

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 Monday, 13 July 2020.

Agenda

Date

Thursday 16 July 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
Long Stratton Norwich
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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 Wednesday, 1 July 2020;** (attached – page 8)

5. **Planning Applications and Other Development Control Matters;** (attached – page 12)
To consider the items as listed below:

Item No.	Planning Ref No.	Parish	Site Address	Page No.
1	2020/0469/F	STOKE HOLY CROSS	133 Norwich Road Stoke Holy Cross NR14 8QJ	12
2	2020/0478/F	DISS	Land north of Nelson Road Diss Norfolk	22
3	2020/0889/F	COLNEY	Land west of The Old Hall Watton Road, Colney, Norfolk	34
4	2020/0919/O	CRINGLEFORD	Land south of Meadow Farm Drive Cringleford Norfolk	46

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 55)

8. **Date of next scheduled meeting – Wednesday, 29 July 2020**

GUIDELINES FOR DETERMINING THE NEED TO VISIT AN APPLICATION SITE

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

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

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

2. PUBLIC SPEAKING: PLANNING APPLICATIONS

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

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

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

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

PLANNING APPLICATIONS AND OTHER DEVELOPMENT CONTROL MATTERS

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

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

Key to abbreviations used in Recommendations

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



DECLARATIONS OF INTEREST AT MEETINGS

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

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

Does the interest directly:

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

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

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

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

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

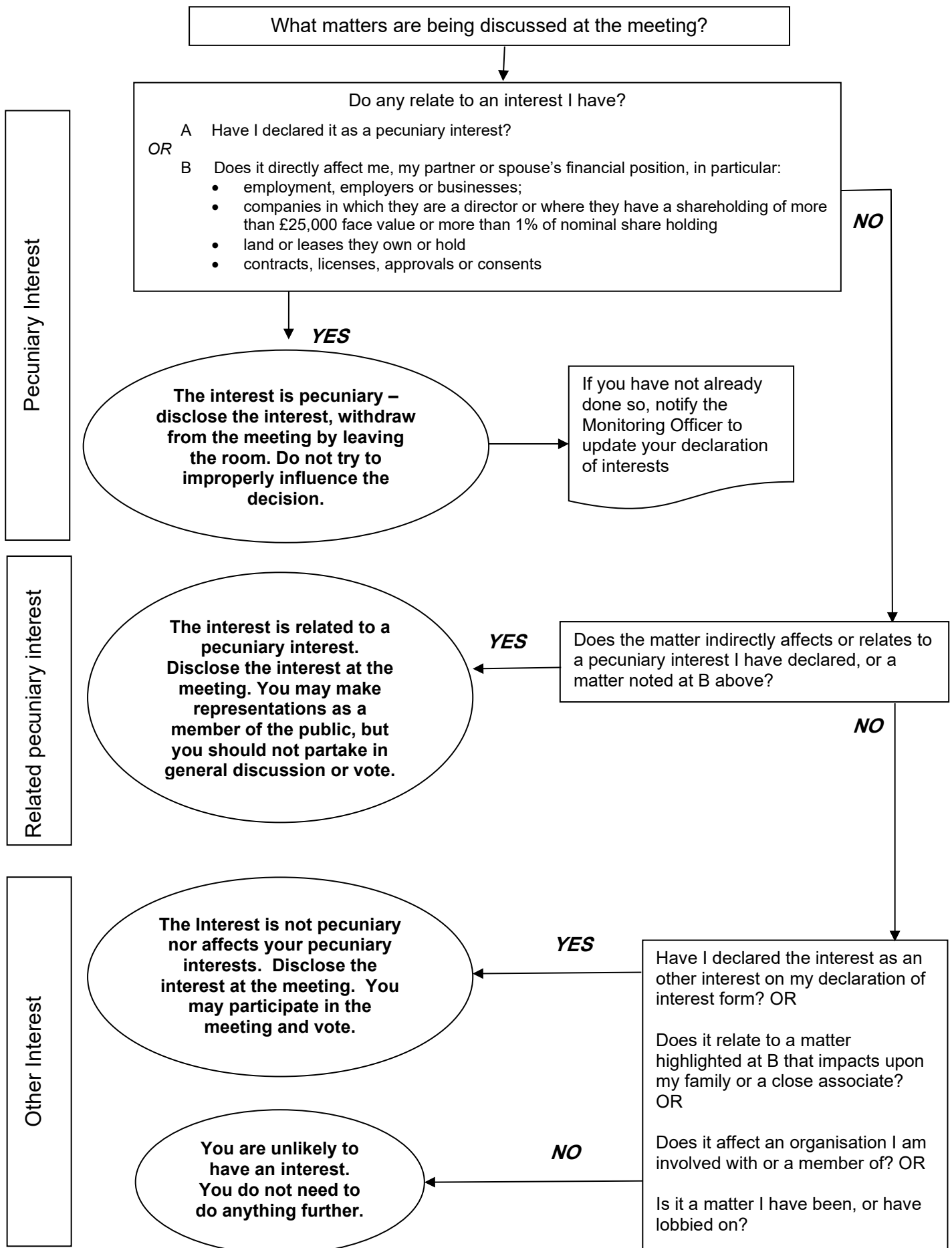
Is the interest not related to any of the above? If so, it is likely to be an other interest. You will need to declare the interest, but may participate in discussion and voting on the item.

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

FOR GUIDANCE REFER TO THE FLOWCHART OVERLEAF.

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

DECLARING INTERESTS FLOWCHART – QUESTIONS TO ASK YOURSELF





DEVELOPMENT MANAGEMENT COMMITTEE

Minutes of a meeting of the Development Management Committee of South Norfolk District Council held remotely on Wednesday, 1 July 2020 at 10.00 am.

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

Officers in Attendance: The Assistant Director, Planning (H Mellors), The Development Manager (T Lincoln) and the Area Planning Manager (C Raine)

500. DECLARATIONS OF INTEREST

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

Application	Parish	Councillor	Declaration
2020/0266/O	WYMONDHAM	All	Local Planning Code of Practice Lobbied by Agent's Architect
2020/0600/F	KIMBERLEY AND CARLETON FOREHOE	All	Local Planning Code of Practice Lobbied by Objector

501. MINUTES

The minutes of the Development Management Committee meeting dated 3 June 2020 were confirmed as a correct record and signed by the Chairman, with an amendment to the applicant name and address for item 3.

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

APPLICATION	PARISH	SPEAKERS
2020/0266/O (Item 2)	WYMONDHAM	D Hughes – Objector J Western – Applicant's Architect Cllr T Holden – Local Member
2020/0600/F (Item 3)	KIMBERLEY AND CARLETON FOREHOE	J Smiley – Parish Council L James – Objector C Whitehouse – Agent for the Applicant Cllr R Elliott – Local Member
2020/0668/F (Item 4)	HEDENHAM	M Sadd – Agent for the Applicant

The Committee made the decisions indicated in Appendix A 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.

503. PLANNING APPEALS

The Committee noted the planning appeals.

(The meeting closed at 12.35pm)

Chairman

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

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

Other Applications

1. **Appl. No** : **2020/0192/CU**
Parish : **WYMONDHAM**

Applicant's Name : Mr Resit Cetin
 Site Address : 12 Norwich Road Wymondham Norfolk NR18 0NS
 Proposal : Change of use from A3 (cafe) to A5 takeaway and installation of external extraction flue

Decision : Members voted unanimously for **Refusal**

Refused

- 1 Design and impact on conservation area
- 2 Impact on residential amenity
- 3 Inadequate parking and turning space and impact on highway safety

2. **Appl. No** : **2020/0266/O**
Parish : **WYMONDHAM**

Applicant's Name : David, Charles & Tom Hastings
 Site Address : Land adjacent to 147 Norwich Road Wymondham Norfolk
 Proposal : Erection of three self-build detached dwellings.

Decision : Members voted unanimously for **Approval** contrary to officer recommendation, which was lost unanimously)

Approved with Conditions

Officers authorised to provide conditions as considered appropriate but these must include the requirement for plots 2 and 3 to be single storey and that the trees on the site to be safeguarded.

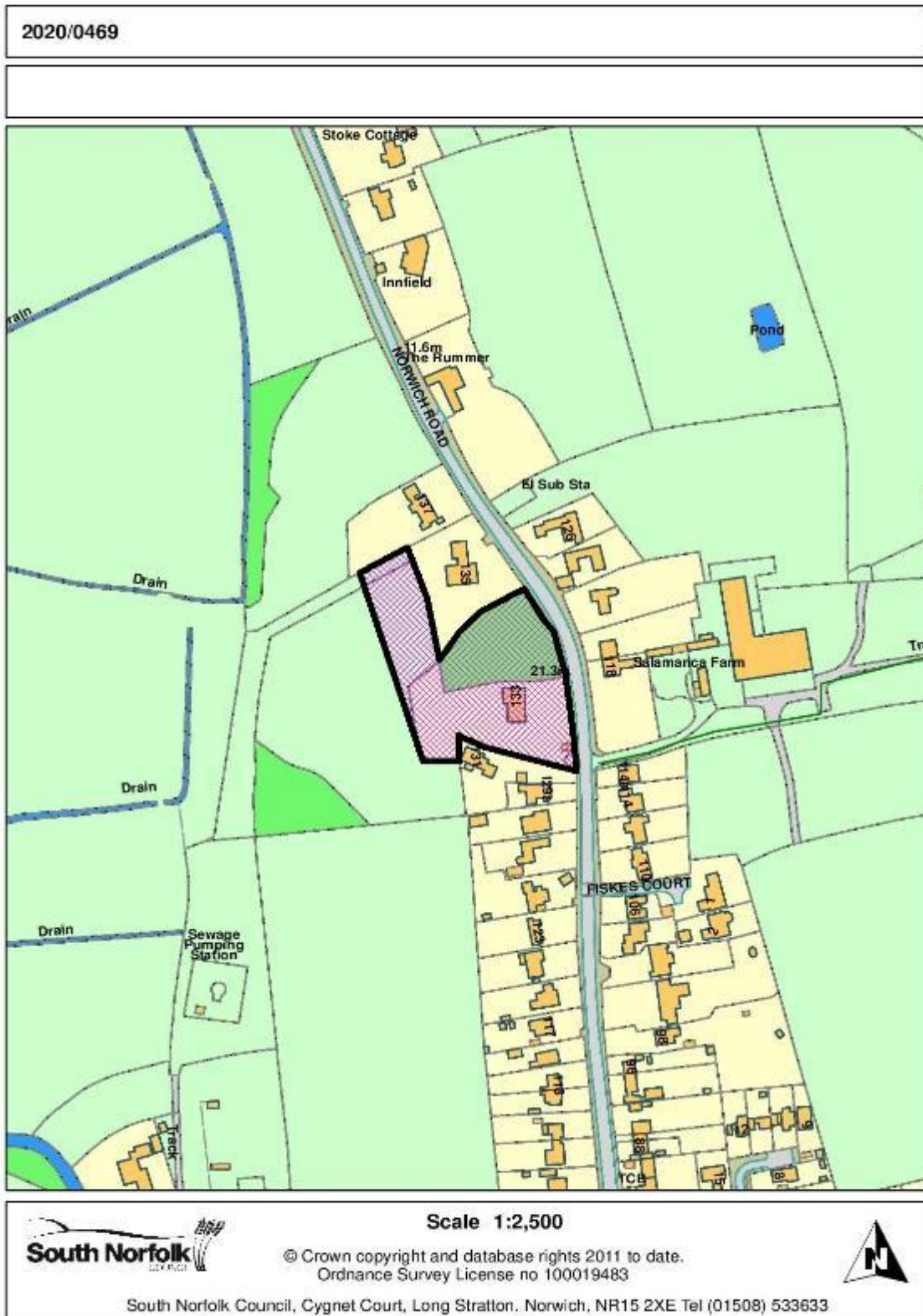
3. **Appl. No** : **2020/0600/F**
 Parish : **KIMBERLEY AND CARLETON FOREHOE**
- Applicant's Name : Mr & Mrs C House
Site Address : Land north-west of Norwich Road Kimberley Norfolk
Proposal : Proposed over 55's, self-build dwelling (resubmission of
 2019/2486)
- Decision : Members voted unanimously for **Refusal**
- Refused
- 1 Accessibility of the site
 2 No overriding benefits
4. **Appl. No** : **2020/0668/F**
 Parish : **HEDENHAM**
- Applicant's Name : Mr G Wilcockson
Site Address : The Mermaid Balti House Norwich Road Hedenham Norfolk NR35
 2LB
Proposal : Change of use from Indian restaurant to residential
- Decision : Members voted unanimously for **Approval**
- Approved with conditions
- 1 Time Limit - Full Permission
 2 In accordance with submitted drawings
 3 Arboricultural Method Statement
 4 New Access
 5 Access Gates
 6 Access - Gradient
 7 Visibility splays
 8 No PD rights for extensions and outbuildings
 9 Boundary treatments to be submitted and agreed by the Council

PLANNING APPLICATIONS AND OTHER DEVELOPMENT CONTROL MATTERS

Report of Director of Place

Applications referred back to Committee

Application 1



1. Application No : 2020/0469/F
Parish : STOKE HOLY CROSS

Applicant's Name: Mr & Mrs Sinha
 Site Address 133 Norwich Road Stoke Holy Cross NR14 8QJ
 Proposal Demolition of existing dwelling and garage. Erection of replacement dwelling with detached garage, outbuildings & associated landscape work, including extension to curtilage.

