

Development Management Committee

Members of the Development Management Committee:

Conservatives Liberal Democrat

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

PUBLIC ATTENDANCE

This meeting will be live streamed for public viewing via a link, which will be available on the Council's website.

PUBLIC SPEAKING

You may register to speak by emailing us at democracy@s-norfolk.gov.uk, no later than 3.00pm on Friday, 16 October 2020.

Agenda

Date

Wednesday 21 October 2020

Time

10.00 am

Place

To be hosted remotely at

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

Contact

Tracy Brady: tel (01508) 535321

South Norfolk House
Cygnet Court
Long Stratton Norwich
NR15 2XE

Email: democracy@s-norfolk.gov.uk
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, 23 September 2020;** (attached – page 8)

5. **Planning Applications and Other Development Control Matters;** (attached – page 13)
To consider the items as listed below:

Item No.	Planning Ref No.	Parish	Site Address	Page No.
1	2019/1641/F	SWAINSTHORPE	Malthouse Farm, Norwich Road, Swainsthorpe, NR14 8PU	13
2	2020/0048/F	TACOLNESTON	Land north of 122 Norwich Road, Tacolneston, Norfolk	25
3	2020/1236/O	SCOLE	Scole Engineering, Diss Road, Scole, IP21 4DN	49
4	2020/1466/H	MULBARTON	48 Gowing Road Mulbarton NR14 8AT	57
5	2020/1550/H	MULBARTON	48 St Omer Close Mulbarton NR14 8JU	61
6	2020/1142/F	CRINGLEFORD	Land east of A11 and north and south of Round House Way Cringleford Norfolk	65

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 73)

8. **Date of next scheduled meeting – Thursday, 5 November 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.

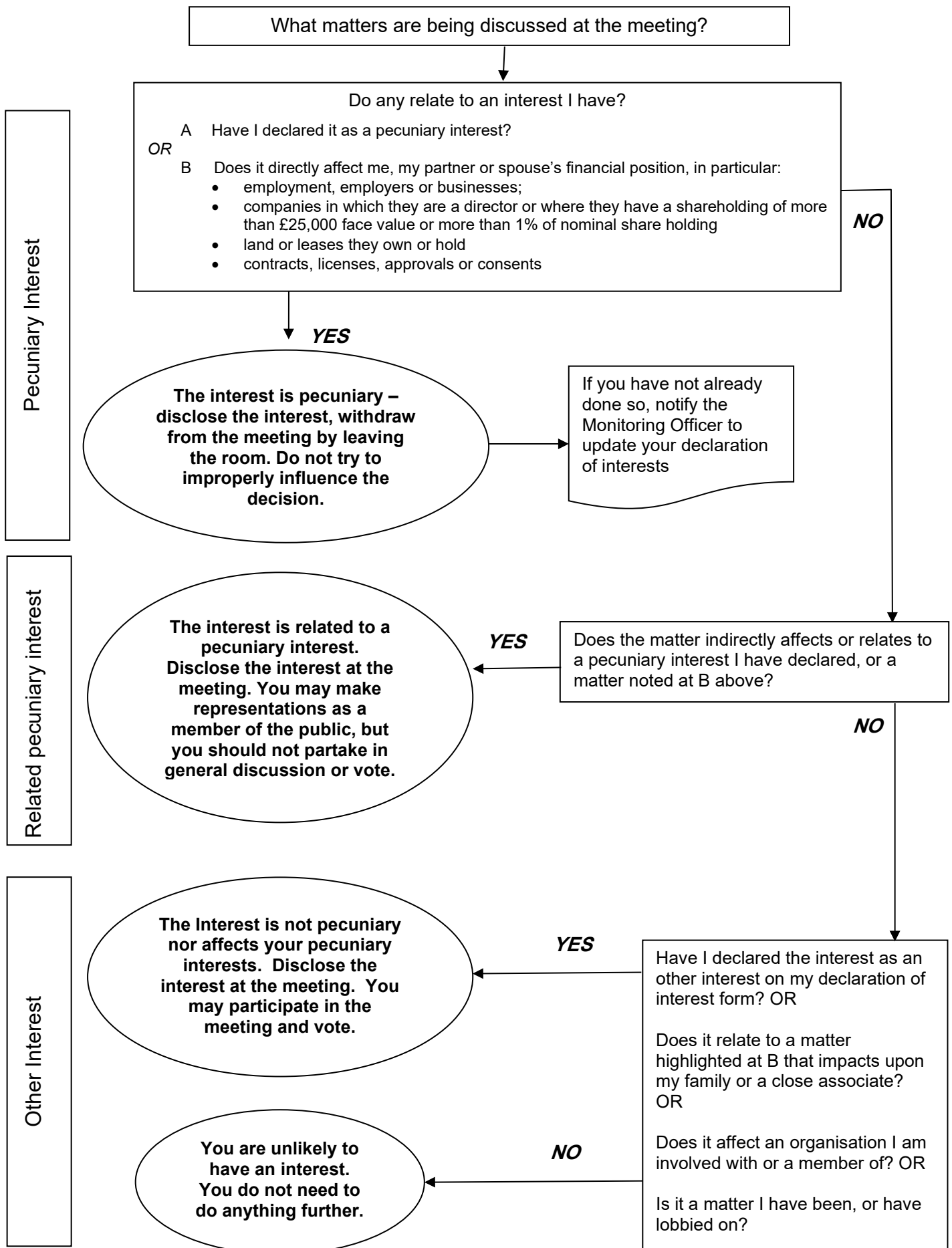
Is the interest not related to any of the above? If so, it is likely to be an other interest. You will need to declare the interest, but may participate in discussion and voting on the item.

