingham a similar distance from the development boundary of a service village (appeal decision APP/L2630/W/19/3236964) that whilst the services within the village may be in walking distance the absence of footways would result in occupiers of the development being highly reliant on the private car. There have also been appeal decisions within the last two weeks for individual new dwellings close to Hainford which is an “other village” in the Joint Core Strategy (appeal decision APP/K2610/W/19/3238309) and Reepham which is a Key Service Centre in the Joint Core Strategy (appeal decision APP/K2610/W/19/3236351) where the Inspector also dismissed the appeals in part on the lack of connectivity to services.

### **Visual Impact of the Development**

- 5.19 The site is currently well screened by existing vegetation with only brief public views into the site at the point of the access. It is proposed to largely retain the boundary vegetation, whilst the pattern of three dwellings projecting away from the road is not out of keeping with the pattern of development in the group of dwellings to the south of the site. It is also accepted that the site is a brownfield site with structures on the site and therefore redeveloping the site for residential development would not erode the rural character of the area.
- 5.20 Overall it is not considered that new residential development on the site will have a significant visual impact to warrant refusal of the application in itself.

### **Flood Risk and Drainage**

- 5.21 Environment Agency flood mapping shows the site within Flood Risk Zone 3a, which is defined as having a high probability of flooding. As such, a Sequential and Exception Test is required. It is accepted that a Flood Risk Assessment has been submitted that has modelled the adjacent river and demonstrated that the dwellings proposed on the site falls outside of flooding in the 1 in 100 event, including a 35% allowance for climate change and that it also demonstrates that a safe access would be retained in such an event as well.
- 5.22 However, areas of the site that provide private garden space is at risk of flooding. The Environment Agency have advised that a Sequential and Exception Test should still be carried out. It is clear that many other sites are available that are not at risk of flooding across the district that can provide three dwellings. As such, it is considered that the proposal fails the sequential test. In terms of the exception test, as residential development is classed as a “more vulnerable” use and some of the site is in flood zone 3a, then it is necessary for a scheme to provide wider [sustainability benefits to the community that outweigh flood risk](#), and that it will be [safe for its lifetime](#), without increasing flood risk elsewhere and where possible reduce flood risk overall. In this case, it is not considered that there are wider sustainability benefits that outweigh flood risk.

- 5.23 Foul drainage is to be provided through package sewage treatment plants. The plants for plots 1 and 2 are proposed in area associated with the design flood. The applicant would need to demonstrate that they could function as intended during a design event or consider an alternative position. This could be secured through further negotiation or condition and does not constitute a reason for refuse the application.

### **Access**

- 5.24 Access to the three dwellings is to be via a single point of access using the existing access onto the public highway. There is reasonable visibility on this access and Norfolk County Council's Highways Officer has no objection to this, taking into account the previous commercial use of the site. It is also proposed to extend the 30mph speed limit which currently terminates just to the south of the site access to beyond the bend to the north which would provide a benefit of the development.
- 5.25 The development provides four parking spaces for each dwelling which meets the required parking standards. Adequate room is provided for cars to run within the site and there is no objection to the layout from the highways officer provided that a condition is attached to any permission requiring the parking area is retained in perpetuity.
- 5.26 The proposed development is therefore considered to accord with policies DM3.11 and DM3.12 of the Local Plan.

### **Other Issues**

- 5.27 Reference has been made to the "brown field" status of the site. Whilst it is accepted that the site is a brownfield site, it is evident that paragraph 118 b) states that planning decisions should "give substantial weight to the value of using suitable brownfield land within settlements for homes....." as highlighted above this site is not within the development limit and as such this paragraph is not considered to give significant weight in support of this application.
- 5.28 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*'. This is a material planning consideration. However, this site is not considered suitable for the reasons already set out and therefore is considered contrary to paragraph 68, which is not overriding in this instance. The Council is already delivering a number of windfall sites/small sites to align with paragraph 68 and therefore the need for additional small sites is not considered overriding in terms of determining this application and would not outweigh the harm previously identified.
- 5.29 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 the applicant has stated that the new dwellings are to be self-build, it should be noted that it cannot be certain that the method of delivering this site will be self-build.