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 application relates to an existing detached dwelling in Stoke Holy Cross. It is outside of the development boundary for the settlement, although it falls within a loose pattern of development along Norwich Road to the north of the settlement. The site that is the subject of this application includes the dwelling and its curtilage and land to the west of the site which is under the same ownership and descends into the Tas valley.
- 1.2 The application comprises of two parts. Firstly, the application is to replace the existing dwelling with a new contemporarily designed dwelling. The second element of the proposal is to extend the private garden space into part of the land to the west.
- 1.3 As can be in section 2 below, there have been previous applications relating to the land to the west. There have been two applications for a Certificate of Lawful Use (ref:2015/2445 and 2017/2630) to establish lawful use of the entire section of land as garden space. In neither case was this successfully done, with 2015/2445 withdrawn and 2017/2630 refused. There was a subsequent planning application (2018/1779) was for change of use of all of this land, with some part having permitted development rights removed and some parts not. This application was also withdrawn. It should be noted that the current application does not seek the change of use of all of the land as the previous application had sought, with the majority of the land to remain as meadow.
- 1.4 This application was to be heard at the meeting of Development Management Committee on 3rd June. However, it was deferred to allow for the submission and consultation on of details of outbuildings referred to on the plans. These details have now been received and assessed, and the consultations responses considered.

2. Relevant planning history

- | | | | |
|-----|-----------|---|-----------|
| 2.1 | 2015/0620 | New 2 storey side extension, New 2 storey rear extension, New Garage | Approved |
| 2.2 | 2015/2445 | Application for a lawful development certificate for existing use of land as part of the residential curtilage and garden of a dwelling house | Withdrawn |
| 2.3 | 2017/2630 | Residential use, as described at paragraphs 7.1 and 7.2 of the Legal Justification accompanying the application | Refused |

- 2.4 2018/1779 Change of Use of 1.4 hectares of meadow/grass land to residential garden land to rear of property Withdrawn

3 Planning Policies

- 3.1 National Planning Policy Framework (NPPF)
 NPPF 02: Achieving sustainable development
 NPPF 04: Decision-making
 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 15: Service Villages
 Policy 17: Small rural communities and the countryside
- 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
 DM2.8 : Equestrian & other changes of use of agricultural land
 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
 DM4.8 : Protection of Trees and Hedgerows
 DM4.9 : Incorporating landscape into design
- 3.4 Supplementary Planning Documents (SPD)
 South Norfolk Place Making Guide 2012

4. Consultations

- 4.1 Stoke Holy Cross Parish Council:

Comment on additional details

Refuse

- The extension to the garden curtilage has not been addressed and we now have a summer house there and a tractor shed right behind No135
- The tractor shed should be repositioned where it is not visible from adjoining dwellings and the summer house repositioned within the existing curtilage
- Inappropriate boundary planting should be removed
- Sewer runs along the back of the property which may have covenant preventing structures from being placed over it

Comments on original plans

Refuse

- The site is completely outside the development boundary for Stoke Holy Cross and is also in the designated River Tas valley landscape area. Stoke Holy Cross is extremely proud of and protective of its setting, particularly within this part of the river valley and has been concerned about previous development proposals which might detract from this
- Concerned about planting proposals in the area outside of the existing curtilage which appear unneighbourly
- Not against the replacement of the existing dwelling and appreciate the considerable amount of time and effort that has been put into the project. However the replacement dwelling is far larger than the existing and will be visible from across the river valley from Stoke Lane. This needs to be scrutinised to ensure it does not have a detrimental effect on the river valley
- Some support for a small increase in the residential site but this should not encroach across the western boundaries of numbers 131 and 135 Norwich Road

4.2 District Councillors:

District Councillor Legg

To Committee

- There are considerable local concerns regarding building outside the development boundary and the visual impact on the Tas Valley. On a personal note I am concerned about the proposal for 2 metre entrance gates and any proposal for external lighting. This gives the impression of potential isolation from the locality.

District Councillor Clifford- Jackson

To Committee

- prime consideration is the preservation of the river valley, water meadows and agricultural amenity
- proposed development is outside of the village development boundary
- long history of previous applications which have been either withdrawn or refused
- there is no support in the village, in fact the community are united against it

4.3 SNC Water Management Officer

Conditional Support

4.4 NCC Ecologist

Further bat surveys required

4.5 Other Representations

1 letter from CPRE Norfolk objecting

- site is outside of the development boundary for Stoke Holy Cross and therefore is open countryside and is also designated as part of the River Tas valley landscape
- the addition of the garden room and tractor shed will be particularly problematic in the valley landscape and beyond the outer limit of other dwellings resulting in intrusion into the valley
- exterior lighting should be resisted

1 additional letter of support following receipt of additional details

- further comments in support of the design of the replacement dwelling
- will provide much needed economic benefit in the current climate

19 letters of objection following receipt of additional details

- Outbuildings are precedent for further development
- Both outbuildings on existing agricultural land which should not allow for buildings to be constructed
- They are divorced from both the existing and replacement dwelling
- The tractor shed is proposed to be located away from any existing buildings or site boundaries contrary to all established practice for siting new buildings in rural areas
- Contrary to DM1.4, DM2.8, DM3.13, DM4.5 and DM4.9
- Further comments objecting to the extension to the residential curtilage due to the intrusion into the Tas Valley, loss of natural habitat, flood risk and impact on neighbouring properties
- Further comments objecting to the replacement dwelling due to its scale and design
- Consider that the constant rejigging of this application is a way of getting it passed by stealth as everybody who has previously objected thinks they don't need to do it again

13 letters of support on the original plans

- have lived in this area for over 40 years and this is the finest design I have seen during that time
- would be a pleasure to have such a modern property in our village
- innovative and ground breaking architecture
- environmentally friendly building
- No126 Norwich Road which is highly visible in the street scene has a similar modern design
- there are an array of building designs in Stoke Holy Cross
- cannot be seen from the road
- will be well screened unlike some other development on surrounding sites
- will not overlook neighbours
- existing house is not beautiful
- does not infringe on the beauty of the Tas valley in any way
- neighbour has overextended their property, the extension to the garden will allow the applicant to regain some privacy
- land is agriculturally useless
- construction would stimulate the local economy

30 letters of objection on the original plans

- site is in sensitive river valley landscape
- policy DM4.5 requires that particular regard should be given to protecting the distinctive characteristics and special qualities of the identified rural river valleys
- object to use of the field for residential use
- previous applications for change of use of land have been resisted
- amount of land to be changed to garden is nearer to 0.7 acres and by any standards not small
- does not meet the criteria stated in DM2.8
- we must protect the Tas Valley
- valley has not changed in all the years we've been here
- valley is agricultural in its nature
- allowing gradual encroachment is not appropriate
- dangerous precedent

- bear in mind historic nature with Roman site at Caistor St Edmund nearby
- the application wrongly claims that other properties have already extended their garden which is not true as it is only the old school which had a small playing area
- their existing garden is adequate
- resulting threat to wildlife and loss of natural habitat
- high potential for bat roosts in the dwelling, further surveys must be submitted prior to determination of the application
- disturbance to neighbouring properties from extended garden
- applicant has systemically set out to destroy the open nature of the field with excessive inappropriate planting both within the field and on the boundaries
- documents ignore the potential sheer volume of development that could occur under permitted development rights
- building outside the natural village building line
- monstrous design
- completely out of style
- three times larger than the existing property
- loss of traditional red brick property
- more appropriate for a commercial setting, surrounded by other concrete edifices
- size of main building is far larger than is appropriate in this location
- domineering nature of it would resent issues regarding overlooking neighbouring properties
- proposed building materials do not appear to be in keeping with the property
- increased light pollution
- impact of construction given the plant that would be needed to construct such a dwelling
- access is on the brow of a hill and on a bend and therefore any additional traffic entering or leaving would cause a hazard
- building in a flood zone

5 Assessment

Key considerations

- 5.1 The main issues for consideration are the principle of the development, its visual impact, the suitability of the design of the dwelling, any impact on neighbouring properties, access, impact on trees and ecology.

Principle

- 5.2 Policy DM3.6 states that replacement dwellings in the countryside (i.e. outside development boundaries) will be permitted where the design and scale of the resultant development is compatible to the area's character and appearance, and the landscape setting; and the original dwelling has a lawful permanent residential use is capable of residential occupation without major or complete reconstruction. In addition, the proposals must comply with Policies DM3.4 and DM2.8.
- 5.3 The dwelling clearly has a lawful residential use as it is in current occupation. Consideration of its compatibility with the area's character and appearance and its landscape setting and other considerations in policy DM3.4 which also relate to the physical appearance of the development, as well as access and amenity issues, are considered in the assessment below.
- 5.4 Policy DM2.8 relates to the change of use of agricultural land. It allows for the change of use of agricultural land to land ancillary to residential dwellings where it has no significant adverse impact on the character and visual appearance of the countryside or

availability of productive agricultural land and has no significant adverse impact on public rights of way or the areas of urban / rural transition that provides the settlements of the countryside. It also requires that appropriate boundary treatment that is in keeping with the rural character of the locality.

- 5.5 The visual impact is considered below, but in regard to the loss of productive agricultural land, the land is Grade 3 agricultural land and therefore not land of high agricultural value. It is also clear the land has not been used for agricultural production for some time.

Visual Impact

- 5.6 One of the main concerns is the visual impact of extending the domestic garden space into the land to the west of the dwelling, which is identified in the Local Plan as river valley and therefore an area in which policy DM4.5 notes that particular regard should be given to protecting the distinctive characteristics and special qualities of the identified rural river valleys. It is recognised that this is a sensitive landscape and that it would not be acceptable to intrude into open landscape beyond the extent of which the curtilages of other dwellings to do. Whilst there is a clear uniform rear line to the curtilage of properties to the south of the site, the curtilage of the a dwelling to the north of the land in the applicant's ownership (No137, as the applicant's land also includes that to the rear of the immediate neighbour to the north of the applicant's dwelling) does extend further into the valley than the applicant's existing curtilage.
- 5.7 The applicant has therefore designed the extension of their curtilage to extend no further into the valley than that dwelling to the north, whilst drawing the new rear line of the garden space to recede inwards towards that of the properties to the south. As such, it is not considered that it will intrude further into the valley landscape than that of the existing neighbouring dwelling and will also reduce its impact when viewed from the south by reducing the extent it protrudes from the existing rear garden line from north to the south. On plan form this does result in a rather irregular garden space, however this would not necessarily be apparent when viewed from outside of the site at ground level. In terms of the scale of land that is being applied for it is also accepted that this is a large dwelling and whilst the existing curtilage would appear to be more than sufficient for the dwelling, the majority of this has limited use as it is wooded. Given that the Council would not wish to see the loss of this woodland which has notable amenity value an extension to the garden space to create what in total is a large garden space is acceptable to allow a reasonable area of useable garden space proportionate to the dwelling.
- 5.8 In terms of the impact in public views of the extension to the curtilage, these would be very limited if it is visible at all. There are no public rights of way adjoining the land, with the only possible public views being from Stoke Lane from the opposite side of the valley. Existing groups of trees within the valley limit views of the site considerably and whilst views of the house are feasible, it is unlikely that the change of use of the portion of the land would be particularly apparent. Nonetheless it is considered important to ensure that use as garden space is controlled to ensure that development does not occur that could be detrimental to the valley. As originally submitted the applicant proposed levelling of some of the land to create an area for sports. This has been withdrawn as the Council would not wish to see a change in the land form. It will also be important to prevent the erection of structures that could be built under permitted development and which could be unduly visible across the valley. Whilst a garden room and tractor shed are proposed as part of this application, these consist of modest timber structures one to be used as a tractor shed and one to be used as a garden room. The tractor shed will be located within an area of planting that will minimise its visual impact, whilst the garden shed is to be located on the site of an existing structure, again set within existing planting to reduce its visual impact. Some

comments suggested that if such structures are to be allowed they should be in the original curtilage of the dwelling. However, locating them in the original curtilage would mean they would be on higher ground and therefore more prominent and would also detract from the setting of the new building. The location and design of the structures is therefore considered acceptable. Notwithstanding this, permitted development rights should be removed to prevent the erection of structures on the land to ensure larger or more prominently located structures are resisted. It is also recommended that appropriate boundary treatment is agreed and permitted development rights for boundary treatment are removed to prevent inappropriate boundary treatment such as close boarded fencing being erected in the future.