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, 23 September 2020 at 10.00 am.

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

Officers in Attendance: The Development Manager (T Lincoln) and the Area Planning Manager (C Raine)

520. 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
2020/1282 (item 1)	PORINGLAND	L Neal	Other Interest Cllr Neal is a parish councillor for Poringland where details of this application were heard, however took no part in any discussions

521. MINUTES

The minutes of the Development Management Committee meeting dated 26 August 2020 were confirmed as a correct record and signed by the Chairman.

522. PLANNING APPLICATIONS AND OTHER DEVELOPMENT CONTROL MATTERS

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

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

APPLICATION	PARISH	SPEAKERS
2020/1282 (item 1)	PORINGLAND	D Self – Applicant
2019/1666/O (Item 2)	CRINGLEFORD	D Sherman – Agent for the Applicant

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

523. QUARTERLY ENFORCEMENT REPORT

Members noted the quarterly enforcement report.

524. PLANNING APPEALS

The Committee noted the planning appeals.

(The meeting closed at 11.00am)

Chairman

Updates for DEVELOPMENT MANAGEMENT COMMITTEE
– 23 September 2020

Item	Updates	Page No
Item 1 2020/1282	No updates	13
Item 2 2019/1666	<p>Error in paragraph 5.15 – refers to nine dwellings when it should read “six additional dwellings”</p> <p>The plan included for item 2 is in line with the original scheme rather than the revised scheme (includes the long access drive and the existing dwelling which have both been removed from the application). This will be highlighted in the relevant committee presentation.</p>	17
Item 3 2018/8152	DEFERRED - to allow officers to consider third party representations that have been received on the 22 nd September	32

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.

Applications referred back to committee

1. **Appl. No** : **2020/1282**
 Parish : **PORINGLAND**

Applicant's Name : Mr Danny Self
 Site Address : 27 Howe Lane, Poringland, NR14 7LQ
 Proposal : First floor front and side extensions, including front infill extension to ground floor

Decision : Members voted 4-1 for **Refusal**

Refused

The introduction of a two-storey extension that wraps around the front and side elevation of the property and with a roof pitch that differs from the existing dwelling does not appear subservient to or relate satisfactorily to the main dwelling and accordingly results in a poor design. Furthermore, the application site is one of a pair of semi-detached dwellings and sits within a row of 10 pairs of similar semi-detached dwellings, none of which have two storey extensions to the front and as such this proposal fails to relate satisfactorily to its surroundings and is therefore considered to be out of character with the street scene and to result in harm to the character and appearance of the area. The scheme is therefore contrary to Policies DM3.4 and DM3.8 of the South Norfolk Local Plan 2015.