- 5.30 As required by legislation, the Council maintains a register of self-build plots that are available in the district. We are satisfied that this demonstrates that there is a sufficient supply of serviced plots across the district. Appeal decisions have also accepted that the provision of self-build has been covered within policies within the Local Plan and therefore paragraph 11 of the NPPF is not triggered.
- 5.31 Reference has also been made to engaging paragraph 11 of the NPPF in light of the need to be “sufficiently flexible to adapt to rapid change”. It should be noted that his reference is made in the context of “plan-making” rather than “decision-taking” which is the case here. Therefore, it is considered that paragraph 11 is not engaged for decision-making here in light of the covid-19 outbreak.
- 5.32 In the instance of this application it is therefore considered that the other material planning considerations detailed above are of greater significance.
- 5.33 An Ecological Survey has been provided which identifies a number of mitigation and enhancement measures that would need to be conditioned in the event that planning permission was granted.
- 5.34 It is not considered that the current coronavirus pandemic carries significant weight in the determination of this application.
- 5.35 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.
- 5.36 In returning to whether the scheme complies with the requirements of criterion 2d) of Policy DM1.3 of the SNLP it is considered that the proposed three dwellings will have no adverse impact on the appearance of the wider area, residential amenity, highway safety and flood risk and there will be modest economic benefits associated with the construction and subsequent occupation of the dwellings, along with benefits from the proposed extension to the 30mph speed limit. However, the dwellings have not been located to minimise the need to travel by the private car and would lead to the loss of a site that is available for employment use, as well as failing the sequential test to direct new development away from sites at risk of flooding. When taking account of this and the other factors weighing against it and balancing them out against either the neutral benefits of modest benefits, and having regard to the primacy of the development plan in decision taking, I do not consider that the application demonstrates overriding benefits in terms of the social, economic and environmental dimensions as required by criterion 2d).

### **Conclusion**

- 5.37 The scheme does not meet either of the two criteria (2c or 2d) applicable to development outside of the development limit required by Policy DM1.3 of the SNLP.
- 5.38 The scheme displays poor connectivity to a range of services and facilities and as such fails to meet the requirements of Policy 1 of the Joint Core Strategy and Policy DM3.10 of the SNLP. It also fails to meet the sequential test directing development away from sites that are at risk of flooding thereby contrary to paragraph 158 of the NPPF.
- 5.39 The applicant has not fully explored the potential for the site to continue to be used for business purposes nor are there considered to be overriding economic, environmental or community benefit from redevelopment or change to another use which outweighs the benefit of the current lawful use continuing and therefore the scheme fails to meet the requirements of Policy DM2.2 of the SNLP.

- 5.40 Finally, it is not considered that there are material consideration of such weight so as to justify granting permission for a development that is contrary to policies from the Development Plan mindful of the provisions of Section 38(6) of the Planning and Compulsory Purchase Act 2004.
- 5.41 For these reasons the scheme is recommended for refusal.
- 5.42 This application is liable for Community Infrastructure Levy (CIL).

Recommendation : Refusal

- 1 No overriding benefit
- 2 Loss of employment site
- 3 Unsustainable location
- 4 Failure to pass the sequential and exception tests

#### Reasons for Refusal

- 1 The proposed housing is not supported by any specific Development Management Policy which allows for development outside of the development boundary and nor does it represent overriding benefits when having regard to the fundamental harm in allowing un-planned development in what should be a genuinely plan led system, along with the harm caused in relation to the impact on the form and character of the area and as such does not satisfy the requirements of either 2c) or d) of Policy DM1.3 of the South Norfolk Local Plan Development Management Policies document 2015.
- 2 The proposal is contrary to policy DM2.2 of the Local Plan as the possibility of re-using or redeveloping for the site for a range of alternative business purposes has not been fully explored, whilst it is not considered that there would be an overriding economic, environmental or community benefit from redevelopment or change to another use which outweighs the benefit of the current lawful use continuing.
- 3 The location of the site and its proximity to services and facilities would result in over-reliance on the private car, which will not minimise greenhouse gas emissions and is not located to use resources efficiently. The application is therefore contrary to Policy 1 of the Joint Core Strategy and Policy DM3.10 of the South Norfolk Local Plan Development Management Policies Document 2015.
- 4 The scheme does not pass the sequential test as there are other available sites and nor does it pass the exception test as there are not wider sustainability benefits arising from the scheme which outweigh flood risk and as such the development is considered contrary to Policy 1 of the Joint Core Strategy and section 14 of the NPPF.

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2020/0051



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

**2. Application No: 2020/0051/F**  
**Parish: COLNEY**

Applicant's Name: Mr Adam & Mrs Melissa Korn  
Site Address Land to the rear of 37 Watton Road Colney Norfolk  
Proposal Erection of new self-build dwelling to replace an existing tennis court

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 4.2.

