

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 a link, which will be available on the Council's website.

PUBLIC SPEAKING

You may register to speak by emailing us at democracy@s-norfolk.gov.uk, no later than 3.00pm on Friday, 21 August 2020.

Agenda

Date

Wednesday 26 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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Cygnet Court
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Email: democracy@s-norfolk.gov.uk
Website: 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 Thursday, 13 August 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	2019/2496/H	SAXLINGHAM NETHERGATE	The Carriers Arms The Street Saxlingham Nethergate NR15 1AJ	12
2	2020/1015/F	FRAMINGHAM PIGOT	Land to the rear of The Shrublands Loddon Road Framingham Pigot Norfolk	17
3	2020/1078/F	WYMONDHAM	15 Damgate Street Wymondham NR18 0BG	25
4	2020/1079/LB	WYMONDHAM	15 Damgate Street Wymondham NR18 0BG	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 30)

8. **Date of next scheduled meeting – Thursday, 10 September 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.

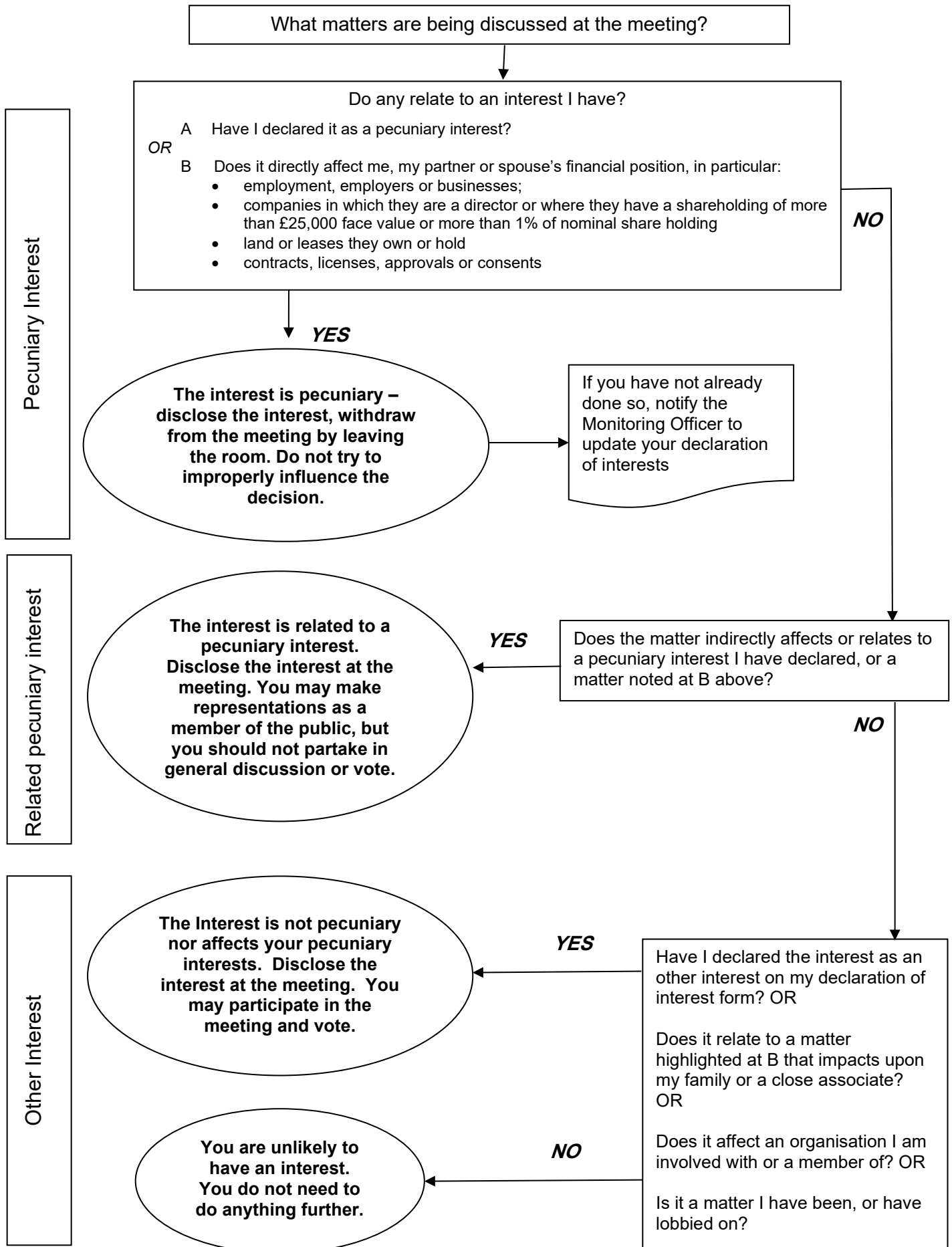
Is the interest not related to any of the above? If so, it is likely to be an other interest. You will need to declare the interest, but may participate in discussion and voting on the item.

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 Thursday, 13 August 2020 at 10.00 am.

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

Apologies: **Councillor:** D Bills

Substitute Members: **Councillor:** F Ellis for D Bills

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

512. 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
2019/1583/F (item 1)	WRENINGHAM	All	Local Planning Code of Practice Lobbied by an Objector
		All	Local Planning Code of Practice Lobbied by Parish Council

513. MINUTES

The minutes of the Development Management Committee meeting dated 29 July 2020 were confirmed as a correct record and signed by the Chairman.

514. 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
2019/1583/F (item 1)	WRENINGHAM	M Hill – Parish Council I Macrae – Objector M Hargreaves – On behalf of the Applicant Cllr N Legg- Local Member Cllr V Clifford-Jackson- Local Member Cllr G Francis- Local Member

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

515. PLANNING APPEALS

The Committee noted the planning appeals.