2. **Appl. No** : **2019/1666/O**
 Parish : **CRINGLEFORD**
- Applicant's Name : Tusting, Murphy and Sigston
 Site Address : 40A Newmarket Road Cringleford NR4 6UF
 Proposal : Outline application for the erection of six dwellings including access
 with retention of existing dwelling.
- Decision : Members voted unanimously for **Approval** with conditions
- Approved with conditions (officers to check wording of condition 7 in
 relation to access from Willowcroft Way being used for construction
 traffic)
1. Outline permission time limit
 2. Reserved matters to be submitted
 3. Finish floor level to be agreed
 4. Foul drainage to main sewer
 5. Surface water drainage
 6. New water efficiency
 7. Access onto Willowcroft Way
 8. Visibility splays
 9. Access and parking area
 10. Contamination scheme to be submitted
 11. remediation scheme
 12. Contaminated land during construction
 13. Tree protection
 14. Details of no-dig driveway
 15. Ecological mitigation and enhancement
 16. Landscaping scheme
 17. Construction management plan

PLANNING APPLICATIONS AND OTHER DEVELOPMENT CONTROL MATTERS

Report of Director of Place

Other Applications

Application 1

2019/1641



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

1. Application No : 2019/1641/F
Parish : SWAINSTHORPE

Applicant's Name: Mr B Turner
Site Address Malthouse Farm, Norwich Road, Swainsthorpe, NR14 8PU
Proposal Conversion of existing barn complex to 3 dwellings.

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 This application seeks planning permission to convert a group of barns at Malthouse Farm on Norwich Road in Swainsthorpe into three dwellings and to provide storage space for these dwellings and those at the neighbouring properties to the south.
- 1.2 The site is on the eastern side of the A140 driving through Swainsthorpe and the farm is a prominent feature when passing through. Neighbouring properties include a recently completed conversion and re-build development of 4 dwellings to the south that Development Management Committee approved in January 2019, a field and farm buildings to the north, the A140 with a field beyond to the west and a concrete access track to the east with metal framed agricultural storage buildings close by. Levels vary a little across the site but in general, levels incline from front to back.
- 1.3 The barns themselves are made up of a mixture of red brick, cob walls, timber cladding and blockwork. The L-shaped barn fronting the A140 will accommodate the storage areas for the dwellings and a three-bed dwelling (unit 3). The more horseshoe shaped barn set back within the site will accommodate two three-bed dwellings (units 1 and 2). The existing farmyard will be used to provide a parking and turning area and amenity area for unit 3. That unit will also have a garden area to the north while the garden area for units 1 and 2 will be to the rear/east of those barns. The existing access into the site will be used and submitted drawings show that this will serve the existing and proposed dwellings only and not any farm traffic.

2. Relevant planning history

- | | | | |
|-----|-----------|--|----------|
| 2.1 | 2017/2275 | Retrospective Application for improvement of Farm Access. | Approved |
| 2.2 | 2018/2194 | Conversion of existing farmhouse into 3 No. dwellings, demolition of adjoining cottage to rear and construction of replacement cottage and improved access onto A140 | Approved |
| 2.3 | 2019/0424 | Earthworks to farmyard (retrospective) | Approved |
| 2.4 | 2019/0831 | Temporary siting of static caravan for 18 months during construction works. | Approved |

- 2.5 2020/0004 Temporary siting of static caravan for 18 months during construction works.
(Previously approved in different location on 2019/0831) 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 12 : Achieving well-designed places
NPPF 15 : Conserving and enhancing the natural environment
- 3.2 Joint Core Strategy (JCS)
Policy 1 : Addressing climate change and protecting environmental assets
Policy 2 : Promoting good design
Policy 3: Energy and water
- 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
DM2.10 : Conversion and re-use of buildings in the Countryside for non-agricultural use
DM3.8 : Design Principles applying to all development
DM3.11 : Road safety and the free flow of traffic
DM3.12 : Provision of vehicle parking
DM3.13 : Amenity, noise, quality of life
DM3.14 : Pollution, health and safety
DM4.2 : Sustainable drainage and water management
DM4.5 : Landscape Character Areas and River Valleys

4. Consultations

- 4.1 Swainsthorpe Parish Council

Plans for five dwellings

Comments on originally submitted plans:

Object.

- The site is outside of the development boundary.
- If permitted, the development will lead to additional traffic turning right across the opposing traffic stream of the very busy A140 causing danger and inconvenience and interfering with the free flow of traffic. The footpath only goes as far as the bus stop, which if travelling from the south or towards Norwich, requires pedestrians to cross the A140, which can be impossible from the less nimble, pushchairs, etc. The number of car parking spaces appears inadequate.
- There are known to be bats around these buildings. An ecology survey has not been carried out.
- The previous use of the buildings may have given rise to contamination. No assessment has been provided on this.
- The application has not demonstrated that the buildings cannot be practically and viable converted to employment uses.