Recommendation summary: Refusal

**1. Proposal and site context**

- 1.1 This application seeks full planning permission to construct a self-build dwelling to replace an existing tennis court on land to the rear of 37 Watton Road, Colney.
- 1.2 The site is outside of any defined development boundary on the northern side of Watton Road between the Norfolk and Norwich Hospital and the junction of the B1108 with the A47. The site will be accessed by extending the existing driveway that also serves a group of four other properties to the south. The length of the driveway to the junction with Watton Road will be approximately 180m. Woodland is located to the north and west with a belt of trees and the grounds of the Colney Hall Estate to the east. The dwellings to the south vary in appearance with number 37 to the south being a predominantly red brick dwelling with single-storey outbuilding located closest to the application site. There is no significant change in levels.
- 1.3 The development comprises a timber framed four-bed house finished in lime render and with a clay pantile roof. A glass link to the rear/west of the dwelling will connect it to a study/library/work space (in connection with the applicants' professions as a barrister and a doctor) and occasional guest accommodation which will be finished in black stained vertical boarding and a black standing seam roof. To the north of the dwelling will be a detached cart lodge also finished in black stained vertical boarding.
- 1.4 In terms of measurements, the dwelling will measure approximately 21m in width, 7.7m in depth and 9.3m in height. The single-storey glass link will be 6m in length and will attach to the work space that measures 12.6m in width, 5.4m in depth and 6.6m in height. The cart lodge will be 7.6m in width, 5.6m in depth and 3.3m in height.
- 1.5 The agent has set out that the intention is to meet Passive House standard and for there to be net ecological gains.

**2. Relevant planning history**

- |     |           |                                    |         |
|-----|-----------|------------------------------------|---------|
| 2.1 | 2002/1062 | Erection of single storey dwelling | Refused |
|-----|-----------|------------------------------------|---------|

**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 11 : Making effective use of land  
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 6 : Access and transportation
- 3.3 South Norfolk Local Plan (SNLP) Development Management Policies Document  
DM1.1 : Ensuring Development Management contributes to achieving sustainable development in South Norfolk  
DM1.3 : The sustainable location of new development  
DM1.4 : Environmental quality and local distinctiveness  
DM3.1 : Meeting housing requirements and needs  
DM3.8 : 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  
DM4.2 : Sustainable drainage and water management  
DM4.5 : Landscape Character Areas and River Valleys  
DM4.6 : Landscape setting of Norwich  
DM4.8 : Protection of trees and hedgerows

#### 4. Consultations

##### 4.1 Colney Parish Council

The Committee is aware that this application involves a location outside the permitted development boundary of the village

It also recognises that there are circumstances which enable a derogation/exemption to be permitted and subsequently for planning permission to be granted

The property is not visible to any third party, nor to any member of the public

It is not close to any heritage site or building

It meets the broad provisions of sustainable development in that the applicants are proposing a building which is highly energy efficient and water use conserving, constructed with materials which are sustainable in energy terms and appropriate to the cluster of existing buildings in the vicinity, and will be owned by residents of the village with a long term social and economic commitment to the wellbeing of the village. In addition the applicants propose to enhance the biodiversity of the location.

For all of these reasons the Committee is satisfied that this application should be awarded full planning permission.

##### 4.2 District Councillor:

Cllr W Kemp

I request that this application is determined by the Development Management Committee only. This is so that the Committee can consider and balance the competing factors namely that this application is sustainable in design and location but nonetheless is outside the development boundary.

#### 4.3 NCC Highways

Means of access is satisfactory and there are no objections in regards to highway safety.

Taking account of the TROD path that is available along Watton Road, I think that we have to accept that it is available for pedestrian use for this application for one dwelling.

The nearest bus stops that are close to the junction of Watton Road with the bypass, are about 400 metres from the site itself, so it is an acceptable distance. I do agree that it is not ideal for residents of the dwelling having to cross and re-cross a very busy road to access the bus stops, particularly for the less mobile. I have no problem with that reason being used as part of a general unsustainable location for the dwelling, although I am not convinced that would be sufficient to refuse the application on its own.

#### 4.4 SNC Water Management Officer

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

#### 4.5 Other representations

None received.