- 5.9 It is therefore considered that with the removal of permitted development rights the proposal accords with policy DM2.8. of the Local Plan.

Design of the Dwelling

- 5.10 The design of the dwelling consists of a two storey dwelling, plus a basement level, partly with a flat roof and partly with very shallow pitched roofs which will allow for solar panels to be mounted discreetly on the south facing element of the roof. The shape of the building is designed to make the most of the views and aspect to the west of the dwelling with an overhang to provide shade and also to provide balcony space. In addition the front (east) elevation is partly angled to draw visitors to entrance to main entrance hall. The materials will be sandstone, red western timber cladding and textured dark grey slate.
- 5.11 The dwelling is notably larger than the existing dwelling but this is acceptable in an area of the village where there is a range of size of properties. It is also a very well contained plot given that much of it is wooded and therefore views of the dwelling would be very limited if possible at all from Norwich Road. Very limited and brief glimpses of the dwelling may also be possible across the valley from Stoke Lane but these would be from some distance and therefore the building would not be prominent.
- 5.12 Many comments have been received both against and in favour of the proposed design of the dwelling. Clearly design is subjective and the contemporary nature of the design will not be to the taste of everyone. However, it is considered that this is an imaginative design that makes good use of the nature of the site and its aspect on the Tas valley. Notwithstanding that views of the dwelling in the street scene will be extremely limited it is considered that the range of dwelling types in this area of the village, including other modern designs, allow for consideration of a variety building types and therefore the proposal is considered to accord with the requirements of policy DM3.8 to create a high quality design and to encourage innovation.

Impact on Neighbouring Properties

- 5.13 The new dwelling is well contained as noted above. There is an area of woodland within the curtilage of the dwelling between the proposed dwelling and the property to the north, whilst the boundary to the dwelling to the south is also well vegetated. There is also a reasonable distance from the proposed dwelling to any neighbouring dwelling. As such, the proposed replacement dwelling is considered to accord with policy DM3.13.
- 5.14 Concern has been raised about the impact on neighbouring properties of the extension to the garden space, particularly onto No135 Norwich Road which is the neighbour immediately to the north of No133. This is because in order to restrict its intrusion into the landscape no further than the garden of No137 to the north the effect has been to

wrap the garden space around the rear of No133 creating the irregular garden form referenced earlier. However No135 also enjoys a reasonably large garden and as such the extended garden would not be close to their dwelling, whilst there is also good boundary screening already in place. It is clearly not uncommon for a rear boundary of a property to bound another garden and therefore there is not considered to be any particular concern from this proposal that it will result in an unacceptable impact on this property.

- 5.15 Therefore whilst noting the concerns of some neighbouring properties overall the proposal is considered to accord with policy DM3.13.

Access

- 5.16 The access to the dwelling remains the same as the existing dwelling. As the development is for a replacement dwelling there will be no intensification of the use of the access, whilst there is plenty of room in the site for parking.
- 5.17 Concerns have been raised over the gates proposed for the site, however these are recessed nearly five metres into the site in the context of much taller vegetation. In any event, because of how far they are recessed into the site the gates may not in themselves require planning consent as they do not exceed two metres in height.
- 5.18 It is therefore considered that the proposal accords with policies DM3.11 and DM3.12.

Impact on Trees

- 5.19 As noted above, a large portion of the existing site is well wooded. The dwelling has been designed at an appropriate distance from the trees with the main aspect of the dwelling looking out on to the valley away from the trees. An arboricultural report has been submitted and it will be necessary to include conditions to ensure that all works are carried out with appropriate tree protection works. It is also considered appropriate to attach a condition stating that no trees are removed from the site other than those scheduled to as part of this scheme and to remove permitted development rights for extensions.

Ecology

- 5.20 As the proposal involves the demolition of a building consideration needs to be given to the potential impact on bat habitat. Norfolk County Council's Ecologist has commented that given the size of the structure and surrounding habitat the building has at least moderate potential for bat roosting. As such they require that at least two activity surveys are undertaken. One of these has now been submitted, whilst the other will be submitted by the time of the meeting. However the findings of the first report found no evidence of bat roosting. An update will be provided once the second survey is submitted.

Other Issues

- 5.21 Some concerns have been raised about flood risk. However the site is in Flood Risk 1 on a hill with no identified surface water flood risk. Surface water arising from the proposed dwelling is proposed to discharge to a sustainable drainage system detailed in the design and access statement, whilst foul drainage will discharge to the main sewer. The Council's Water Management Officer has no objection to the proposal providing it is conditioned that drainage will be in accordance with the submitted details.

- 5.22 Concerns have also been raised about lighting. As initially submitted, the proposal did contain a number of external lights. Whilst these were not greatly in excess of what might be expected for a dwelling of this nature, they have been reduced to take into concerns about light pollution in the river valley.
- 5.23 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.
- 5.24 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.
- 5.25 This application is liable for Community Infrastructure Levy (CIL).

Conclusion

- 5.26 The proposed replacement dwelling is acceptable as the original dwelling has a lawful permanent residential use, whilst the design and scale of the resultant development is considered compatible to the area's character and appearance, and the site's landscape setting. In addition, it is not considered that the change of use of land to the west of the curtilage to create additional garden space will have a significant adverse impact on the character and visual appearance of the countryside or availability of productive agricultural land, with little or no impact on public views or the areas of urban / rural transition that provide the setting of settlements in the countryside. Likewise, the tractor shed and garden room proposed on the proposed extended curtilage would not cause any significant harm to the character and appearance of the river valley.

Recommendation : Approval with Conditions

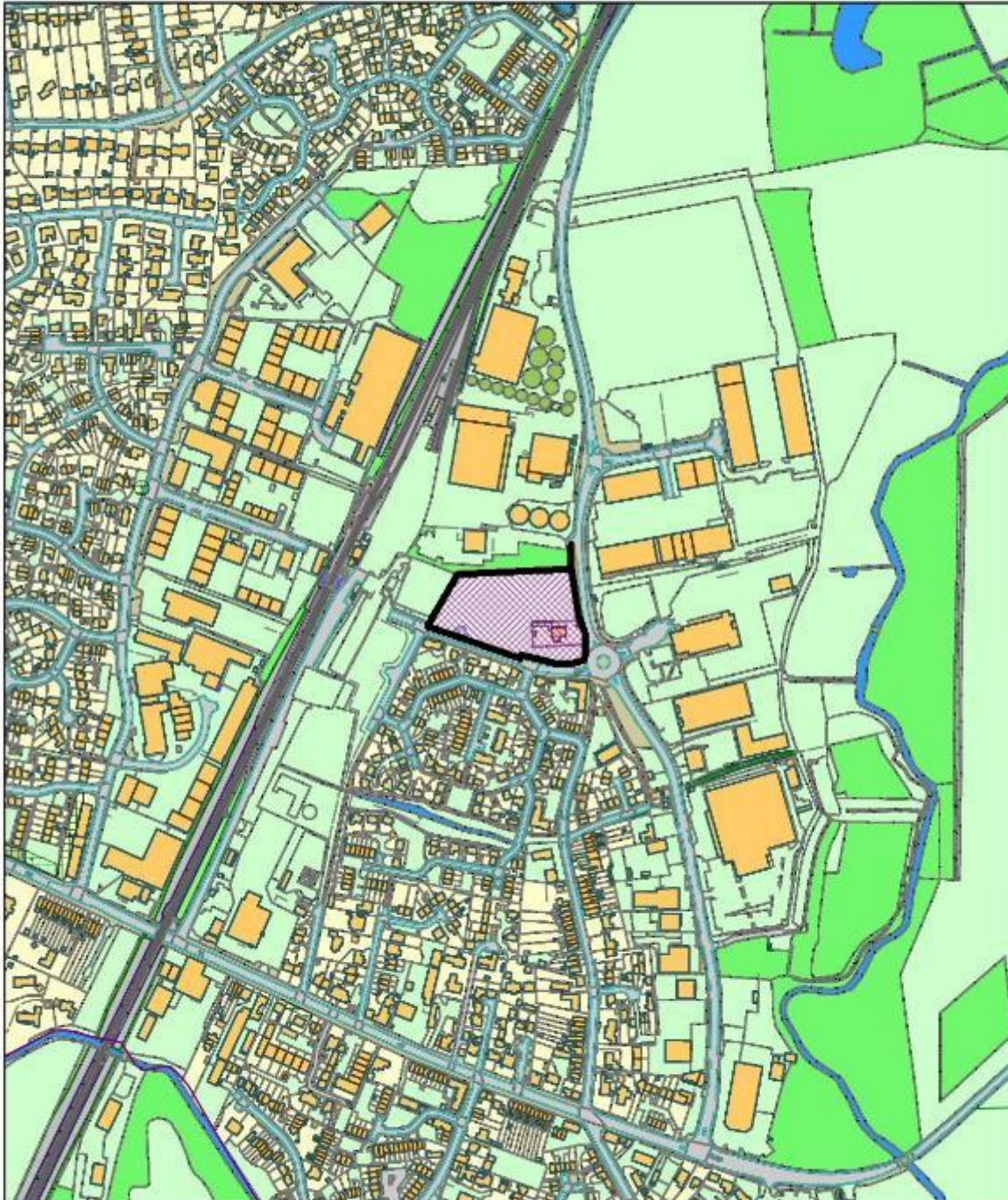
- 1 Full Planning permission time limit
- 2 In accordance with submitted drawings
- 3 No PD rights for new outbuildings
- 4 Boundary treatment to be agreed
- 5 No PD for boundary treatment
- 6 Tree protection
- 7 Drainage
- 8 Water efficiency
- 9 No trees to be removed
- 10 No PD for extensions

Contact Officer, Telephone Number Tim Barker 01508 533848
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Major Applications

Application 2

2020/0478



Scale 1:5,000

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

2. Application No : 2020/0478/F
Parish : DISS

Applicant's Name: EACH Retirement Housing Limited
 Site Address Land north of Nelson Road Diss Norfolk
 Proposal Demolition of existing bungalow and erection of an extra care building containing 77 apartments and communal facilities.

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.

The proposal would result in the loss of employment of part of an employment allocation

Recommendation summary :

Delegated authority to approve the application subject to the completion of a S106 to secure the extra care package and confirmation from the LLFA that the proposed drainage strategy is acceptable.

1 Proposal and site context

- 1.1 The application seeks planning permission for the demolition of the existing bungalow and the erection of a building for 77 extra care apartments and communal facilities. The apartments would have a C2 use and include a care package.
- 1.2 The apartments are located within a single building which includes a range of two and three storey elements with frontage and access onto Nelson Road in Diss. A secondary service access is provided onto Sandy Lane. The building also includes a range of communal facilities for the occupiers including a dining room and lounge. There are also a number of shared outdoor spaces.
- 1.3 The site is located on land currently allocated for employment use under Local Plan Policy DIS8. To the south of the site is a residential development, whilst to the north of the site is the Frontier Agriculture site, which includes a number of tall silos located close to the northern boundary of the site. The Frontier site is separated from the application site by existing landscape planting. To the west of the site is Diss train station, which is separated by a vacant parcel of land. To the east of the site on the opposite side of Sandy Lane is an employment area which incorporates a range of industrial development.

2. Relevant planning history

- | | | | |
|-----|-----------|---|----------|
| 2.1 | 2013/1748 | Erection of a 76-bedroom care home, associated site works, landscaping and car parking | Approved |
| 2.2 | 2015/1385 | To use the Coal Yard for car parking purposes, with approximately 60 spaces, with access on and off Nelson Road and Station Road. | Approved |
| 2.3 | 2015/2789 | Variation of condition 2 of planning permission 2013/1748 to include internal and external alterations. | Approved |

- | | | | |
|-----|-----------|---|----------|
| 2.4 | 2015/2812 | Discharge of conditions 3, 4, 5, 6, 7, 9, 10, 12, 13 & 17 of permission 2013/1748 - Surface and foul water drainage, boundary treatments, landscaping, materials, access, visibility splay, highway and bird boxes/bat roosts details | Approved |
| 2.5 | 2016/1476 | Discharge of Condition 13 from 2015/2789/RVC - Archaeological works. | 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
- 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 13 : Main Towns
- 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
 DM2.2 : Protection of employment sites
 DM1.4 : Environmental Quality and local distinctiveness
 DM3.8 : Design Principles applying to all development
 DM3.10 : Promotion of sustainable transport
 DM3.11 : Road safety and the free flow of traffic
 DM3.12 : Provision of vehicle parking
 DM3.13 : Amenity, noise, quality of life
 DM3.14 : Pollution, health and safety
 DM4.2 : Sustainable drainage and water management
 DM4.9 : Incorporating landscape into design
- 3.4 Site Specific Allocations and Policies
 DIS 8 : Land at Station Road/Nelson Road

4. Consultations

4.1 Town / Parish Council

Application is supported subject to meeting the standards required by the planning authority and compliance with Policy DIS 8.