Comments on amended plans:

Object. There is nothing in the amendments that will make any material difference. The comments above were largely reiterated but in addition:

- Noise levels are still unacceptable and these will only worsen as developments further south along the A140 get approval. We believe the amended proposals to mitigate noise levels will have no material impact whatsoever. To suggest the use of non-opening windows, brick walls which seem rather high in the overall scheme, and the use of summer houses to act as 'noise refuges' cannot be taken seriously. To suggest that the use of the local amenity green spaces would also help to offset the effects of daily noise clearly illustrates the applicant's inability to substantively address this issue.
- The amenities that are suggested as being available to residents are only accessible by car or public transport.

Amended plans for three dwellings

The allocation of parking spaces may well be as standard; however, nothing has changed with regards to these plans. There is still not enough of an allowance for any visitor parking and any four bed dwellings these days very rarely rely on having only two car parking spaces as families grow. The need for further visitor/owner parking could see the parking of vehicles along Church Road, causing inconvenience to existing residents along that road and possibly hampering emergency services.

Access onto the A140 is still a cause for concern. With the applicant stating that farm machinery usage would decrease if the conversions were to go ahead then the traffic movements from the development would increase exponentially. Suggest that if this development was allowed to take place, any traffic wishing to turn right out of the proposed development should turn left and drive down to the new Hempnall roundabout and come back up the A140.

All other concerns raised from our previous statements objecting to this application still stand and are relevant.

4.2 District Councillor:
Cllr Ellis

Plans for five dwellings:

This application should be determined by Committee as concerns have been raised regarding noise and traffic.

Amended plans for three dwellings:

This application should be determined by Committee as there are still concerns that it would create additional movements on the A140

4.3 SNC Community Services - Environmental Quality Team

Plans for five dwellings

Application in original form:

The proposed development is adjacent to the main road link, as such future occupants could be subjected to unacceptable levels of noise. I note that this has been considered in the design and layout however for us to be satisfied that the future

occupants are adequately protected we would require a comprehensive noise assessment to quantify the noise levels and proposed mitigation measures. Additionally, we would require some information about land quality and would ask that the applicant complete our barn conversion questionnaire.

Following submission of Noise Assessment and additional information:

Having reviewed the additional information I am able to withdraw by objection to this application. The development should be carried out according with the layout and technical specification given in the updated noise assessment and the email below. We would wish to see a validation report confirming that all of the mitigation measures have been incorporated into the design prior to occupation.

Amended plans for three dwellings

No further comment to make.

4.4 SNC Senior Heritage & Design Officer

Plans for five dwellings

The application concerns an existing arrangement of historic barns dating from different periods. Several barns appear on the c1840 tithe map. The buildings appear to be in a reasonable condition and can be preserved. The conversions proposed indicates a significant change in the appearance of the properties and changes them from an agricultural based functional appearance to more domestic properties. One example is the treatment of the threshing barn which has the central large opening on the north west side – partly filled in centrally so that the NW no longer has the characteristic openings of a threshing barn, and also the creation of two large threshing door style open glazed voids in the SE elevation towards each end where they would not have been such large openings historically.

The site plan also shows a road and landscaping which does not reflect historic courtyard landscaping and plans. Planting such as silver birches and rowans within what would have been the courtyard setting of the farm buildings does not protect or enhance their setting.

In a courtyard arrangement frontage tandem parking such as for parking for unit 2 should be avoidable.

Overall, the plan results in the over domestication of the rural farmyard complex structures in terms of their architecture and character, and the openings do not reflect or reference traditional types of opening/voids that would be found in barn complexes. The windows behind the cartshed pillars could also be more glazed and possibly extend floor to ceiling.

Amended plans for three dwellings

No comments received.

4.5 SNC Water Management Officer

Planning condition recommended in relation to surface water drainage.

4.6 NCC Highways

Plans for five dwellings:

Application in original form:

Recommend refusal on the following grounds: The proposed development, if permitted, would lead to an intensification in the use of an access onto the A140 leading to an increase in vehicles slowing, stopping and potentially hazardous right hand turning movements across the opposing traffic stream of a busy principal route. Such movements would interfere with the free and safe flow of traffic and cause danger and inconvenience to highway users. Resulting in the deterioration in the efficiency of the A140 as a traffic carrier. Contrary to Development Plan Policy DM 3.11

Comments on amended plans:

While ladder hatching along the A140 may discourage some overtaking, it will not resolve the main reason for objecting, namely additional turning movements to and from the A140. There are currently six accidents listed for this section of the A140 between the site entrance and Church Lane. Along with the four properties to the south, this development could result in 54 movements per day. There is therefore a concern that increased slowing, stopping and turning movements in this vicinity could exacerbate the already poor accident record.