### 5. Assessment

#### **Key considerations**

- 5.1
  - Principle of development
  - Accessibility of the location
  - Impact on the character and appearance of the area
  - Highway safety
  - Trees and ecology
  - Self-build

#### **Principle of development**

- 5.2 The application site is outside of the development boundary that has been defined for Colney and thus is in a countryside location.
- 5.3 The published Annual Monitoring Report for 2017-2018 sets out that the Council can demonstrate a housing supply of 6.54 years. The publication of the Annual Monitoring Report 2018-2019 is imminent and is expected to show a continued strong supply. However, as the 2017-2018 version is the most recent point of reference, I consider that significant weight can be given to the Council's planning policies for development proposals outside of development boundaries.
- 5.4 Policy DM1.3 of the South Norfolk Local Plan Development Management Policies Document 2015 permits development outside of development boundaries where specific development management policies allow (criterion (c)) or where there are overriding benefits in terms of the economic, social and environmental dimensions of sustainable development (criterion (d)). In this case, criterion (c) is not considered to be satisfied so instead, criterion (d) is relevant in respect of the proposed dwelling. Whether the application demonstrates overriding benefits to warrant a new dwelling in the countryside will be considered later in this assessment after all relevant planning issues relating to the site have been assessed.

### **Accessibility of the location**

- 5.5 As part of the application, it has been set out that one of the dwelling is capable of being used as a live and work space. One of the applicants is a barrister and intends to work from home with no requirement for clients or other visitors to attend meetings in person. Be that as it may, working from home is not an unusual practice and the Council is required to take a longer term view of the site as its occupation will change at some point in the future. The space also appears to be adaptable for use as guest or other ancillary accommodation so does appear as a specialist facility.
- 5.6 The site is approximately 550m from the nearest part of the development boundary that has been defined for Colney to the east (relating to the extension to Norwich Research Park). The nearest bus stop is approximately 220m to the west close to Colney Woodland Burial Ground. This bus stop is accessed via a footpath on the opposite side of Watton Road and offers a frequent bus service to and from Norwich. While noting the comments of the Highway Authority on this particular point, this is a planning judgement to exercise. My view is that although there is a path, the unbound and unlit nature of a footpath is such that it may not be attractive to use or suitable for use during hours of darkness or for those with mobility or sensory difficulties or those with pushchairs or bicycles. The location of the site is such that in reality, in order to access key services such as convenience shopping, community facilities and the GP surgery, residents will likely rely on their private motor vehicles as opposed to catching the bus or cycling along the busy B1108. Accordingly, I consider that the application is contrary to Policies 1 and 6 of the JCS and Policy DM3.10 of the SNLP.

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

- 5.7 In its own right, I consider that the appearance of the dwelling is appropriate to its surroundings and neighbouring properties. Given the level of screening provided by surrounding woodland and trees and its set back distance from Watton Road, it will not be visible from any public vantage points and so will not impact on the appearance of the wider area. In this regard, the application complies with Policies 1 and 2 of the JCS and Policies DM1.4, DM3.8, DM4.5 and DM4.6 of the SNLP.
- 5.8 The dwelling will also be afforded adequate amenity space and its relationship to 37 Watton Road is such that it will not be oppressive or lead to direct overlooking. The application complies with Policy DM3.13 of the SNLP.

### **Highway safety**

- 5.9 The existing access onto Watton Road will be used and this already provides suitable visibility splays without needing to be improved. Adequate parking is shown as being provided for a dwelling of this size. The application complies with Policies DM3.11 and DM3.12 of the SNLP.

### **Trees and ecology**

- 5.10 Two trees are proposed for removal to accommodate the development. In view of the significant number of trees surrounding the site, the removal of two will have no discernible impact on the wider area. It is nevertheless intended that compensatory planting will be provided and six Silver Birch trees are indicatively shown as being provided to the east of the site.
- 5.11 The extended driveway is to be of no-dig construction and in all other respects, the development will have acceptable impacts on trees that can be adequately mitigated. The application therefore complies with Policy DM4.8 of the SNLP.

- 5.12 An Ecological Impact Assessment was submitted the application. This did not identify any significant ecological impacts arising from the development. Mitigation and enhancement measures proposed include a new native mix species hedge along the southern boundary of the site, the installation of bat and bird boxes, wood piles and wildflower planting. Taking account of these measures, the application complies with Policy 1 of the JCS.

### **Self-build**

- 5.13 Amongst other things, paragraph 61 of the NPPF requires Councils to plan for people wishing to build their own homes. Policy 3.1 of the SNLP does not preclude self-build development and that the application is for a self-build dwelling weighs in its favour. However, it should be borne in mind that the Council is meeting its targets for providing suitable development permissions that could be used for self-build and custom-housebuilding. This includes sites within the development boundaries or developments that involve the conversion of existing buildings; in other words, policy compliant applications. For these reasons, I do not consider that a substantial amount of weight can be attributed to the application being for a self-build dwelling.