4.2 District Councillor: Cllr Wilby

Due to the scale of the proposal the application should be determined by Committee.

4.3 GP

No comments received

4.4 Historic Environment Service

Archaeological work has been carried out and completed in relation to a previous application on this site, therefore we do not wish to make any recommendations for further work.

4.5 SNC Housing Enabling & Strategy Manager

Although this site is not within walking distance of the town centre, I believe that a more convenient suitable site is unlikely to become available in Diss. It is my understanding that to date there is no Extra Care housing for sale in South Norfolk. All developments to date have been for rent. This proposal can meet a demonstrated unmet need for Extra Care housing. The overall design of the development and the individual apartments appears to be suitable to meet that need through a range of sizes and prices. The location is acceptable.

4.6 NCC Lead Local Flood Authority

Object to this planning application in the absence of an acceptable Flood Risk Assessment (FRA) / Drainage Strategy / supporting information relating to:

- Permissions surrounding the proposed method of discharge for surface water.
- Modelling of surface water and associated data.
- Surface water quality issues.
- Maintenance and management proposals for the site.

LLFA have been re-consulted on amended information and we are currently awaiting a response.

4.7 NCC Highways

The site layout includes land within the public highway. The previously approved scheme for this land also included highway land and a condition was imposed that the land be stopped up. However, I cannot guarantee that the building siting as depicted at where it overhangs the highway boundary would be acceptable.

The scheme just about provides adequate car parking for the number of flats proposed. This is providing that the scheme is designated as C2 as per a care home. It will be necessary for a restriction such that the flats cannot be sold to persons who do not meet the care package conditions

Further provisions are required in order to stop pedestrian parking on Nelson Road, whilst amended plans are needed for the visibility splay and footways.

Comments on amended plans

It is considered that following the Informal discussions and meetings which have been held with the Agents to resolve the outstanding issues that the revised submission is now acceptable. Should the Council be minded to approve the proposal, conditions are recommended.

4.8 NCC Planning Obligations Co Ordinator

Fire Hydrant - based on the location and infrastructure already in place and the type of building proposed, our minimum requirement is for 1 fire hydrant capable of delivering a minimum of 20 litres per second of water. The positioning of the hydrant should meet

the requirements of Building Regulations Approved Document B volume 2 B5 sections 15 & 16 (Fire Hydrants / water supplies and Vehicle access)

Green Infrastructure - Connections into the local Green Infrastructure (GI) network, including Public Rights of Way and ecological features, should be considered alongside the potential impacts of development. Direct mitigation and GI provision should therefore be included within the site proposal. Mitigation for new and existing GI features identified as strategic shall be funded by the Community Infrastructure Levy (CIL)

4.9 NCC Public Health

No comments received

4.10 NETWORK RAIL South East

No comments received

4.11 NHSCCG

No comments received

4.12 NHS England

No comments received

4.13 NHS STP Estates

No comments received

4.14 Norfolk And Waveney Local Medical Council

No comments received

4.15 SNC Landscape Architect

The proposal does not make best use of the southern aspect; the main parking is in the south, while the private enclosed garden areas will be shaded in the north.

Comments on amended plans

Previous comments are still considered to be relevant.

4.16 Norfolk And Waveney Local Medical Council

No comments received

4.17 Environment Agency

This site is located above Secondary A Aquifer (Happisburgh Glacigenic Formation), Secondary (undifferentiated) Aquifer (Lowestoft Formation) and Principal Aquifer (Chalk) and the application overlies WFD groundwater body and is also in a WFD drinking water protected area and is close to water features leading to the River Waveney. The site is considered to be of medium environmental sensitivity. The historic and future use could present potential pollutant linkages to controlled waters.

Recommend that a condition is included in relation unexpected contamination.

4.18 NCC Ecology

Preliminary Ecology Appraisal – The PEA is fit for purpose. A biodiversity enhancement plan should be submitted in accordance with DM1.4

Reptile Survey - The report is fit for purpose. A suitable condition ensuring the site is maintained appropriately, and cleared, would be recommended at the appropriate time.

Lighting - We object and recommended that contour plans are provided to show how the lighting will prevent the illumination of the wooded area to the north of the site by direct and indirect lighting.

Comments on amended plans

I note that additional lighting information has been provided (Lighting Clarification, dated 12/05/2020). There will still be quite significant illumination of the western boundary (i.e. average 1.3 lux and max 4.66 lux). Our previous comments are still valid.

4.19 Economic Development Officer

I have no objections to this proposal which seems in an ideal location for the re-use of this brownfield site which is in close proximity to the railway station. The proposal also gives the opportunity for additional local employment. For these reasons I would be happy to support the proposal.

4.20 Environmental Quality

The latest site investigation report submitted is a review of the earlier site investigations carried out in 2013 and 2014. However, since the 2014 report the site has been excavated as part of the archaeological exploration (based on the 2020 review report) which has potentially redistributed the soils identified as a possible concern elsewhere on site. In addition there has been little investigation of the land to the east of the site and the period of time that has passed since the investigations is also a cause of possible concern as there is nothing to ascertain whether other potentially contaminative activities have been under taken on the site. Finally, the period of time that has passed since the ground gas risk assessment would suggest that a further assessment is required to ensure that the conditions have not changed or if they a new up to date risk assessment can be carried out. In view of this I would suggest that a condition is added to require a further assessment of the ground conditions across the site in order to produce an effective remediation method statement and ensure the design of the building takes in to consideration an up to date ground gas risk assessment based on all gas monitoring data. Remediation will then need to be carried out and validated to ensure the site is fit for redevelopment. The design of the ground gas protection system will require approval by Building Control as part of their assessment of the design of the building.

4.21 Anglian Water

Waste water treatment - The foul drainage from this development is in the catchment of Diss Water Recycling Centre that will have available capacity for these flows

Used Water Network - The sewerage system at present has available capacity for these flows. If the developer wishes to connect to our sewerage network, they should serve notice under Section 106 of the Water Industry Act 1991. We will then advise them of the most suitable point of connection.

Surface Water - The surface water sewer in the vicinity of the development is under private ownership, we are therefore unable to agree a connection here. It is suggested that the developer seeks the permission of the sewer owner.

4.22 Other Representations

No public representations have been received.

5 Assessment

- 5.1 The main issues to be considered are the principle of development, provision of care home, extra care apartments and bungalows, highway safety, impact on the character and appearance of the area of the area, residential amenity and highways.

Principle

- 5.2 Planning law requires that applications must be determined in accordance with the Development Plan, unless material considerations indicate otherwise. The National Planning Policy Framework (NPPF) is a material consideration in determining planning decisions.

Loss of Employment Land

- 5.3 The site lies within the Diss development boundary and is currently allocated as part of a wider site under DIS8 for B1 employment use.
- 5.4 Due to the existing employment allocation on the site Policy DM2.2 Protection of Employment Sites is relevant to the determination of the application. This sets out at criteria 1 that *the Council will safeguard sites and buildings allocated for Business Class and Other Employment Uses. Proposals leading to the loss of sites and buildings to another use will be permitted where the new use continues to provide employment and is supportive to that particular employment area.*
- 5.5 The Local Plan defines Employment Uses as business class and other economic development uses that can suitably be conducted within the environment of an area designated for business, general industry and warehousing and without prejudicing the future vitality and viability of established town centres.
- 5.6 The definition of economic development excludes housing development. This is considered to be development which falls within the C3 use class, this proposal is considered to be a C2 use (the provision of residential accommodation and care to people in need of care (other than a use within a class C3 (dwelling house))). This distinction is considered important insofar as this proposal will provide employment opportunities on the site, with the application form setting out that it would result in 10 full time equivalent jobs. In this instance, a C2 use can in many ways be considered to fall within the broad definition of economic development as set out within the Local Plan.
- 5.7 Also, of relevance to this proposal is planning permission 2013/1748, this granted permission in December 2013 for a 76 bedroom care home on the site, however the permission has now lapsed. During the consideration of this historic application, the site was allocated for an employment use, however, the planning balance at that time acknowledged that the site had been allocated for employment use for a significant period of time (the site having been previously allocated in 2002 for a B1/B2/B8 employment use). This lack of an employment use coming forward was deemed justification for granting permission for a C2 use.

- 5.8 The site was re-allocated within for B1 as part of the Site Specific Allocations and Policies DPD in 2015 despite there being an extant permission at that time (2013/1748). Again, the site has not to date come forward for this defined use.
- 5.9 Having regard to the long term allocation of the site for business class uses which it has not come forward for, the planning history of the site, and the provision of employment within the proposed use, the proposal is considered to accord with criteria 1 of DM2.2.

Provision of extra care facilities

- 5.10 Having considered that a C2 use would be acceptable to justify the loss of employment land from the employment allocation, it is necessary to consider both the need for C2 in this area, and also whether the proposed application would fall within the definition of C2.
- 5.11 There is no specific policy relating to the nature of development proposed within SNLP, the Joint Core Strategy Policy 4 (JCS). A need is however identified through the Joint Strategic Housing Market Assessment 2017 for 634 C2 bed spaces within South Norfolk, within the period of 2015 to 2036.
- 5.12 In order for the application to be considered as homes with care they need to fall within the use class C2.
- 5.13 The use class order defines a C2 use as “use for the provision of residential accommodation and care to people in need of care (other than a use within class C3 (dwelling houses)). Care as defined in the Order as personal care for people in need of such care by reason of old age, disablement, past or present dependence on alcohol or drugs, or past or present mental disorder and treatment’.
- 5.14 It was agreed in the Sidmouth appeal decision (ref APP/U1105/W/17/3177340) that *there is no definitive means by which to establish the use class of Extra Care housing units...Ultimately, this is a matter of fact and degree in each individual case.*
- 5.15 The supporting information provided confirms that the extra care apartments will pay a service charge related to the maintenance of communal facilities care package. Both Sidmouth appeal decision and also the Buckingham (APPJ0405/W/17/3181140) set out a requirement for at least 1.5 hours of personal care to be provided per week for the development to be considered to be a C2 use. This application proposes that the care package is for at least 2 hours per week, the need for which would be established by a health professional. Additional care could be tailored for the changing life needs of the residents, with all of the units being adaptable for future needs. This includes wheelchair accessible need.
- 5.16 The Council’s Housing Enabling Officer has reviewed the information submitted as part of this proposal and confirmed their understanding that there is currently no Extra Care housing for sale in South Norfolk. All developments to date have been for rent. Furthermore, there is an unmet need for Extra Care housing in the Diss area. This proposal can meet a demonstrated unmet need for Extra Care housing. The overall design of the development and the individual apartments appears to be suitable to meet that need through a range of sizes and prices. The location is also considered acceptable.
- 5.17 The use and occupation of the development for extra care accommodation would require a Section 106 agreement and the applicants have agreed to enter into an agreement. In view of the above I consider that the development would fall into the use class C2 and therefore a significant material consideration/benefit of the application is that it provides housing with care against the identified unmet need.

Design

- 5.18 Policy 2 of the Joint Core Strategy and Policy DM3.8 of the South Norfolk Local Plan requires all development to achieve high quality design protecting and enhancing the environment and existing locally distinctive character.
- 5.19 The proposal is for a single building, which will include a combination of two and three storey elements. The building has its frontage and access onto Nelson Road with car parking located at the front of the building. A secondary service access is provided onto Sandy Lane.
- 5.20 The building includes three main blocks which are three-storey, these are connected by two two-storey wings. The design of the development includes a number of communal garden spaces, with the apartments facing onto these spaces. As part of the amendments to the proposal, the communal gardens at the front of the site have been made larger, noting that they benefit for the best sunlight. To the rear of the site, the communal gardens take the role of enclosed court yards.
- 5.21 The materials include walls with a mixture of weatherboarding and bricks, whilst a pantile roof is also proposed. The mix of materials alongside the changes in the height of the building help to break up the bulk, which is of particular importance having regard to the existing residential development to the south of the site.
- 5.22 The building design includes a number of communal areas, which are accessible from the central ground floor, the apartments are located across the three floors. The design, layout, scale and materials are also considered to be acceptable, and the proposal is considered to accord with DM3.8 and JCS Policy 2.

Highways

- 5.23 Policy DM 3.11 states that planning permission will not be granted for development which would endanger the highway safety or the satisfactory functioning of the highway network. In addition to this Policy DM 3.12 requires development to provide sufficient parking provision.
- 5.24 The proposal includes the main access from Nelson Road, with residents and visitors car parking located at the front of the building. There is a secondary service access located off Sandy Lane. This provides parking for staff. The proposal includes parking for 26 residents cars, on the basis that car ownership is likely to be lower amongst the occupants.
- 5.25 During the course of consideration of this application, the plans have been amended to take into accounts comments received by the Highways Authority. Following receipt of the amended plans, the Highways Authority have confirmed that the proposal can now be considered to be acceptable subject to the inclusion of conditions, the level of parking is considered acceptable due to the C2 use class. The plans include off-site highways works in the form of improvements to the footway link from the site. The proposal also includes the requirement for a Traffic Regulation Order to prevent on-street parking on Nelson Road which can be dealt with via condition. For the above reasons, subject to the inclusion of conditions the proposal is considered to accord with the requirements of DM3.11 and DM3.12.