(The meeting closed at 11.15am)

Chairman

Updates for DEVELOPMENT MANAGEMENT COMMITTEE
– 13 August 2020

Item	Updates	Page No
Item 1 2019/1583	<ol style="list-style-type: none"> 1) An amended block plan was submitted on 5 August. As part this, reference to a stable (referred to in paragraph 5.17 of the report) at the northwest end of the site has been removed. 2) Further consideration has been given to the potential impact on the hedge that forms the boundary along Mill Road. Following that, it is proposed that in the event of the application being permitted, that the lean-to shelter shall only be constructed with pad foundations and that no concrete base/pad is laid down between the existing day room and the boundary with Mill Lane. 	12

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** : **2019/1583/F**
 Parish : **WRENINGHAM**

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

Decision : Members voted unanimously for **Approval**

Approved with conditions

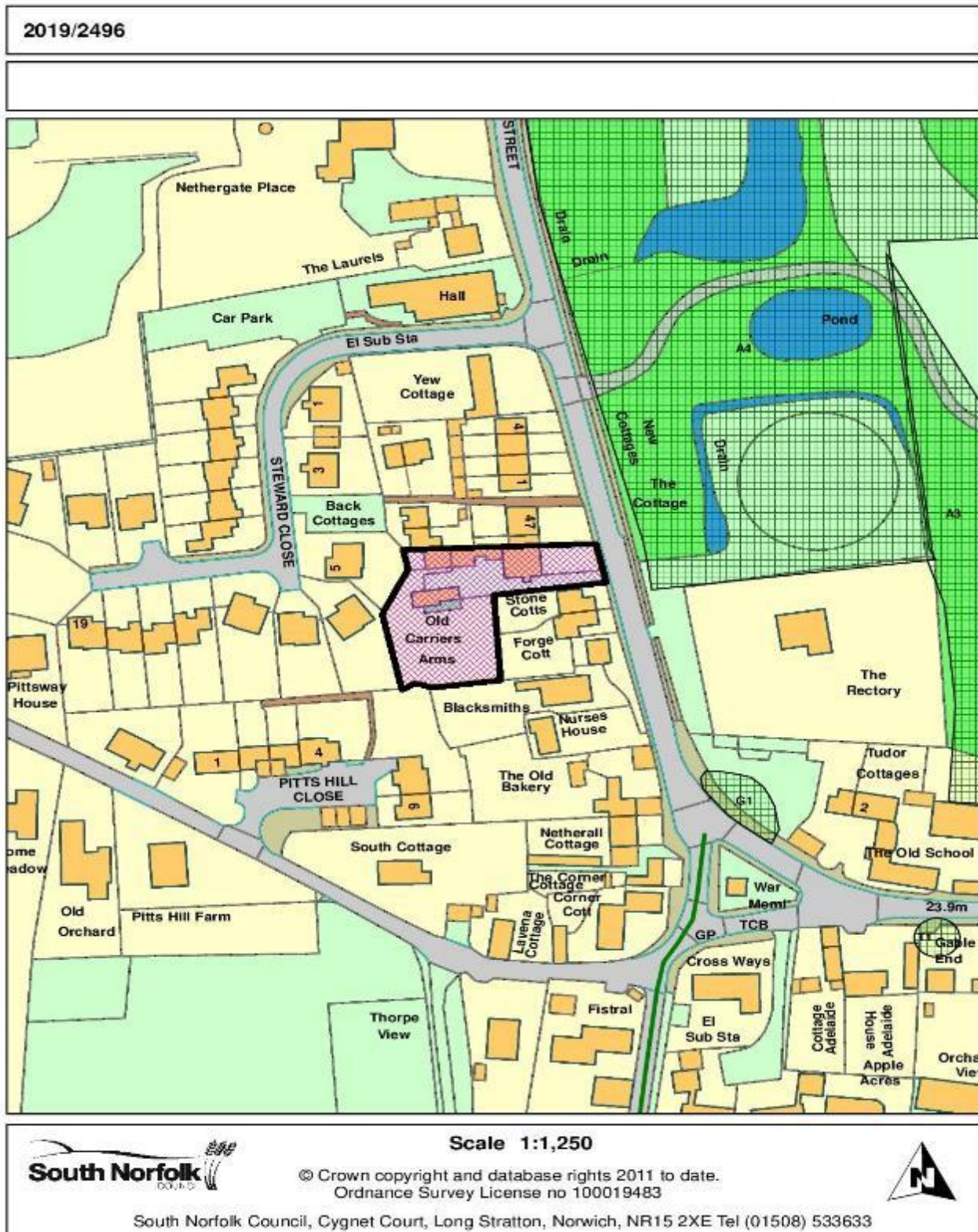
- 1 In accordance with submitted drawings
- 2 No overnight accommodation with extension
- 3 No external lighting
- 4 Lean-to shelter constructed with pad foundations and no concrete base/pad is laid down between the existing day room and the boundary with Mill Lane

PLANNING APPLICATIONS AND OTHER DEVELOPMENT CONTROL MATTERS

Report of Director of Place

Other Applications

Application 1



1. **Application No :** 2019/2496/H
Parish : SAXLINGHAM NETHERGATE

Applicant's Name: Mr & Mrs Tony Newman
 Site Address: The Carriers Arms The Street Saxlingham Nethergate NR15 1AJ
 Proposal: Extension and alteration of existing lean-to extension, conversion of existing car-port, removal of existing timber out-building and new extension, conversion of existing out-building, new car-port the partial removal of existing out-building to provide walled patio area. Minor alterations to main dwelling to provide ensuite and dressing room

Reason for reporting to committee

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

Recommendation summary :

Approval with Conditions

1 Proposal and site context

- 1.1 The house is a grade 2 listed building, part of a group of traditional buildings on the east side of the street and in the conservation area. The house is rendered with a thatched roof, but has a significant lean to extension on the rear in brick, render and pantiles.
- 1.2 Extending from the lean to and forming the boundary on the north side, is a high brick wall. Against this wall are a range of single storey ancillary buildings with a further range across the drive to the south.
- 1.3 The proposal is to convert, alter and extend these ancillary buildings to provide a breakfast room, utility, games room, guest bedroom, car port and garden room. The scheme has been revised from the plan submitted in December.