While the barn complex forms part of the farm and would have generated agricultural movements, the two brick barns that are the subject of this application only form part of the complex as a whole. As a result, the previous comments and highway objection still stand.

Amended plans for three dwellings

Whilst the conversion to 5 units was considered to be overdevelopment and unsatisfactory in highway terms, the reduction in the number of the units to 3 is more acceptable.

We still have concerns regarding the potential traffic generation of the site as a whole and any further developments that are proposed for the site may cause us similar problems. Principally owing to the increased turning movements to and from the A140. However, if the barns are suitable in planning terms for conversion then we have to accept (reluctantly) that they can legitimately be developed.

The dwellings are each 3 bed units as currently proposed, therefore the provision of 2 car spaces for each is appropriate, with an additional 2 visitor spaces. The only condition that we will require is SHC 20 regarding parking and turning.

4.7 Other Representations

Plans for five dwellings

Support received from two residents of Swainsthorpe and two residents of Brooke:

- Redevelopment of dilapidated farm buildings will be of benefit to the locality, helping to keep and improve heritage buildings by putting them to good use for much needed homes.
- My property is probably the closest to the site - I have already seen the improvement to the cottages with no disruption to myself.
- It will be nice to see the buildings refurbished and put to good use.

- The conversion will be positive in building a community feel. There are only four dwellings along this stretch of road making us feel quite isolated from the village. It will be nice to have more neighbours increasing the community feel.
- I have no doubt that this project would be finished to a high specification.
- It is good to see the derelict buildings being repurposed. More small developments like this should be seen in South Norfolk. Fantastic to have a new build with disabled facilities too.

Objections received from ten residents of Swainsthorpe and one resident of Norwich.

- The design is unsympathetic.
- Bats have been found on site.
- Why can't the buildings be repaired and put back into use as working farm buildings
- A clearly impractical number of dwellings considering the proposed access to an already very awkward point on the A140.
- The Noise Assessment was carried out during the holiday and farming low season (October) so doesn't reflect true levels. A 2.25m high wall to keep noise out is admittance that there is no place to build housing for people.
- Highlighting local amenities is not a benefit.
- Crossing the A140, despite the central island is a challenge for anyone with limited mobility.
- Reference to the planning permission at the garage site is irrelevant.
- Five dwellings will bring a total of ten households giving at least vehicular movements per day to and from the corridor of movement (A140). Already very busy, this road will be pressured with thousands more vehicles from new developments in the area including Long Stratton and the Ben Burgess depot.
- The site is outside of the development boundary and so is contrary to Policy DM1.3.
- No ecological survey has been submitted even though a previous survey showed evidence of bats.
- There are several other barns on site which will be ripe for conversion, turning this into a housing estate by stealth.
- No information has been provided so show that the buildings cannot be practically or viably used for employment purposes.
- Object on the grounds of highway safety
- The cumulative impact of vehicular movements from the proposed site and that which has been developed immediately to the south will be harmful to highway safety.
- The applicant is silent about their submission to the GNLP for at least 25 houses at the southern end of Malthouse Farm - fields that are currently used for agricultural purposes.

Amended plans for three dwellings:

Support received from two residents of Brooke:

- This is a high quality development providing new housing close to Norwich. The application has been well thought out and merits approval.
- There is excellent vision for drives when pulling out of the development.

Objections received from eight residents of Swainsthorpe on the following grounds:

- The development is accessed via the A140 - a busy, congested dangerous corridor of movement. Most of the traffic will be turning right towards Norwich. I am concerned for residents and drivers along the A140 in this regard.