Impact upon Amenity

- 5.26 Policy DM3.13 Amenity, noise and quality of life requires development to ensure a reasonable standard of amenity reflecting the character of the local area. Consideration should be given to both the future occupiers of the site and also existing neighbouring occupiers.

- 5.27 The residential development to the south of the site is predominantly two storey houses. Whilst this development will include three storey elements, the bulk of these are separated by the two storey elements. The building is set back from Nelson Road, with the carparking and garden areas separating the building from the road. Having regard to the location of the building within the site and separation distances from adjacent dwellings, the proposal is not considered to have an overbearing impact, lead to unacceptable overshadowing or any significant loss of privacy.
- 5.28 The internal configuration of the building has sought to ensure that none of the apartments which are single aspect only are north facing. All units have their main aspect to the east, south or west, with a number of the apartments being dual aspect. Each of the apartments has an outlook over one of the landscaped areas. The proposal is not considered to result in an adverse impact upon amenity for the future occupiers of the site.
- 5.29 A condition is proposed to require a construction management plan to be submitted prior to the commencement of work on the site. This is considered to be necessary having regard to the potential for disturbance during the construction phase from the development in relation to the residential development opposite.
- 5.30 Subject to the inclusion of a condition in relation to a construction management plan the proposal is considered to accord with the requirements of DM3.13.

Contamination

- 5.31 The Council's Environmental Quality team have reviewed the proposal including the submitted phase 1 desk study. They have noted that the site investigations were carried out as part of the previous application, however since this date parts of the site have been excavated with soils moved to different areas of the site. Furthermore, there has been limited investigation of the eastern section of the site which was not part of the previous permission. Further investigations are therefore required prior to the commencement of development on the site. These can reasonably be dealt with by way of conditions.

Drainage

- 5.32 DM Policy 4.2 requires sustainable drainage measures to be fully integrated within the design of the site to minimise the risk of flooding and manage surface water arising from the development proposal.
- 5.33 Anglian Water have set out that there is capacity within the waste water network to accommodate flows from this site. However, they have raised concerns that they could not agree the surface water strategy as the pipes within the vicinity of the site were not in their ownership. Subsequently, the applicants have provided further evidence included within the title for the land which shows that they have a right to connect to the network.
- 5.34 The LLFA have been consulted on the application and have initially raised objections to the information which had been submitted. Further information has now been submitted to overcome these objections which is currently being consulted on with the LLFA. It is considered by officers that there is a reasonable prospect that the information submitted will be sufficient for the LLFA to remove their objection in favour of conditions being forward to agree a fully detailed drainage strategy for the development. This view is reached having regard to the fact that the previously approved scheme had a drainage scheme agreed through the approval of a discharge of condition application. It hoped that the views of the LLFA can be reported to committee through the update sheet, however, in the event that they are not, agreement is sought for delegated authority to approve upon receipt of no objection being confirmed by the LLFA.

Ecology

- 5.35 Policy 1 of the JCS requires the development to both have regard to and protect the biodiversity and ecological interests of the site and contribute to providing a multi-functional green infrastructure network. Policy DM4.4 looks for new development sites to safeguard the ecological interests of the site and to contribute to ecological and Biodiversity enhancements
- 5.36 NCC Ecologists have reviewed the submitted preliminary ecological appraisal and reptile survey which have been submitted as part of this application. They have confirmed that the reports are fit for purpose. They have however raised concerns with the information provided in relation to lighting. It is recommended that a lighting strategy is conditioned and agreed to secure further details. Alongside this it is also recommended that a biodiversity enhancement plan is also conditioned. Subject to the inclusion of conditions the proposal is considered to meet the requirements of Policy DM4.4 and JCS Policy 1.

Landscaping

- 5.37 Policy DM4.5 requires all development to respect, conserve and where possible, enhance the landscape character surrounding the development. Policy DM4.9 advises that detailed development proposals must demonstrate a high quality of landscape design, implementation and management as an integral part of the new development.
- 5.38 The proposal includes a number of landscaped spaces which will provide amenity areas for the occupants of the apartments. The largest of the amenity areas is located to the east of the site and is proposed for a seating area and an orchard. To the south of the site are two courtyard gardens, whilst to the north of the site is a croquet lawn, sensory garden and allotments. The Council's Landscape Architect has noted that the location of the car park does not make the best use of space as it is located at the south of the building, whilst some of the courtyards, located to the rear would not receive as much sunlight. In response to this the applicants have sought to make the courtyard gardens at the front of the site larger. They have confirmed however that it is not feasible to locate the car parking to the rear of the site. This is on the basis that the building has been designed to ensure a single point of access to retain control over those accessing the building and, in this instance, the carparking would therefore need to be located adjacent to the main entrance.
- 5.39 Whilst the concerns of the Landscape Architect are fully understood the need to provide a single point of access for both residents and visitors from the site frontage on Nelson Road restricts this possibility. Having regard to the revisions made to the proposal to expand the gardens at the south of the site and relocate the orchard to the east of the site, the proposal is considered to be acceptable. A condition is proposed to secure the landscape planting.

Other Issues

- 5.40 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, through the development itself 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.
- 5.41 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.

- 5.42 This application is for Community Infrastructure Levy (CIL) however the proposal is for C2 which is not subject to a CIL charge.

Conclusion

- 5.43 The application will provide C2 extra care apartments on land which is currently allocated for business development in Diss. The C2 use will provide employment opportunities albeit it is recognised that it does not fall within the employment use class. Despite the site having been allocated for employment uses for a significant period of time, no such use has come forward and historic permission for C2 has been granted on this site. It is considered that the requirements of Policy DM2.2 of the Local Plan have been met.
- 5.44 There is a recognised need for extra care facilities within Diss and this application will help to meet this need. The proposed design and impact upon amenity are considered to be acceptable having regard to the residential development which is located opposite this site.
- 5.45 The design of the building, layout, landscaping, ecology and highways are also considered to be acceptable and accord with the relevant policies of the Local Plan.
- 5.46 The application is seeking delegated authority to grant planning permission subject to the completion of a S106 to secure the care package associated with the C2 use, and also to finalise the surface water drainage strategy for the site.

Recommendation : Delegated authority to approve the application subject to the completion of a S106 to secure the extra care package, and agreement of the surface water drainage strategy

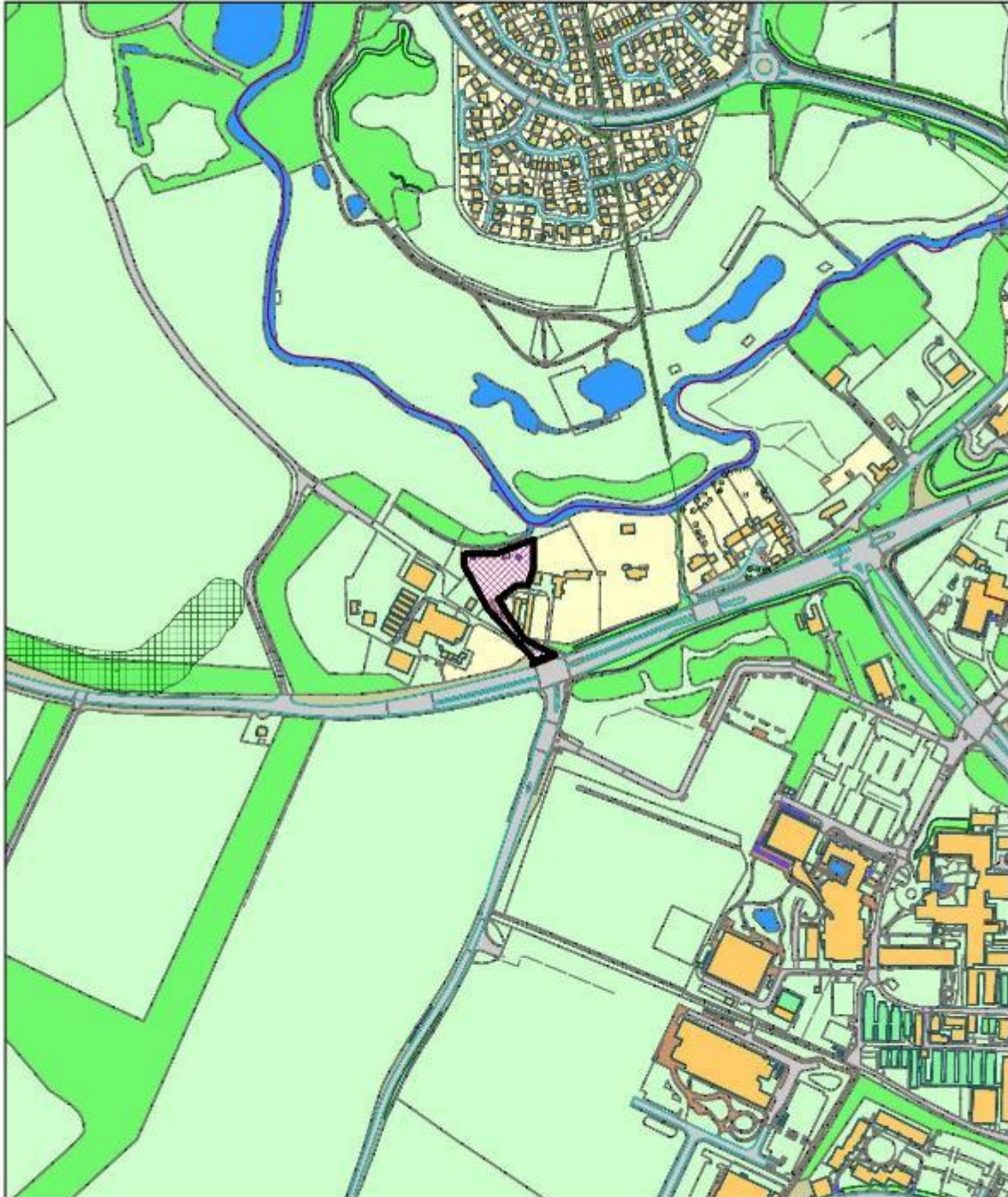
1. Time Limit
2. In accordance with submitted plans
3. New Access
4. Visibility Splay
5. Parking and turning
6. Highways Improvements Offsite (part A)
7. Highways Improvements Offsite (part B)
8. Parking for construction workers
9. Stopping Up Order
10. Traffic Regulation Order
11. Construction Management Plan
12. Landscaping
13. Biodiversity enhancement plan
14. Lighting
15. Further contamination investigation
16. Remediation if required
17. Unexpected contamination
18. Fire Hydrant

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Other Applications

Application 3

2020/0889



Scale 1:5,000

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

3. Application No : 2020/0889/F
Parish : COLNEY

Applicant's Name: Mr Nigel Willgrass
 Site Address Land west of The Old Hall Watton Road, Colney, Norfolk
 Proposal Erection of dwelling

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 planning permission outside of a defined development boundary for the construction of a two-storey self-build dwelling on land to the west of The Old Hall on Watton Road in Colney. The application site comprises a tennis court, swimming pool and lawned area. Levels decline towards the north meaning that the site is below Old Watton Road and The Old Hall. Neighbouring properties include The Old Hall - a Grade II listed building - to the east, single-storey converted barns to the south, meadows to the rear/north and agricultural buildings to the west.
- 1.2 The dwelling will have an appearance that is similar to that of a barn that has been converted and will accommodate four bedrooms. It will measure approximately 21.3 metres (m) in length, 7m in depth and 6.7m in height.
- 1.3 The application follows a previous refusal at Development Management Committee in October 2019 under application ref. 2019/1354, which was subsequently dismissed on appeal. Those decisions are attached as appendices A and B to this report. The application was refused on the basis of the harm arising to the significance of the Grade II listed Old Hall to the east and the development not demonstrating overriding benefits. The appeal was dismissed on 23 March 2020. In their decision, the Inspector stated that the dwelling would preserve the setting of the Hall and would not result in harm to the Hall's significance. However, the garage was considered to have a negative effect by eroding the spacious natural setting of the Hall. The Inspector also considered that the proposal did not demonstrate the overriding benefits required by Policy DM1.3. The current application differs from the previous application by omitting the garage.