2. Relevant planning history

- | | | | |
|-----|-----------|--|----------|
| 2.1 | 2016/0308 | Erection of a new Victorian greenhouse in rear garden. | Approved |
| 2.2 | 1995/0740 | Rear extension | Approved |
| 2.3 | 1995/0764 | Rear extension, reinstatement of fire damaged roof and replacement of thatch incorporating clay pantiles to rear | Approved |

3 Planning Policies

- 3.1 National Planning Policy Framework (NPPF)
 NPPF 12 : Achieving well-designed places
 NPPF 16 : Conserving and enhancing the historic environment
- 3.2 Joint Core Strategy (JCS)
 Policy 2 : Promoting good design

- 3.3 South Norfolk Local Plan Development Management Policies
DM3.4 : Residential extensions and conversions within Settlements
DM3.13 : Amenity, noise, quality of life
DM4.10 : Heritage Assets

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

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

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

4. Consultations

4.1 Saxlingham Nethergate Parish Council

Objects. Considers the proposed car port extension to be over development. The rebuilding of the existing buildings on the site boundary will require specialist foundations and a structural engineer's scheme should be part of the application.

4.2 District Councillor (Cllr Florence Ellis)

Should be determined by Committee given the concerns of neighbours.

4.3 Other Representations

Objections from neighbours:

- Over development
- Insufficient information re materials and details
- Unsympathetic design
- No constructional details especially re impact on house gable and boundary wall
- Initial impact on loss of light
- Prevents future alterations
- Concerns re impact on bats and trees

5 Assessment

Key considerations

- 5.1
- Impact on the Conservation Area
 - Impact on the listed building
 - Impact on residential amenity
 - Impact on ecology

Impact on the Conservation Area

- 5.2 Under section 72 of the 1990 Act noted above, special attention is to be paid to preserving or enhancing the character or appearance of the Conservation Area. Aside

from the removal of a Leyland Cypress tree in the front garden, which the tree officer has no objections to, the majority of the works are at the rear, private side of the house.

- 5.3 Works to the garden room and pergola would be visible at the end of the drive, but this view is limited and not key to the character of the area. The works would therefore comply with section 72 of the 1990 Act.

Impact on the listed building

- 5.4 Part of the scheme involves providing an en-suite to serve one of the existing bedrooms. This is within the later lean to extension with no impact on historic fabric or any external alterations.
- 5.5 The range of outbuildings are not of any great significance in themselves but are deemed to be listed as falling within the curtilage of the house or are pre 1948. The dining area is a modern lean to which is to be enlarged to accommodate the breakfast area. The single storey open fronted storage barn attached at the west end is boarded, uses the boundary wall on its north side to support a gabled, pantiled roof. Beyond that is a flat roofed timber clad store building. Across the drive to the south is a single storey range in brick and pantile
- 5.6 The revised proposals have marginally reduced the extent of the breakfast area, have limited the conversion of the open fronted barn to its present form, but removed the timber clad section. This is to be replaced with a new building, with a flat roof, brick and timber clad. This will form the utility, games room and guest bedroom.
- 5.7 The range opposite is being extended to form a two bay car port with gabled pantiled roof. The existing range is converted to a garden room, with a smaller section removed and replaced with a pergola.
- 5.8 The scale of the works respect the single storey form of the existing. The design of the breakfast room and guest bedroom have taken a more contemporary approach partly to avoid raising the roof profiles above the boundary wall. The Council's senior design and conservation officer supports the design approach.
- 5.9 Details of the external facing materials have been specified on the plans which are considered to be appropriate, but a condition is recommended to enable the precise choices to be agreed.
- 5.10 It is considered that the works would preserve the setting of the listed building as required by sections 16(2) and 66(1) above.

Impact on residential amenity

- 5.11 The main concerns raised relate to over development and impact on the boundary wall and neighbouring house. In terms of floor space, the breakfast room provides an additional 16 m2 of space while the guest room extends about a metre further west. The car port adds another 30 sq.metres located within the "built" up area of the rear garden. The pergola follows the footprint of the previous outbuilding. All single storey. It is felt that using and extending the buildings in this modest way could not be considered as over development especially as the uses are still ancillary to the main house.
- 5.12 The impact on the boundary wall has been a major concern. Most of the buildings on the north side use it as part of their construction. Insulation is shown to be added to the inside of the wall. The new guest bedroom is shown to be 250mm away from the wall which is close to the neighbour's gable end of their house. While the concerns are understandable, these are not planning matters but will be dealt with at building control

stage and under the provisions of the Party Wall Act both of which remain in force regardless of an planning approval. An informative is suggested to remind the applicant of their obligations.

- 5.13 There was also initial concerns about overshadowing but the scale of the guest house section has been reduced to address this issue.
- 5.14 It is felt that in planning terms the scheme would not have an adverse impact on residential amenity and therefore complies with the requirements of Policy DM3.13 of the SNLP.

Impact on ecology

- 5.15 A report was carried out on the existing buildings but little evidence was found of any habitation by bats or birds. The report suggests mitigation measures which will enhance the future prospects and a condition is suggested accordingly.