### **Other Issues**

- 5.14 A previous application for a single-storey dwelling was refused adjacent to this site in 2002 on the grounds of it being outside of the development boundary and that it would cause harm to the undeveloped character of the area. The national policy framework has changed since 2002 as has the local plan so while these reasons are still considerations that would be taken into account in assessing the current application, I have assessed the application in accordance with current policy regime.
- 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. This is a material consideration but given that the Council is meeting its housing supply and self-build targets, paragraph 68 is not an overriding consideration.
- 5.16 The application can be considered to be previously developed 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.
- 5.17 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 the Community Infrastructure Levy but it would be open to the applicants to claim a self-build exemption.

### **Conclusion**

- 5.19 The site is located outside of the development boundary that has been defined for Colney. When assessing the application against the adopted development plan, the application is for a self-build dwelling of an appropriate design to its setting that will have acceptable impacts on the character and appearance of the wider area, residential amenity, highway safety and surrounding trees. I also accept that there will be ecological benefits arising from the new native species hedge, cut woodpiles and planting of the wildflower meadow and that there will be economic benefits arising from the construction and occupation of the dwelling, albeit it limited. On the other hand, I do not consider that the site is well located to encourage sustainable patterns of movement.

- 5.20 When considering what overriding benefits are in relation to Policy DM1.3, they must be more important than anything else to warrant granting planning permission. This was the approach taken by the Planning Inspector when dismissing the appeal for 52 dwellings at St. Mary's Road in Long Stratton (application ref. 2017/0810). The economic benefits will be limited and the social benefits of one additional self-build dwelling in the context of the Council meetings its housing supply and self-build target will be modest. There will be environmental benefits arising from the ecological enhancements although conceivably, these could be implemented without this application and as set out above, I do not consider the site to be sustainably located in relation to key services and facilities. Therefore, when balancing these issues out, I do not consider that the application demonstrates overriding benefits to warrant granting planning permission for this development outside of the development boundary and the application is recommended for refusal.

Recommendation: Refusal

#### Reasons for refusal

- 1 The site is approximately 550m from the nearest part of the development boundary that has been defined for Colney to the east. The nearest bus stop is approximately 220m to the west. This bus stop is accessed via trod path on the opposite side of Watton Road and offers a frequent bus service to and from Norwich. Although there is a path, its unbound nature is such that it may not be attractive to use or suitable for use for those with mobility or sensory difficulties or those with pushchairs. The location of the site is such that in reality, in order to access key services such as convenience shopping, community facilities and the GP surgery, residents will likely rely on their private motor vehicles. The application is therefore contrary to Policies 1 and 6 of the Joint Core Strategy and Policy DM3.10 of the South Norfolk Local Plan Development Management Policies Document 2015.
- 2 The proposed development is not supported by any specific Development Management policy which allows for development outside of the development boundary and nor does it represent overriding benefits when having regard to the harm identified. As such, the application does not satisfy the requirements of either items 2 (c) or (d) of Policy DM1.3 of the South Norfolk Local Plan Development Management Policies Document 2015.

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**Planning Appeals****Appeals received from 29 February 2020 to 23 April 2020**

<b>Ref</b>	<b>Parish / Site</b>	<b>Appellant</b>	<b>Proposal</b>	<b>Decision Maker</b>	<b>Final Decision</b>
2019/1272	Broome 186 Yarmouth Road Broome NR35 2NZ	Mrs Paula Linehan	Change of use of land to residential curtilage	Delegated	Refusal
2019/1073	Cringleford 3 Marilyn Welch Court Cringleford NR4 6TN	Mr & Mrs E Craigie	Proposed single storey extension to side and rear of detached house and extension to rear of detached garage	Delegated	Refusal
2019/2078	Hempnall Field House Stud Field Lane Hempnall Norfolk NR15 2PA	Mr Dan Gray	Refurbishment works including replacement roof, cladding, roof lights and external landscaping to outbuilding to provide games room and gym ancillary to the main dwelling	Delegated	Refusal
2018/8277	Woodcrest Barn Darrow Lane Roydon Norfolk IP22 5SA	Mr Nigel Rogers	Appeal against the erection of building (consisting of two mobile homes and a linking building) occupied independently from the main dwelling known as Woodcrest Barn.	Enforcement Appeal	
2019/0872	Pulham Market Wood Farm House Wood Lane Pulham Market Norfolk IP21 4XU	Mr P Pilcher	Regularisation application for retention of mobile home for family member (annexe) for a five year period.	Delegated	Refusal