2. Relevant planning history

- | | | | |
|-----|-----------|---|-----------------------------|
| 2.1 | 2019/1354 | Erection of "self-build" two storey dwelling and associated garages | Refused
Appeal dismissed |
|-----|-----------|---|-----------------------------|

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 16 : Conserving and enhancing the historic environment

- 3.2 Joint Core Strategy (JCS)
 Policy 1 : Addressing climate change and protecting environmental assets
 Policy 2 : Promoting good design
 Policy 3: Energy and water
 Policy 4 : Housing delivery
 Policy 17 : Small rural communities and the countryside
- 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
 DM4.4 : Natural Environmental assets - designated and locally important open space
 DM4.8 : Protection of Trees and Hedgerows
 DM4.10 : Heritage Assets
- 3.4 **Statutory duties relating to setting of listed buildings:**
 Section S66(1) Planning (Listed Buildings and Conservation Areas) Act 1990 provides that in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority, or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
4. Consultations
- 4.1 Colney Parish Council
 No comments received
- 4.2 District Councillors:
 Cllrs Elmer and Kemp
- This application is a re-submission of an application previously narrowly refused by the committee which was then refused on appeal. The application purports to resolve the reasons for refusal given by the inspector (design and impact on the listed building).
- We think that the Committee should consider the revised application and whether the planning balance between the sustainability of the location, being a self-build application and the economic benefits of the development outweigh the previously identified reasons for refusal ((design and impact on the listed Colney Old Hall of the revised application) and principle of development outside the development boundary).
- 4.3 SNC Water Management Officer
- Content that the Flood Risk Assessment has demonstrated that the proposed development and its occupiers can remain safe. Suggest that a suitable condition is imposed to ensure that its recommendations are fulfilled.
- Conditions also recommended in relation to surface water and foul drainage.

4.4 NCC Highways

No objection subject to a planning condition being imposed that requires the provision and retention of a parking and turning area.

4.5 Other Representations

None received.

5 Assessment

Key considerations

5.1 Principle of development

Accessibility of site

Impact on the adjacent listed building and the character of the area

Principle of development

5.2 The application site is outside of any defined development boundary and thus is in a countryside location.

5.3 Policy DM1.3 of the SNLP 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 apply 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.

5.4 Although the agent is of the view that it is clear that the Council does not have a five year housing land supply, the Council does not accept this. A housing land supply in excess of five years can be demonstrated across the Greater Norwich area meaning that full weight can be given to the Council policies relating to the supply of housing, which includes Policy DM1.3.

Accessibility of site

5.5 The site is outside the development boundary that has been defined for Colney and facilities within the settlement are limited. However, the site is within reasonable proximity to and has footpath links to the Norfolk and Norwich Hospital, University of East Anglia and Norwich Research Park. The venues have ancillary facilities such as shops, cafes and restaurants which are available to staff and visitors alike. Taking account of this, the site is in a reasonably accessible location and in this regard, the application complies with Policy DM3.10 of the SNLP.

Impact on the adjacent listed building and the character of the area

5.6 The scale of development, position of the dwelling, site levels and tree belts to the north are such that the development will not stand out as being prominent within the wider area. Further, the Senior Conservation and Design Officer did not object to the design under the previous application, which has not changed. The application therefore complies with Policies 1 and 2 of the JCS and Policies DM3.8 and DM4.5 of the SNLP.

- 5.7 Given the proximity of the application site to The Old Hall, regard must be given to s66(1) of the Planning (Listed Buildings and Conservation Areas) Act. As referred to above, under the previous application, the Senior Conservation and Design Officer did not object to the design and set out his view that the development will be close to existing agricultural ranges to the south and will not appear incongruous. Given the degree of separation, the setting and special interest of The Old Hall will be preserved and so the application meets the test set by s66(1). The appeal Inspector did not consider that the dwelling would result in harm to the significance of The Old Hall and the omission of the garage addresses the Inspector's sole concern on this topic. The application therefore complies with Policy DM4.10 of the SNLP.

Other matters

- 5.8 The position of the dwelling will be sufficiently distant from The Old Hall and Old Hall Mews for it not to be overbearing and not to lead to direct overlooking. Residents of the proposed dwelling will also benefit from an acceptably sized garden. The application complies with Policy DM3.13.
- 5.9 In its capacity as Highway Authority, Norfolk County Council has not objected to the application on the grounds of highway safety. Sufficient space is also shown as being provided to park and turn vehicles. The application complies with Policies DM3.11 and DM3.12 of the SNLP.
- 5.10 The application proposes a self-build dwelling. Paragraph 61 of the NPPF states that planning policies should meet the housing needs for different groups within the community, including those wishing to commission or build their own home. At a local level, Policy DM3.1 of the SNLP sets out amongst other things that all housing proposals should help contribute to a range of different range of dwelling types. It does not preclude self-build proposals and that this application is for such a proposal should be weighed in the balance with other considerations. However, in light of the Council being able to demonstrate that it has in excess of a 5 year housing land supply and also meeting its self-build target, I consider that a self-build dwelling does not represent sufficient grounds on which to grant planning permission outside of the development boundary. Further, in the event of planning permission being granted, there is no mechanism in place to secure the dwelling as a self-build.
- 5.11 Paragraph 68 of the NPPF states that small and medium sized sites can make an important contribution to meeting the housing requirement of an area. Although a material planning consideration, this is not considered to be a factor on which the success or failure of the application depends upon.
- 5.12 The site may be considered as Previously Developed Land (PDL) as it is not a residential garden in a built up area. This weighs in favour of the application. However, similar to the comments above on self-build, I do not consider that this represents sufficient grounds on which to grant planning permission in this location.
- 5.13 The need to support the economic recovery following the COVID-19 pandemic is a material consideration and the construction of this dwelling will provide some economic benefits during its construction phase and when occupied this must be seen in the context of it only being a single dwelling.
- 5.14 In view of the limited benefits arising from one dwelling outlined above when these are seen in the context of the plan-led approach to planning that the Council have and its spatial strategy, I do not consider that the "overriding benefits" specifically required by Policy DM1.3 of the SNLP are provided by this scheme. It should be noted that 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."

5.15 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."

5.16 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 (2c or 2d of DM1.3) are met.

5.17 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."

5.18 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 development is liable for the Community Infrastructure Levy but should permission be granted and self-build exemption be applied for, the applicant would be able to apply for exemption.

Conclusion

5.20 In having regard to those matters raised, the application will have acceptable impacts on the character and appearance of the surrounding area, highway safety, residential amenity, will preserve the setting of the Grade II listed The Old Hall and will not cause harm to its significance. Similar to the Inspector's assessment, I would judge these items to be relatively neutral factors that would not attract any particular weight. The

Inspector also noted that while the site has some access to services and facilities and to public transport, these are not so widely available as to represent a significant benefit.

- 5.21 In favour of the application is that it proposes a self-build dwelling on PDL and will provide economic benefits during its construction and occupation, all of which I accept are benefits. However, in view of the amount of development, the Council being able to demonstrate a 5 year housing land supply and the Council being of the view that it is providing sufficient development permissions that could be used for self-build, the weight to be attributed to these items is limited.
- 5.22 Taking account of the above and the content of the appeal Inspector's decision, I am not persuaded that the application demonstrates the overriding benefits in terms of the economic, social and environmental dimensions of sustainable development that are required by Policy DM1.3 of the SNLP to warrant granting planning permission outside of the development boundary. The application is therefore recommended for refusal on the basis that it is contrary to Policy DM1.3 (2, d) of the SNLP.

Recommendation: Refusal

- 1 Overriding benefits not demonstrated

Reasons for Refusal

- 1 The proposed development is not supported by any specific development management policy which allows for development outside of the development boundary and when having regard to the neutral impacts and limited benefits arising, it is not considered that it demonstrates the overriding benefits in terms of the economic, social and environment dimensions of sustainable development that are required to satisfy item 2(d) of Policy DM1.3 of the South Norfolk Local Plan Development Management Policies Document 2015.

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Appendix A

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Applicant

Mr Nigel Willgrass
The Old Hall
Watton Road
Colney
NR4 7TX

DECISION NOTICE

Town and Country Planning Act 1990

Reference : 2019/1354
Application Type : Full Planning Permission
Applicant : Mr Nigel Willgrass
Location : Land West Of The Old Hall Watton Road Colney Norfolk
Proposal : Erection of "self-build" two storey dwelling and associated garages
Date of Decision : 17 October 2019

Permission has been refused for the carrying out of development referred to above for the following reasons:

1. The development will result in less than substantial harm to the significance of the Grade II listed The Old Hall. Where this occurs, Policy DM4.10 of the South Norfolk Local Plan Development Management Policies Document and paragraph 196 of the National Planning Policy Framework (NPPF) require this less than substantial harm to be weighed against the public benefits of a proposal. In this case, the public benefits arising from a single dwelling are not considered to outweigh the less than substantial harm. The application therefore does not comply with paragraph 196 of the NPPF and does not comply with Policy 4.10 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.

Informatives :

1. NOTE: The authority can confirm that it does work in a positive and proactive manner, based on seeking solutions to problems arising in relation to dealing with planning applications. However due to the conflict of the this particular proposal with adopted policy it is not possible to support the proposed development and seek a solution to the planning issues.

Appendix B



The Planning Inspectorate

Appeal Decision

Site visit made on 12 February 2020

by C Beeby BA (Hons) MIPROW

an Inspector appointed by the Secretary of State

Decision date: 23rd March 2020

Appeal Ref: APP/L2630/W/19/3241292
The Old Hall, Watton Road, Colney NR4 7TX

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Nigel Willgrass against the decision of South Norfolk Council.
 - The application Ref 2019/1354, dated 23 June 2019, was refused by notice dated 17 October 2019.
 - The development proposed is a detached self-build house and associated garages.
-

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:

- The effect of the proposed development on the setting of a nearby listed building; and
- Whether the proposal would provide a suitable location for the scheme, having regard to the spatial strategy for the area.

Reasons

Listed building

3. The appeal site is an area of grass which accommodates a tennis court, outbuildings and a swimming pool. The site lies close to The Old Hall, a Grade II listed building. This is a substantial historic dwelling of red brick which is set within lawned grounds. These spacious natural surroundings contribute a sense of the hall's evident status within its rural context to its significance.
4. The hall forms the dominant feature within a small complex of buildings and land and has a prominent location off a main route into nearby Norwich. These elements are also important to its setting and significance.
5. The listed building forms a designated heritage asset for the purpose of Paragraph 193 of the National Planning Policy Framework (2019) ("the Framework"). As such, I am required to give great weight to the asset's conservation when considering the effect of the proposed development on its significance. The Framework reflects statute which also requires me to have special regard to the desirability of preserving listed buildings or their settings.
6. The limited scale of built form at the site allows for views from within it of the river Yare and surrounding meadows beyond it. The existing development at

<https://www.gov.uk/planning-inspectorate>

the site has a subservience which ensures that it does not visually compete with the heritage asset.

7. A modern garage of a 1.5 storey height lies in front of the hall. It allows for views of sky and vegetation to one side of the hall from the appeal site and above the intervening hedge. Views over the appeal site from Watton Road include some of the trees and meadows around the river. These views result from the lack of development adjacent to the modern garage. They contribute positively to the spacious natural setting which forms an important part of the significance of the listed building.
8. The proposed adjacent 1.5 storey garage within the appeal site would interrupt the identified important views of the hall due to its location and scale. The two garages would together form significant modern development within close proximity to the hall, which would visually compete with it. The scheme would consequently erode the spacious natural setting of the listed building. As a result, the proposed garage would have a negative effect on the visual aspects of the contribution which the hall's setting makes to its significance.
9. Turning to the effect of the proposed dwelling, this would lie at the edge of the complex. Its roof ridge height would be over 3 metres lower than that of the hall due to its scale and its position on lower land, with a resulting subservience to the listed building. Whilst a proportion of the dwelling would be glimpsed within views from Watton Road, the foreground of these include an existing substantial single storey barn conversion which would provide partial screening. The proposed dwelling would not compete with the listed building within views of its frontage due to its location away from it. The dwelling would additionally allow for the retention of views of the meadows behind it due to the spacious areas of garden to both sides of the dwelling.
10. Thus, the proposed dwelling would not interrupt the important views of the hall and its setting which I have identified above, and it would preserve the positive contribution of the building's spacious natural surroundings to its setting. Therefore the proposed dwelling would not result in harm to the hall's significance.
11. Nevertheless, the adverse visual effect which would result from the location and scale of the proposal's garage would amount to less than substantial harm to the setting of the Old Hall.

Location of proposed development

12. Policy DM1.3 of the South Norfolk Local Plan Development Management Policies Document (2015) ("DMPD") sets out that proposals should be located on allocated sites or within the development boundaries of settlements. The policy aims to ensure a sustainable pattern of development, and to protect the countryside.
13. There is nothing in the Framework to indicate that the definition of settlement boundaries is no longer a suitable policy response and therefore that such policies are bound to be out-of-date, having regard to Paragraph 213. Policy DM1.3 of the DMPD is broadly consistent with the Framework, which indicates that the purpose of the planning system is to contribute to the achievement of sustainable development. I therefore attach full weight to Policy DM 1.3 in determining the appeal.