Other Issues

- 5.16 Under Section 143 of the Localism Act the council is required to consider the impact on local finances. This can be a material consideration but in the instance of this application the other material planning considerations detailed above are of greater significance.
- 5.17 The need to support the economy as part of the recovery from the COVID-19 pandemic is a material consideration. This application will provide employment during the construction phase of the project. This weighs in favour of the proposal.
- 5.18 This application is not liable for Community Infrastructure Levy (CIL)

Conclusion

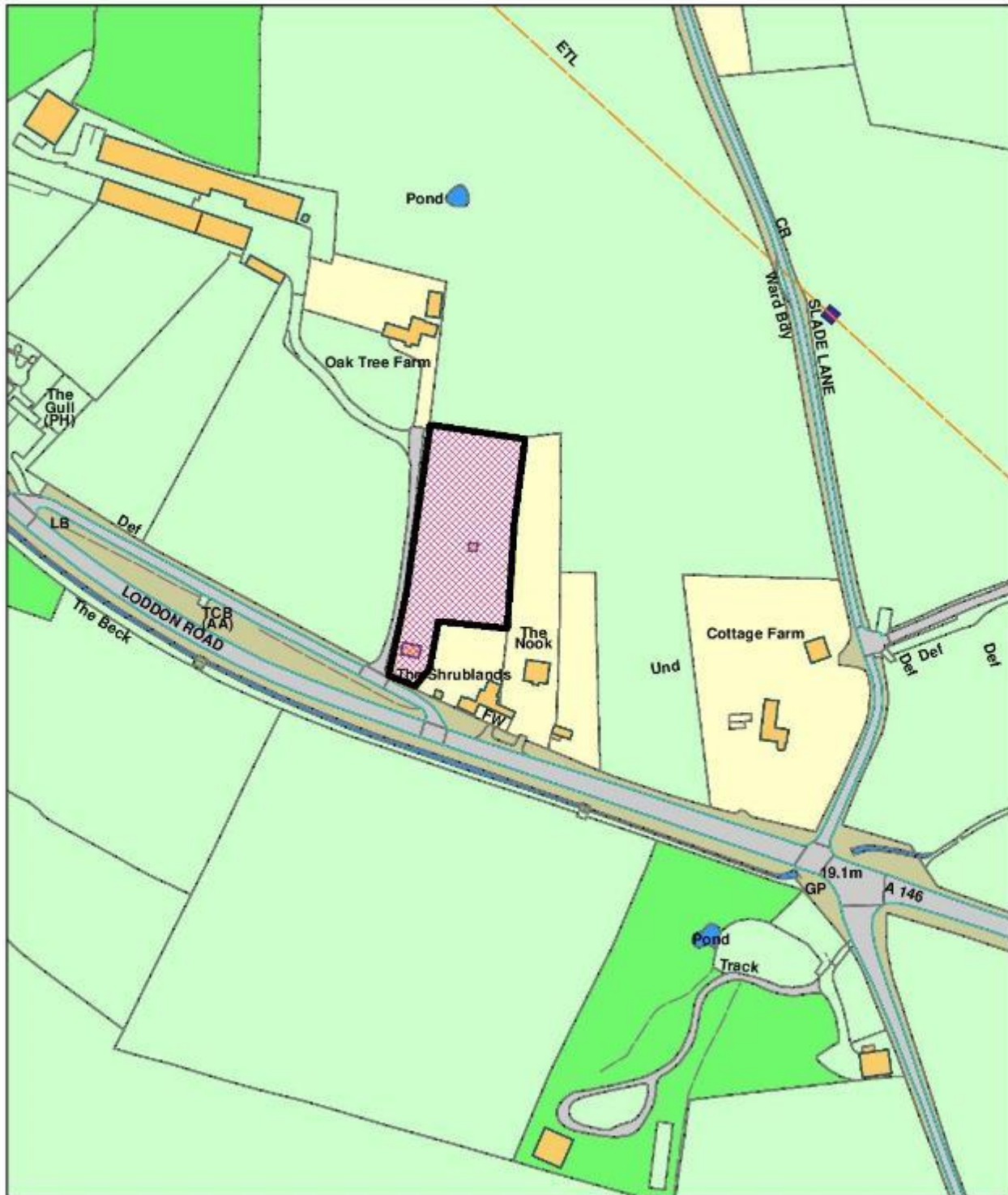
- 5.19 The scheme is considered to comply with the requirements of the relevant planning policies and is recommend for approval subject to conditions.

Recommendation : Approval with Conditions

- 1 Time Limit - Full Permission
- 2 In accordance with submitted drawings
- 3 External materials to be agreed
- 4 Ecology Mitigation

Contact Officer, Telephone Number Steve Beckett 01508 533812
and E-mail: sbeckett@s-norfolk.gov.uk

2020/1015



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

2. Application No : 2020/1015/F
Parish : FRAMINGHAM PIGOT

Applicant's Name: Mr & Mrs Anthony & Hewkin
 Site Address Land to the rear of The Shrublands Loddon Road Framingham
 Pigot Norfolk
 Proposal Erection of detached self-build house.

Reason for reporting to committee

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

Recommendation summary :

Refusal

1 Proposal and site context

- 1.1 The application site is located to the rear of Shrublands on Loddon Road in Framingham Pigot. The site is accessed via a layby off the A146 and is located as part of a small cluster of dwellings. Framingham Pigot has a dispersed settlement pattern and does not have a development boundary. The majority of houses are located along The Street and Fox Lane which are accessible from the opposite side of the A146.
- 1.2 The existing dwelling Shrublands is situated within a large plot. The proposal is for the sub-division of this plot with the new dwelling being located to the rear. There are changes in elevation within the site, with the ground sloping upwards away from the road.