<b>Ref</b>	<b>Parish / Site</b>	<b>Appellant</b>	<b>Proposal</b>	<b>Decision Maker</b>	<b>Final Decision</b>
2019/8007	Wood Farm Wood Lane Pulham Market Norfolk IP21 4XU	Mr Paul Pilcher	Appeal against land used for the standing of a residential mobile home used independently from the main residential dwelling	Enforcement Appeal	
2019/0541	48 Rectory Gardens Hingham Norfolk NR9 4RG	Mr Jonathan Rootham	Erection of two storey detached dwelling with integral double garage	Delegated	Refusal

### Planning Appeals

Appeals decisions from 29 February 2020 to 23 April 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>
2018/2012	Broome Gatehouse Lodge Loddon Road Broome Norfolk NR35 2HX	Mr Kevin Garner	Fell of Oak tree	Delegated	Refusal	Appeal dismissed
2019/1447	Mulbarton Land adj to 1 Birchfield Lane Mulbarton Norfolk	Mr Giuliano Korosec	Erection of two storey detached dwelling	Delegated	Refusal	Appeal dismissed
2019/0791	Bramerton Agricultural Building at Church Farm north of Rockland Road Bramerton Norfolk	H Parker Ltd	Notification for Prior Approval for a proposed change of use and associated building works of an agricultural building to a dwellinghouse (QA and QB)	Delegated	Approval of details - Refused	Appeal dismissed
2019/0249	Bracon Ash and Hethel Land east of Long Lane Bracon Ash Norfolk	Mrs Sherry Wickers	Erection of single storey dwelling.	Delegated	Refusal	Appeal dismissed

## Planning Appeals

Appeals decisions from 29 February 2020 to 23 April 2020

Ref	Parish / Site	Appellant	Proposal	Decision Maker	Final Decision	Appeal Decision
2019/0842	Denton Land north west of Sawyers Trunch Hill Denton Norfolk	Mr John Francis	Erection of 1 dwelling	Delegated	Refusal	Appeal dismissed
2019/0847	Wicklewood Land adj to 4 Hillside Crescent Wicklewood Norfolk	Mrs C Riches	Sub-division of garden for construction of a single storey dwelling	Delegated	Refusal	Appeal dismissed
2019/1014	Morley Land east of Brecon Lodge Home Farm Lane Golf Links Road Morley St Peter Norfolk	Mr & Mrs Tubby	Erection of two detached single storey dwellings and garages	Delegated	Refusal	Appeal dismissed
2019/1552	Wicklewood Land adj to 69 High Street Wicklewood Norfolk	Mr John Seville	Erection of 2 bed bungalow	Development Management Committee	Refusal	Appeal dismissed
2019/1520	Bawburgh 4 Stocks Hill Bawburgh NR9 3LL	Mr & Mrs Plant	First floor rear extension	Development Management Committee	Refusal	Appeal dismissed
2019/1090	Barford The Cock Inn Watton Road Barford NR9 4AS	Mr M & K Shalders	Erection of dwelling, creation of new vehicular access and associated works; demolition of outbuilding, erection of fencing and reconfiguration of pub garden and car park	Delegated	Refusal	Appeal dismissed

## Planning Appeals

Appeals decisions from 29 February 2020 to 23 April 2020

Ref	Parish / Site	Appellant	Proposal	Decision Maker	Final Decision	Appeal Decision
2019/1354	Colney Land west of The Old Hall Watton Road Colney Norfolk	Mr Nigel Willgrass	Erection of "self-build" two storey dwelling and associated garages	Development Management Committee	Refusal	Appeal dismissed
2019/0794	Ditchingham Dark Hole Toad Lane Thwaite NR35 2EQ	Ms Julie Cole	Proposed two commercial units to accommodate flexible B1/B8 uses, comprising refurbishment and small extension to two existing buildings together with associated parking.	Development Management Committee	Refusal	Appeal dismissed
2019/1940	Poringland Land to the east of Overtons Way Poringland Norfolk	Mr Stephen Litten	Construction of 8 no: 5 no. 2 bed apartments (with shared amenity and allocated parking), 2 no. 3 bed detached, 2 storey dwellings and 1 no. 4 bed detached, 2 storey dwelling (with private parking and garden amenity) (Resubmission of planning consent 2018/0048)	Development Management Committee	Refusal	Appeal dismissed