Appeal Decision APP/L2630/W/19/3241292

14. The appeal site lies outside the development boundary for the area, and therefore it lies within the countryside. The policy allows for development in such a location where specific development management policies allow for this, or where there are other overriding economic, social or environmental benefits.
15. My attention has not been drawn to any specific policies which would allow for development at the location concerned, or indeed which may demonstrate compliance with the development plan as a whole. The provision of a home and the potential support of future occupants for local services and the vitality of the community are advanced in support of the proposal. However, the provision of one unit of housing would make only a minimal contribution to these matters.
16. A signed planning obligation is submitted with the appeal. In it the appellant covenants that the scheme would be a self-build development.
17. The Council is required to give suitable development permission to enough suitable serviced plots of land to meet the demand for self-build and custom housebuilding in its area. The appellant suggests that there is a significant shortfall of such permissions in the area.
18. I acknowledge appeal decisions¹ which address the issue of self-building and which have been submitted by the appellant. If I were to adopt the approach of the first pair of decisions and discount permissions for which a mechanism to secure a self-build development was not before me, the calculation of suitable permissions of this type would reveal that the area has a significant shortfall compared to demand.
19. However, the appeal proposal would supply one self-built dwelling. The contribution which this would make to any shortfall in supply, irrespective of its extent, would therefore be very limited in view of the levels of identified demand. The weight which I attach to the self-build element of the proposal as a benefit is consequently correspondingly limited.
20. It is common ground that the appeal site is previously developed land ("PDL"). The Framework states that strategic policies should set out a clear strategy for accommodating objectively assessed needs in a way that makes as much use as possible of PDL. However, this is not the case where conflict with other policies in the Framework would arise. I have identified conflict with the historic environment policies of the Framework and therefore the Framework does not provide support for the use of PDL in this case.
21. The site has some access to services and facilities, and to public transport. However, these are not so widely available as to represent a significant benefit of the proposal.
22. There is minimal evidence before me to suggest that the proposal would provide affordable housing and therefore the weight which I attach to this as a benefit is correspondingly minimal.
23. If I were to find the appearance of the buildings to be acceptable this would be a relatively neutral matter which would not attract any particular weight.

¹ APP/G2435/W/18/3214451 and APP/G2435/Q/18/3214498, APP/W0530/W/19/3230103

Appeal Decision APP/L2630/W/19/3241292

24. I have no evidential basis on which to conclude that there is a shortage of suitable accommodation for staff at the nearby hospital. Moreover, I am unaware of any mechanism which would reserve the Old Hall for purchase by a member of this group once the appellant had moved into the proposed dwelling. Therefore I attach only minimal weight to this suggested benefit.
25. The appeal consequently does not demonstrate the overriding benefits which are prescribed by Policy DM1.3 in order for development to be acceptable in such locations. Thus, it would not provide a suitable location for the scheme, having regard to the spatial strategy for the area. The proposal consequently conflicts with this policy.

Other Matters

26. I note that the Council's Conservation and Design department did not object to the proposal, subject to the use of suitable materials. However, I am not bound by their lack of objection to find the development's effect on the heritage asset acceptable in light of all other available evidence. It follows that a condition requiring the approval of materials for the development would not overcome my concerns, because these relate to the scale and location of the proposed garage.

Planning Balance and Conclusion

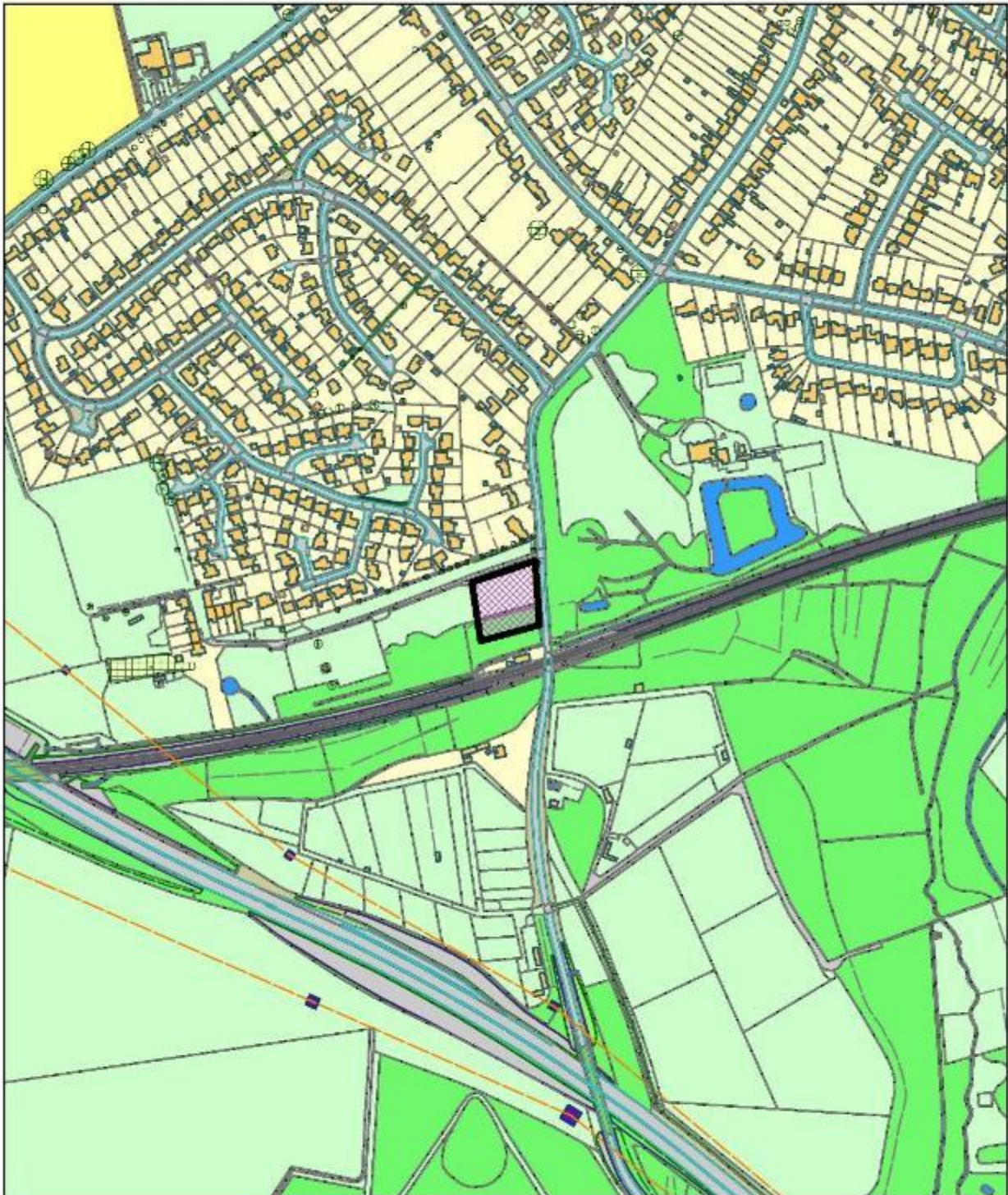
27. Policy DM4.10 of the DMPD sets out that less than substantial harm to the significance of a heritage asset will only be justified where there are public benefits that outweigh the harm. In this regard it reflects paragraph 196 of the Framework.
28. Whilst I acknowledge that the proposal would carry the modest benefits identified above, they do not outweigh the harm in achieving the planned spatial strategy for the area and the harm to the significance of the heritage asset, to which I must attach considerable importance and weight.
29. As a result, the proposal conflicts with Policy DM4.10 of the DMPD, which states that development should avoid causing any harm to a heritage asset.
30. The appellant contends that the policies which are most important for determining the application are out-of-date. If I were to accept this, paragraph 11 of the Framework sets out that it is then necessary to grant permission for development proposals, unless any of the criteria referred to apply. These include where the application of policies in the Framework that protect areas of particular importance provides a clear reason for refusing the development proposed. The policies referred to include those in the Framework relating to designated heritage assets.
31. I have found above that the application of the designated heritage asset policies of the Framework provides such a reason for refusing permission for the appeal proposal. Accordingly, the "tilted balance" of paragraph 11 is not engaged in this case.
32. Thus, for the reasons given above, I conclude that the appeal should be dismissed.

C Beeby - INSPECTOR

<https://www.gov.uk/planning-inspectorate>

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2020/0919



Scale 1:5,000

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

4. Application No : 2020/0919/O
Parish : CRINGLEFORD

Applicant's Name: Mr Ben Kemp
 Site Address Land south of Meadow Farm Drive Cringleford Norfolk
 Proposal Erection of 1no. dwelling with access and layout. All other matters reserved.

Reason for reporting to committee

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

Recommendation summary :

Refusal

1 Proposal and site context

- 1.1 This application seeks outline planning (with access and layout included) for a dwelling on land to the south of Meadow Farm Drive in Cringleford.
- 1.2 The site is outside but adjacent to the development boundary that has been defined for Cringleford. It is located between Armitage Close and Meadow Farm Drive to the north and the Norwich to Cambridge railway line to the south on the western side of Intwood Road, from which it is accessed.
- 1.3 The site is part of a larger County Wildlife Site and is somewhat overgrown at present with long grass. The access gate and a combination of trees and a hedge line the front/eastern boundary, trees are located along the rear/western and southern boundaries, and a post and wire fence and trees line the northern boundary. There is a gentle decline in levels towards the south. Neighbouring properties include residential dwellings to the north, horse grazing on the land to the rear/west and woodland to the south and east (on the opposite side of Intwood Road).

2. Relevant planning history

- | | | | |
|-----|-----------|--|----------|
| 2.1 | 2018/1276 | New 6m wide vehicular access | Approved |
| 2.2 | 2014/0404 | Change of use of land for keeping of horses and erection of stable block | 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 09: Promoting sustainable transport
 NPPF 12 : Achieving well-designed places
 NPPF 14 : Meeting the challenge of climate change, flooding and coastal change
 NPPF 15 : Conserving and enhancing the natural environment
- 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
 Policy 11 : Norwich City Centre
 Policy 12 : The remainder of the Norwich Urban area, including the fringe parishes
 Policy 17 : Small rural communities and the countryside

- 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
 DM4.4 : Natural Environmental assets - designated and locally important open space
 DM4.8 : Protection of Trees and Hedgerows

- 3.4 Cringleford Neighbourhood Plan
 ENV5 : Provision of sustainable drainage
 HOU2 : Design Standards
 HOU4 : Mix of property types
 HOU6 : Renewable Energy Sources
 HOU7 : Space standards

4. Consultations

4.1 Cringleford Parish Council:

Object.

Endorse comments made by neighbours.

Note that access and fence is not as approved by application 2018/1276.

PC does not recognise anything beneficial in this proposal. No need for additional housing of this nature in Cringleford. One new dwelling will not make a difference to the 2500 that will be added by 2025.

Site is outside of the development boundary and is an unnecessary and damaging proposal for substantial environmental reasons.

Site is not a preferred site in the draft GNLP.

Despite the agent's statement, whatever state the site is in, this is a major wildlife corridor that has featured in several SNC reports. What enhancements are being proposed to ameliorate the devastating effect the development will have on the site.

4.2 District Councillors:

Cllrs W Kemp and D Elmer

This application raises issues: namely development outside the development boundary of a single dwelling (albeit not cited specifically as a self-build project) balanced against the benefits of an otherwise sustainable location and the economic benefits of development. This application does also raise issues in respect of flooding and so we ask that the Committee consider how these factors balance against each other.

4.3 SNC Water Management Officer

Comments on original submission:

Unable to support due to insufficient consideration of flood risk.

Comments following submission of Flood Risk Assessment (summary):

I note that the site red line boundary has changed to exclude the area most susceptible to fluvial and surface water flood risk. The site is in flood zone 1 except for the watercourse running along the southern boundary and the EA has agreed to the modelled climate change design flood level of 9.467m AOD which places the dwelling, access and egress in fluvial flood zone 1 and therefore acceptable for development from a fluvial flood risk point.

4.4 NCC Highways

Planning conditions requested in relation to the provision and retention of a parking and turning area. Visibility splays should be maintained in accordance with planning permission ref. 2018/1276.

4.5 Conservation & Tree Officer

Verbal comments: Having considered the submitted tree information, no objection.

4.6 NCC Ecologist

The application site is located within Meadow Farm Meadow County Wildlife Site- a site with an interesting and diverse area of marshy grassland, tall fen, scrub and woodlands (see figure below). The proposals are considered to have an adverse impact to the County Wildlife Site which is of County Importance. It is recommended that the application is refused- the site is classed as a natural environmental asset and is protected under Policy DM 4.4.

The applicant has not provided any information as to the suitability of the site to support protected species that may allow an assessment for impacts to be undertaken. As such, it is recommended that the applicant is asked to provide further information. It is recommended that a Preliminary Ecological Appraisal (PEA) of the site is undertaken by an appropriately qualified and experienced ecologist, that meets the relevant British Standard (BS42020:2013 Biodiversity - Code of practice for planning and development) and complies with industry best practice (e.g. CIEEM technical standards). The PEA Report should be submitted in support of the application should the applicant wish to proceed with the application.