2. Relevant planning history

- | | | | |
|-----|-----------|---|-----------|
| 2.1 | 2019/1396 | Erection of two storey dwelling | Withdrawn |
| 2.2 | 2009/0311 | Proposed two storey extension to the rear to provide kitchen with bedroom above | Approved |
| 2.3 | 2008/0486 | Proposed two storey extension to the rear to provide kitchen with bedroom above | 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 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 5 : The Economy
 Policy 6 : Access and Transportation
 Policy 17 : Small rural communities and the countryside

- 3.3 South Norfolk Local Plan Development Management Policies
Policy DM 1.1: Ensuring development contributes to achieving sustainable development in South Norfolk
Policy DM 1.3: Sustainable location of development
Policy DM 3.8: Design principles application to all development
Policy DM 3.10: Promotion of sustainable transport
Policy DM 3.11: Road safety and the free flow of traffic
Policy DM 3.12: Provision of vehicle parking
Policy DM 3.13: Amenity, noise and quality of life
Policy DM 4.2: Sustainable drainage and water management
Policy DM 4.5: Landscape character areas and river valleys
Policy DM 4.8: Protection of trees and hedgerows

4. Consultations

4.1 Framingham Pigot Parish Council

We have discussed this application further and do not wish to add any other comments to those made for the earlier application except to say that we are surprised at the confusion in some of the replies these applicants give, in that they are not aware of the drainage provision for either foul water or indeed surface water. Generally we have noted the reports given but feel that once your committee take into consideration the memorandum from the Environmental Quality Team and others reporting to your committee as to the guidance of Government for developments in such situations, that this will formulate the appropriate decision.

4.2 District Councillor

Councillor Overton

This application should only be determined by the Committee:

- Sustainable location.
- No Highway / access issues.

4.3 SNC Water Management Officer

Recommend the use of conditions to deal with both foul and surface water drainage.

4.4 NCC Highways

According to the information submitted, the means of access to the property would be via the existing gateway from the layby rather than being directly from the A146.

Had the development been proposed to be served directly from the A146. then we would automatically recommend a refusal as the vehicle slowing, stopping and turning movements resulting would interfere with the primary function of the A146 to carry traffic freely and safely between centres of population without undue hindrance. Drivers on Corridors of Movement do not normally expect to encounter slowing, stopping and turning movements outside of built up areas particularly where the entrances are not particularly conspicuous.

However in this instance as the development is served from a large and conspicuous formal highway layby where vehicles are regularly turning into and out of, that drivers on the route have to expect these manoeuvres.

Therefore on balance, it is considered that it would be difficult to offer a highway objection to this proposal for one dwelling that is served by this particular layby.

4.5 Other Representations

One public representation has been received objecting to the development. This has set out concerns in relation to:

- Overlooking of the rear of Orchard House and garden, resulting in loss of privacy. There is limited vegetation at the boundary between Shrublands and Orchard House. Although a wood panelled fence now exists between the 2 properties this, together with the remaining surrounding trees & hedgerows, insufficient to screen the proposed building which, due to its size and location, would overlook the rear of Orchard House and its rear garden.
- Overshadowing - The proposed building would obscure sunlight falling on Orchard House & overshadow & dominate its rear garden.
- Disturbance - With its southerly orientation, sunlight would reflect from the large areas of glass in the front of the proposed building towards occupants of Orchard House. Also disturbance from vehicles and lighting. No indication is included as to where parking for the property is proposed.
- Out of character - design for a modern red brick house with a dark grey slate roof is not in keeping with the local architecture.
- Impact upon ecology
- Impact upon heritage – building would be prominent due to its location
- Inaccuracies within the application form and design and access statement. This includes in relation to drainage, visibility and trees.

5 Assessment

Key Consideration

5.1 The key considerations in relation to the determination of this application are:

- Principle;
- Design;
- Impact upon residential amenity;
- Landscape; and
- Highways

5.2 These are addressed below.

Principle

5.3 The application seeks full planning permission for a dwelling on land outside the development boundary in Framingham Pigot. The Council is able to demonstrate a five year housing land supply as set out within its 2018/19 Annual Monitoring Report and does not agree with the agents assertion that the Council does not have one. As such, Policy DM1.3 is relevant to the determination of this application. Criterion 2 of DM1.3 sets out that permission for development in the countryside outside of the defined development boundaries of settlements will only be granted if:

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

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

5.4 The proposal is for a self-build market dwelling. It is not supported by any specific development management policies and therefore does not satisfy criterion 2c) as set out above. Consideration of the economic, social and environmental benefits of the proposal and whether they can be considered overriding, as required by criterion 2d) is addressed below.

Economic Dimension

- 5.5 There would be modest economic benefit from the construction of a dwelling in this location, both during construction and from future occupants supporting local services and facilities once constructed and occupied. This benefit is limited due to the scale of the proposal.

Social Dimension

- 5.6 The development would provide a new dwelling, however this should be considered in the context of a demonstrable five year housing land supply and the fact that it is only a single dwelling. Consequently, a modest benefit is afforded to the provision of an additional dwelling in respect of Policy DM 1.3.

Connectivity

- 5.7 The NPPF requires sites to have good connectivity with accessible local services. Framingham Pigot is defined under Policy 17 of the JCS as a small rural community and the countryside, reflecting the limited services and facilities. The Gull Inn Public House is located to the north-west of the site, at the other end of the layby serving the access to the site. There is also a bus stop providing services to Norwich and Lowestoft. Whilst there is a level of service provision from the site, this is limited in terms of lack of evening buses and what appears to be a Sunday service and it does not stop in any nearby villages before reaching Norwich which is not deemed suitable for regular trips to access daily facilities eg schools, shops etc. Due to the sites location adjacent to the A146, and lack of any continuous lit footpath connections there is no strong pedestrian access to services.
- 5.8 It is considered that the application is contrary to the social role of sustainable development in terms of connectivity, and would represent a harm when considered against the requirements of criterion 2d of Policy DM 1.3. As well as conflicting with the social role, for the same reasons the scheme would conflict with the requirements of Policies 1 and 6 of the JCS and Policy DM3.10 of the SNLP which seek to locate development in locations that reduce the need to travel.

Design and Layout

- 5.9 Policy DM3.8 and JCS Policy 2 relate to design. The site is located to the rear of Shrublands, which has a large garden. The application proposes a two storey dwelling, with lower eaves at the front which seek to visually reduce the scale of the property. The design of the dwelling is considered to be acceptable. Concern has been raised that the design does not reflect the local vernacular. The design is contemporary, however there is a range of design styles within the vicinity. The materials proposed include red brick, timber cladding with grey slate roof. The proposal is considered to accord with the requirements of DM3.8 and JCS Policy 2. Furthermore, the external facing materials proposed area also considered to be acceptable.

Impact upon residential amenity

- 5.10 The application is located to the rear of Shrublands. Concerns have been raised from the adjacent property Orchard House (also known as The Nook) in regard to impact upon amenity. Due to the location of the property this includes concerns in regard to overlooking and loss of privacy. These concerns are fully understood. There is a change in elevation within the site, with the land rising from the road. There is a reasonable separation between the dwellings, and furthermore, the design of the dwelling has sought to reduce this through a reduction in windows at the first floor level on the principle elevation. Notwithstanding this, due to the change in elevation of the land, it is considered that the proposal would result in overlooking of the adjacent

property and in particular the more private amenity areas of the garden. This is contrary to the requirement of DM3.13.

Highways

- 5.11 The Highways Authority have reviewed the proposal and confirmed that as the access to the dwelling is proposed from the layby rather than the A146 this is acceptable. The have requested a condition to secure onsite parking and turning prior to occupation of the dwelling. This is considered to accord with the requirements of Policy DM3.12.

Environmental Dimension

Drainage

- 5.12 Policy DM4.2 requires consideration of foul and surface water drainage matters for all applications. Comments have been received from the Council's Water Management Officer requiring conditions in relation to both foul drainage and surface water drainage. Subject to these conditions being included the proposal is not considered to conflict with the requirements of Policy DM 4.2.

Landscape Character

- 5.13 Policy DM4.5 sets out that all development should respect, conserve and where possible, enhance the landscape character of its immediate and wider environment. It goes on to set out that planning permission will be refused where it results in a significant adverse impact. The Landscape Character Assessment includes the site within the D2 Poringland Settled Plateau Farmland character area. Due to the site's elevation, the new dwelling will be visible within the landscape. As noted previously the design of the dwelling has sought to reduce this impact through the lower height of the eaves. In this regard it is considered to have a neutral impact in relation to DM4.5.

Trees

- 5.14 There are a number of trees within the site, as shown on the site layout plan. Whilst the new dwelling is sited to directly avoid those trees, consideration has not been given to the root protection areas, or whether trees would be affected by the access drive or through the construction process. These trees are visible within the landscape, and as such it would be expected that an Arboricultural Impact Assessment would be provided in support of the application, which is not the case. It is considered that there is insufficient evidence to consider the impact of the proposal against the requirements of DM4.8.

Other Issues

- 5.15 Paragraph 68 of the NPPF states that small and medium sized sites can make an important contribution to meeting the housing requirement of an area. The Council has taken a proactive approach to this through the allocation of a range 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 determining this application and would not outweigh the harm previously identified.

- 5.16 Under paragraph 61 of the National Planning Policy Framework (2012) requires Councils to plan for people wishing to build their own homes. This can be a material planning consideration for this application as self-build has been identified as the method of delivering the site. The agent suggests that the local plan is “silent” on self-build the Council do not accept this point. Furthermore, the agent also questions that the Council is not providing enough plots to meet the need highlighted in its self-build register, officers disagree with the claim that there are not enough “suitable” plots as required being granted planning permission. Whilst an indication of self-build has been given by the applicant it should also be noted that at this stage it cannot be certain that the method of delivering this site will be self-build. In the instance of this application the other material planning considerations detailed above are of greater significance.
- 5.17 The need to support the economy as part of the recovery from the COVID-19 pandemic is a material consideration. This application will provide employment during the construction phase of the project and future occupiers will also contribute to the local economy e.g. when maintaining and servicing their properties and spending in the local area. This weighs in favour of the proposal, however, this is not decisive in this case.
- 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 The agent considers that the tilted balance of paragraph 11 of the NPPF should be engaged on the basis of an appeal decision in Poringland (2016/1627). It is evident that the SoS accepted that the Planning Inspector in that case erred in law and as such this case should be given no significant positive weight in the decision-making process and that the tilted balance therefore not be engaged on the basis of this decision.
- 5.20 This application is liable for Community Infrastructure Levy (CIL) however is recommended for refusal

Conclusion

- 5.21 The proposed development is outside a development boundary in an area which is remote from services and facilities. The proposal is not considered to represent sustainable development, and as a result would be contrary to the requirements of Policy DM1.1 and Policy DM 1.3 as it cannot be considered to demonstrate an overriding benefit as required by criterion 2d.
- 5.22 The development is also considered to be contrary to the requirements of Policy DM3.10 due to its poor connectivity to services and facilities. Notwithstanding the availability of public transport in the vicinity, the A146 represents a physical barrier between the site and the settlement of Framingham Pigot, making pedestrian access unattractive.
- 5.23 Due to the sites location to the rear of Shrublands, and the elevation changes within the site, the proposal is also considered to result in overlooking of the adjacent properties contrary to the requirements of DM3.13.
- 5.24 Insufficient information has not been provided as part of this application in regard to the trees within the site, to allow an assessment of the impact. This is contrary to DM4.8.

- Recommendation : Refusal
1. No Overriding Benefit
 2. Poor Connectivity
 3. Impact upon amenity
 4. Insufficient Information Trees

Reasons for Refusal

No overriding benefit

1. The 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 very limited benefits the development offers and when seen in the context of the clear adverse planning impacts outlined in reasons 2, 3 and 4 of this refusal. As such the application does not satisfy the requirements of either criterion 2 c) or d) of Policy DM1.3 of the South Norfolk Local Plan Development Management Policies Document 2015. The application does not represent sustainable development and is contrary to DM1.1 of the South Norfolk Local Plan Development Management Policies Document 2015.

Poor connectivity

2. Access to the site is via a layby off the A146. The site is not in a sustainable location and neither can it be made a sustainable by the development with inadequate provision for pedestrians available and the limited nature and scope of the available bus service. The application is contrary to Policies 1 and 6 of the Joint Core Strategy 2011/2014 and Policy DM3.10(1) of the South Norfolk Local Plan Development Management Policies Document 2015.