Specific surveys, for example, for great crested newts and NVC botanical surveys, may need to be undertaken following the PEA. The results of these surveys will also need to be submitted in support of planning.

4.7 Other Representations

Objections received from 13 neighbouring addresses raising the following matters:

- Property is not in keeping with its surroundings
- It will stand out as an eyesore
- Orientation is the wrong way round.
- Access is dangerous because it is unsighted onto this 60mph section of Intwood Road. It was also granted on the basis that it would be used for grazing horses
- Will overlook 70 Intwood Road

- Site is too close to the railway line and southern bypass
- The site is of archaeological interest
- Fail to see why important natural habitats should be destroyed when there are already 2500 houses being built in Cringleford
- Inevitable that use of site for residential purposes will encroach towards and have impacts on wildlife as well as during the construction phase
- Concerned about impact on the stream running through the site which connects to other sites
- Concerned about impact on trees
- There is no footpath along this section of Intwood Road until Brettingham Avenue which would be restrictive for disabled and elderly residents to walk to access the rest of the village and its amenities
- Concerned that permitting this development will allow the remaining land on the southern side of Meadow Farm Drive to be developed
- Concerned at prospect of construction traffic turning, using and causing damage to Meadow Farm Drive
- Adverse impact on property values
- Site is prone to flooding
- Development will be out of character with the countryside character of the site
- Site is lowland meadow and provides important habitats
- Site is outside of the development boundary
- Site is part of County Wildlife Site and has a rich botany of wetland plants and is a significant wildlife corridor for a number of important animal species. Further fragmentation of the site will reduce its viability and ultimately destroy the purpose of the site.

5 Assessment

Key considerations

- 5.1
- Principle of development
 - Accessibility of site
 - Impact on the character and appearance of the area
 - Residential amenity
 - Highway safety
 - Trees
 - Ecology
 - Flood risk

Principle of development

- 5.2 The site is outside of the development boundary that has been defined for Cringleford and thus is in a countryside location.
- 5.3 Policy DM1.3 of the SNLP 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 apply 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.
- 5.4 It is also worthy of note that the Council can demonstrate a housing supply in excess of 5 years. This means that full weight can be given to the Council policies relating to the supply of housing, which includes Policy DM1.3.

Accessibility of site

- 5.5 The site is outside but adjacent to the development boundary that has been defined for Cringleford. While the access into the site is within a section of highway that is subject to a 60mph speed limit, a 30mph speed limit is in place on Intwood Road at its junction with Meadow Farm Drive. The nearest footpath is on Brettingham Avenue approximately 165m to the north and this provides some connectivity to other footpaths within Cringleford. Notwithstanding that, the absence of a footpath means that should residents wish to walk towards any services or facilities within Cringleford, a not insubstantial part of that journey will require them to walk in the highway which does not benefit from street lighting. This may not be an attractive prospect for any persons but perhaps even more so for those residents who may have mobility or sensory difficulties, be with young children or be carrying shopping and during poor weather and/or hours of darkness. Consequently, while the site is clearly located adjacent to the development boundary and any journeys by car will be relatively short, it is nevertheless not particularly well connected to everyday services and amenities and does not give priority to low impact modes of transport. The application is contrary to Policies 1 (bullet 7) and 6 (bullet 8) of the JCS and Policy DM3.10 of the SNLP.

Impact on the appearance of the area

- 5.6 Although the site previously had planning permission to erect a stable block, this has not been constructed. The site currently has an undeveloped appearance and reads as part of a wider green buffer to the south of the settlement as it transitions into the countryside. The Neighbourhood Plan also identifies the site as part of a green infrastructure corridor that extends round to the west towards the A47. Although the appearance of the dwelling is not yet known, its introduction will inevitably alter the character and appearance of the site. Given the positive contribution that the site makes to the appearance of the area as Cringleford transitions into the countryside, the construction of a dwelling and activities associated with it will represent an unacceptable encroachment into the countryside that will cause harm to its character and appearance. The application is therefore contrary to Policies 1 and 2 of the JCS, Policies DM1.4(d, i) and DM3.8 of the SNLP and Policy HOU2 of the Cringleford Neighbourhood Plan.

Residential amenity

- 5.7 The layout of the development shows the dwelling positioned at angle in the front section of the site. While there is a little flexibility as to the final precise position of the dwelling, it appears possible to position and design it such that it will not have an adverse impact on the living conditions of those properties to the north. Occupiers of the dwellings will also benefit from a suitable standard of amenity. The application complies with Policy DM3.13 of the SNLP.

Highway safety

- 5.8 The application proposes to use the existing access from Intwood Road. Despite concerns raised by local residents about the speed limit in place along this section of the highway and visibility from the access, the Highway Authority has not objected to the application subject to the provision of a parking and turning area and maintenance of visibility splays. Adequate parking can be provided. Taking account of those factors, the application complies with Policies DM3.11 and DM3.12 of the SNLP.

Trees

- 5.9 Although there are two trees along the front boundary that are the subject of a Tree Preservation Order, on the basis that the existing access into the site is used and there is sufficient space between the areas of development and these trees, the Tree and Conservation Officer has not objected to the application. A number of other trees are located around the site but similar to the above, having reviewed the submitted Arboricultural Impact Assessment, the Tree and Conservation Officer has not objected to the application. The application therefore complies with Policy DM4.8 of the SNLP.

Ecology

- 5.10 The site is entirely within a County Wildlife Site (CWS) which continues onto land to the south and west and as part of the application, an Ecology Appraisal was submitted. The citation for the CWS suggests that it was designated for its botanical interest. The report suggests that in terms of the direct loss of habitat, the impact will be of negligible significance on the CWS features and that the impacts on the wider supporting role of the site for the CWS will also be negligible. Mitigation measures relating to nesting birds and the potential for grass snakes to be present were recommended and enhancement measures relating to bat boxes, bird boxes and planting.
- 5.11 In commenting on the application, Norfolk County Council's Ecologist set out her strong objection to the principle of development in CWS given the natural capital that they provide alongside statutory sites at county level. Ultimately though, she acknowledged that the section of land that would be lost from the CWS as a result of this application is small, that the larger CWS will remain and that it would be hard to argue that the application would result in large adverse impacts on biodiversity. However, if permission is granted, it was recommended that a comprehensive Ecological Design Strategy and Biodiversity Enhancement Plan are secured through appropriately worded planning conditions that provide measures to return the site to good condition.
- 5.12 When considering the ecological impacts of the development and mitigation and enhancement measures that are available and can be secured through planning conditions, the application complies with Policy 1 of the JCS and Policies DM1.4(c) and DM4.4 of the SNLP.

Flood Risk

- 5.13 With the exception of the watercourse running along the southern boundary, the site is within Flood Zone 1. The land to south, which is under the ownership of the applicant but not part of the application site, is within the Flood Zones 2 and 3. The southern section of the site running parallel to the watercourse is at risk from surface water flooding as is Intwood Road to the front.
- 5.14 A Flood Risk Assessment was submitted in support of the application. The Council's Water Management Officer has noted that this has demonstrated that the area proposed for the dwelling and the access are at very low risk from fluvial and surface water flooding. Although flooding on Intwood Road may have depths of up to 300mm which continues for up to 10m in the northerly direction, this has not been raised as being a reason to resist the development.
- 5.15 The Flood Risk Assessment identified the site as having a 25% to 50% susceptibility to groundwater flooding. Although this document did not make any recommendations on this, the Water Management Officer has recommended that flood resilient measures are incorporated into the design with regard to the footings and drawn attention to a government guidance document on this.

- 5.16 When having regard to the content of the Flood Risk Assessment and the Water Management Officer's comments, the application complies with Policy 1 of the JCS and Policy DM4.2 of the SNLP.

Other matters

- 5.17 Concerns have been raised about the impact of the development on property values. This is a matter for the property market to determine and not for planning.
- 5.18 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 weighs in favour of the application but the site is not considered to be suitable for the reasons set out above.
- 5.19 The need to support the economic recovery following the COVID-19 pandemic is a material consideration and the construction of this dwelling will provide economic benefits during its construction phase and when occupied. However, in view of the harm arising from the proposal, I do not consider that it warrants being attributed a significant deal of weight.
- 5.20 Under Section 143 of the Localism Act the council is required to consider the impact on local finances. This can be a material consideration but in the instance of this application the other material planning considerations detailed above are of greater significance.
- 5.21 The application is liable for the Community Infrastructure Levy.

Conclusion

- 5.22 As the application site is located outside of the development and does not otherwise comply with any other policy and/or allocation of the development boundary, it is required to demonstrate overriding benefits in respect of the social, economic and environment dimensions of sustainable development. I recognise that some social and economic benefits will arise from the provision of housing but given that this application is for one dwelling, such benefits will be limited. While planning conditions could be used to secure some ecological enhancements, on the other hand, the proposal will result in harm to the character and appearance of the site and area and is not well located to encourage low impact modes of transport. In the round, the harm arising decisively outweighs any limited benefits and because of that, the application does not demonstrate overriding benefits. The application is therefore recommended for refusal as it does not comply with Policies 1, 2 and 6 of the JCS, Policies DM1.4 (d, i), DM3.8 and DM3.10 of the SNLP and Policy HOU2 of the Neighbourhood Plan.

Recommendation : Refusal

- 1 Accessibility of site
- 2 Harm to appearance of area
- 3 No overriding benefits

Reasons for Refusal

- 1 The site is outside but adjacent to the development boundary that has been defined for Cringleford. While the access into the site is within a section of highway that is subject to a 60mph speed limit, a 30mph speed limit is in place on Intwood Road at its junction with Meadow Farm Drive. The nearest footpath is on Brettingham Avenue approximately 165m to the north and this provides some connectivity to other footpaths

within Cringleford. Notwithstanding that, the absence of a footpath means that should residents wish to walk towards any services or facilities within Cringleford, a not unsubstantial part of that journey will require them to walk in the highway which does not benefit from street lighting. This may not be an attractive prospect for any persons but perhaps even more so for those residents who may have mobility or sensory difficulties, be with young children or be carrying shopping and during poor weather and/or hours of darkness. Consequently, while the site is clearly located adjacent to the development boundary and any journeys by car will be relatively short, it is not particularly well connected to everyday services and amenities and does not give priority to low impact modes of transport. The application is contrary to Policies 1 (bullet 7) and 6 (bullet 8) of the Joint Core Strategy and Policy DM3.10 of the Development Management Policies Document.

- 2 The site has an undeveloped appearance and reads as part of a wider green buffer to the south of Cringleford as it transitions into the countryside. The Cringleford Neighbourhood Plan also identifies the site as part of a green infrastructure corridor that extends round to the west towards the A47. Although the appearance of the dwelling is not yet known, its introduction will inevitably alter the character and appearance of the site. Given the positive contribution that the site makes to the appearance of the area as Cringleford transitions into the countryside, the construction of a dwelling and activities associated with it will represent an unacceptable encroachment into the countryside that will cause harm to its character and appearance and the contribution that it makes to the surrounding area. The application is therefore contrary to Policies 1 and 2 of the Joint Core Strategy, Policies DM1.4(d, i) and DM3.8 of the Development Management Policies Document and Policy HOU2 of the Cringleford Neighbourhood Plan.
- 3 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 fundamental harm in allowing un-planned development in what should be a genuinely plan led system and the harm identified in reasons 1 and 2 of this decision. 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 20 June 2020 to 3 July 2020**

Ref	Parish / Site	Appellant	Proposal	Decision Maker	Final Decision
2019/2269	Costessey Land to rear of 26 West End Avenue Costessey Norfolk	Mr J Green	Proposed bungalow	Delegated	Refusal
2019/1568	Pulham St Mary Land South of Norwich Road Pulham St Mary Norfolk	Mr Martin Ware	Erection of 4 dwellings	Delegated	Refusal
2019/1652	Sisland Outbuildings adj to The Cottage St Johns Lane Sisland Norfolk	Mr & Mrs A Bond	Proposed replacement dwelling and detached garage	Delegated	Refusal
2019/2082	Topcroft Breakers Yard Barford Road Topcroft Norfolk NR35 2BB	Mr Stuart Hall	Conversion of world war 2 barracks into a single dwelling to include a link block	Delegated	Refusal
2020/0137	Hethersett Land South East of Norwich Road Hethersett Norfolk	Mr Ivan Brown	Erection of self-build dwelling	Delegated	Refusal

Planning Appeals

Appeals decisions from 20 June 2020 to 3 July 2020

Ref	Parish / Site	Appellant	Proposal	Decision Maker	Final Decision	Appeal Decision
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	Appeal dismissed
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	Appeal Allowed
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	Appeal dismissed
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	Delegated	Notice Served	Appeal dismissed