Impact upon amenity

3. By virtue of the elevation position of the new dwelling and its location to the rear of the existing built development, it is considered to result in overlooking of adjacent properties and in particular the more private garden areas of those properties. The proposal is not in accordance with section 12 of the National Planning Policy Framework and Policy DM3.13 of the South Norfolk Local Plan Development Management Document 2015.

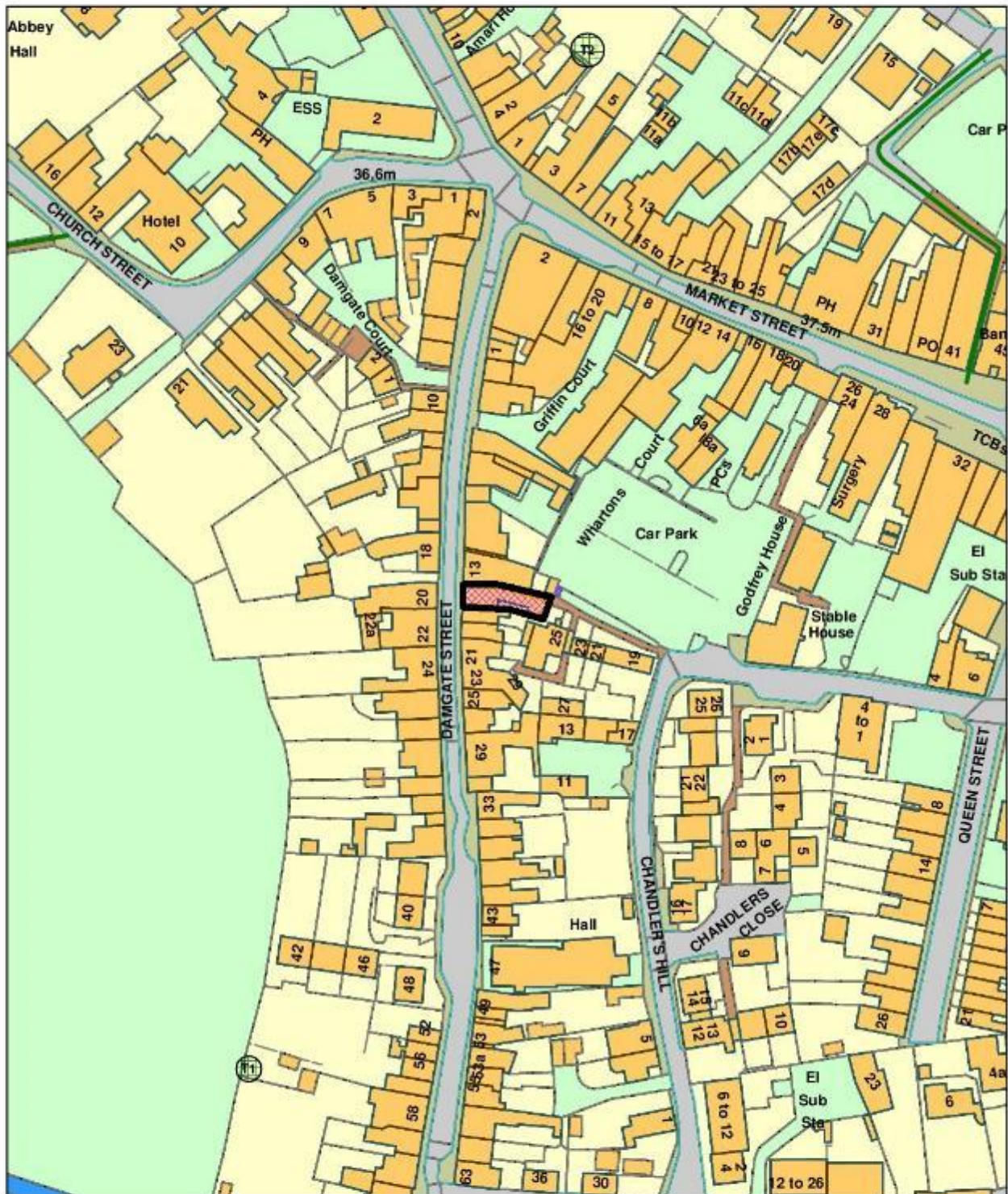
Insufficient Information Trees

4. There are a number of trees within the site which may be impacted by the development. An Arboricultural Impact Assessment and Tree Protection Plan have not been submitted in support of this application to evaluate the implications. As a result, it cannot be concluded that the development would promote appropriate management and safeguard significant trees as required by Policy DM4.8 of the South Norfolk Local Plan Development Management Document 2015.

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Applications 3 & 4

2020/1078 and 2020/1079



Scale 1:1,250



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

3. Application No : 2020/1078/F
Parish : WYMONDHAM

Applicant's Name: Estate of Mr Read
 Site Address 15 Damgate Street Wymondham NR18 0BG
 Proposal Change of use of ground floor room from antique shop to residential

4. Application No : 2020/1079/LB
Parish : WYMONDHAM

Applicant's Name: Estate of Mr Read
 Site Address 15 Damgate Street Wymondham NR18 0BG
 Proposal Change of use of ground floor room from antique shop to residential

Reason for reporting to committee

The proposal would result in the loss of employment

Recommendation summary:

Approval with Conditions

1 Proposal and site context

- 1.1 Together with No.13 the property forms an 18th century Grade II listed building which fronts Damgate Street. The building was listed in 1976, the list description referring to both properties being used as shops. The building has a painted brick finish and clay pantile roof with some internal timber frame.
- 1.2 The site is situated outside the defined town centre but within the Wymondham Conservation Area and development boundary. Both No.'s 13 and 15 retain their original domestic appearance, which is very much in keeping with the strong residential character of Damgate Street, although there are a very small number of historic shop fronts in the street. No.15 has external signage advertising the former Antiques shop. The shop use is confined to the ground floor front room only. There is a neighbouring dwelling to the south side.
- 1.3 These applications seek to bring the front room area of the property back into domestic use and remove existing signage. Since the previous approval in 1982 for use as an Antiques Shop, there has been no change in ownership of the property. The current proposal is a result of a change in circumstances of the owner which has meant that the Antiques business has had to cease.

2 Relevant planning history

None

3 Planning Policies

- 3.1 National Planning Policy Framework (NPPF)
 NPPF 06 : Building a strong, competitive economy
 NPPF 07 : Ensuring the vitality of town centres
 NPPF 12 : Achieving well-designed places
 NPPF 16 : Conserving and enhancing the historic environment

- 3.2 Joint Core Strategy (JCS)
Policy 2 : Promoting good design
Policy 5 : The Economy
- 3.3 South Norfolk Local Plan Development Management Policies
DM2.2 : Protection of employment sites
DM3.8 : Design Principles applying to all development
DM3.13 : Amenity, noise, quality of life
DM4.10 : Heritage Assets

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

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

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

4 Consultations

4.1 Wymondham Town Council

Approve

4.2 District Councillor

No comments received

4.3 Other Representations

None received

5 Assessment

Key considerations

5.1 Loss of employment and impact on heritage assets

Principle

Proposed use

- 5.2 The principle of changing from employment use, in this case A1, to residential, can be acceptable under policy DM2.2 of the Local Plan 2015 where the possibility of other employment uses have been fully explored and it can be demonstrated that the site and the premises is no longer economically viable or practical to retain for an employment use or where there are any overriding economic environmental or community benefit from the change of use which outweighs the benefit of the current lawful use continuing can also be considered acceptable.

- 5.3 Although outside the defined town centre, due to its location the shop does have a close relationship with the town centre. Damgate Street does however have very few shops and has always been largely residential, evident by the rows of historic houses either side of the road. Properties are relatively small, very close together along a narrow street and this does not make it easily suited to commercial use, due to poor vehicle access, small premises and impact on neighbour amenity. Also due to the relatively small size and layout of No.15 it is difficult to completely separate the shop use from the residential use as this would not allow for any ancillary space for service/storage and as a result the commercial use could not operate independently without adverse impacts upon the amenity of future users of both the shop and the main dwelling. Therefore, any continuation of the existing dual use would need to be under the same ownership. Details from the 1982 application show that the Council had some concern approving the proposed Antique Shop use due to the location not being ideally suited for such use. Furthermore, the entrance to the shop remains the primary entrance to the residential dwelling too. Whilst it is evident that no marketing has taken place as strictly required by Policy DM2.2 officers consider that the above circumstances relating to the modest size of the retail component and the inability to split the retail function from the residential one without having to undertake works to the listed building which of themselves would not necessarily be acceptable in heritage terms means that it would be unreasonable to insist on the retail function being marketed for sale or rent. It should also be remembered that this was originally a dwelling rather than a mixed use (residential and retail) and the scheme would return it to this arrangement. It is considered that to keep the retail function going isn't practical in this case which would satisfy part of the test in DM2.2.

- 5.4 Therefore, taking into account the above, whilst not having been marketed in accordance with DM2.2, officers are satisfied that the unusual arrangement of what is a very modest retail unit can be lost without causing any significant harm to employment within Wymondham.

Design/Heritage Assets

- 5.5 It is desirable to preserve the original domestic character of the property and therefore it is likely that any further alterations proposed to help continue the current employment use may not be considered acceptable due to heritage concerns, thus further restricting the use as a shop. The proposal helps to retain the strong historic residential character of both the building and street scene for the longer term.
- 5.6 In light of the requirements of sections 16,66 and 72 of the Act the proposal will not harm heritage assets and therefore accords with national and Local Plan policies regarding design and heritage assets.

Neighbour Amenity

- 5.7 No objections to the application have been received. The change of use would not result in any unacceptable level of harm to any neighbouring amenity and is very much in line with existing predominantly residential use in this part of the town. The proposal therefore accords with policy DM3:13 of the Local Plan 2015.

Other Issues

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

- 5.9 The need to support the economy as part of the recovery from the COVID-19 pandemic is a material consideration. The particular circumstances of this case mean that there would be little obvious impacts in this regard and it has a neutral impact on the determination of this application.
- 5.10 This application is not liable for CIL under the Regulations.

Conclusion

- 5.11 The site is situated outside the defined area for town centre uses and therefore proposal is not contrary to the aims of the Wymondham Area Action Plan. Whilst strictly speaking full compliance is not achieved with DM2.2 as no marketing has been undertaken as outlined above, it is clearly not practical to have a retail unit separated from the residential function which occupies most of the building. Furthermore, the very small scale of the retail unit means that no significant job loss would occur. A full residential use would also be more sympathetic to the strong historic residential character of Damgate Street, thus providing some benefit. For these reasons it is considered that the proposal does not undermine the aims of Policy DM2.2 and the scheme complies with all other relevant policies and is therefore recommended for approval.

Recommendation: Approval with Conditions

- 1 Full Planning permission time limit
- 2 In accordance with submitted drawings

Recommendation : Approval with Conditions

- 1 Listed Building Time Limit
- 2 In accordance with submitted drawings

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Planning Appeals**Appeals received from 3 August 2020 to 13 August 2020**

Ref	Parish / Site	Appellant	Proposal	Decision Maker	Final Decision
None					

Planning Appeals**Appeals decisions from 3 August 2020 to 13 August 2020**

Ref	Parish / Site	Appellant	Proposal	Decision Maker	Final Decision	Appeal Decision
2019/1677	Loddon The Lodge Stubbs Green Loddon Norfolk NR14 6EA	Mr Keith Rickman	Replacement windows	Delegated	Refusal	Appeal dismissed