- There is no footpath alongside the A140. Walking off site is dangerous on this fast section of road.
- Inadequate parking is being provided for extra cars and there is no safe parking nearby.
- Any extra parking requirements may put pressure on Church Road, which is already narrow and not suitable for on-road parking.
- There are still issues surrounding access onto and off of the site with increased movements using separate access points onto the A140 for farm machinery and domestic purposes. These have not been addressed by the applicant to a satisfactory level.
- At the moment, cars generally half park on the pavement restricting access along pavements for prams and mobility vehicles causing them to navigate via the road.
- As Ben Burgess is going to separate the farm access from the residential access, this will add more traffic accessing the A140. Taking account of existing and proposed accesses, there will be eight accesses onto the A140 within the vicinity, which is a good argument against having more.
- This development should not be considered without, at the very least, a reduction in the speed limit along the A140 from 50mph to 40mph.
- There have been a number of accidents along the A140 in recent years and speed mitigation measures have only had marginal effect to date.
- The location of site is isolated from all amenities by the A140 meaning that residents will have to use their vehicles for virtually all trips.

5 Assessment

Key considerations

- 5.1 Principle of development
Design and appearance and impact on surrounding area
Residential amenity
Highway safety
Ecology

Principle of development

- 5.2 The site is outside of the development boundary that has been defined for Swainsthorpe. Policy DM1.3(2,c) of the SNLP permits development in the countryside outside of development boundaries where specific development management policies allow. In this case, Policy DM2.10 of the SNLP is relevant as it relates to the conversion and re-use of buildings in the countryside for non-agricultural use.
- 5.3 Policy DM2.10 sets out that the change of use and conversion of buildings in the countryside into residential use will be permitted where:-
- a) The proposed development should not result in the loss of a farm building suitable for continued agricultural use and which, if its alternative use is permitted, would be likely to result in the construction of a replacement agricultural building;
 - b) The building(s) to be re-used should be standing and of adequate external dimensions to accommodate the proposed use, without the need for the erection of major extensions and additional outbuildings and / or significant changes in materials and appearance that would have a serious adverse impact on the rural characteristics of the original building;
 - c) The development (including associated use of external space and change of use of land) is sympathetic to the setting; and

- d) Any proposed commercial use (including leisure or retail sales content) should not have an adverse impact or give rise to the dispersal of activity on such a scale as to prejudice the vitality and viability of local rural towns and villages.
- e) The building(s) cannot be practically or viably converted for Employment Uses; and
- f) It is a historic and traditionally constructed building worthy of protection and the proposals will enhance the building and / or the setting of other nearby buildings in the countryside.
- 5.4 Taking these items one at a time, at the times of my visits to the site during the application, the barns did not appear to be in active use. They were either vacant or being used for fairly low level storage of building materials. In view of that, I am doubtful that the loss of the barns for agricultural purposes will result in a replacement agricultural building being constructed elsewhere and on balance, I am satisfied that the application complies with criterion (a).
- 5.5 The barns are capable of accommodating the proposed use and while areas of repair are needed, this is not particularly unusual for barns of this age and condition. The proposed appearance of the barns will be considered later but apart from modest extensions to units 1 and 3, no substantial changes are being proposed to the overall appearance of the barns that would have a serious adverse impact on their character and the proposal is appropriate to its setting. The application complies with criteria (b) and (c).
- 5.6 Criterion (d) is not relevant to the determination of the application.
- 5.7 A Viability Assessment completed by Roche Chartered Surveyors was submitted to address criterion (e). Taking account of the location of the site, modern business requirements, potential conflict with the adjacent residential development, yield, likely rental values and conversion costs, Roche concluded that developing the site for commercial uses such as offices would likely result in a loss to the developer. Roche is well known chartered surveyor and I am satisfied that the conclusion that it has come to demonstrates that the barns cannot be practically or viably converted into employment uses.
- 5.8 The barns appear to date from the 19th-century and I consider that they are historic buildings worthy of protection that make a positive contribution to the character of the area. A sympathetic conversion will enhance the buildings from their current appearance and in general, the application will comply with criterion (f). However, the design and appearance of the proposals will be considered further below.

Design and appearance and impact on surrounding area

- 5.9 While generally supportive of the principle of converting the barns, the Senior Heritage and Conservation Officer set out his view that the original plans resulted in an over-domestication of the structures within the complex. The character of the site will clearly change as a result of it changing from an agricultural use to a residential use but the agent has taken on board the comments made by making the internal circulation and amenity area more open. Existing openings have been re-used and the appearance of the threshing openings are not uncommon to barn conversions. Modest and acceptably designed extensions are proposed for Unit 3 and some replacement of materials and repairs will be necessary but overall, I consider that provided appropriate external materials are used (the submission of which would be secured by an appropriately worded condition), the proposed works will enhance the buildings relative to their current appearance and make a positive contribution to the surrounding area. The application complies with Policies 1 and 2 of the JCS and Policies DM1.4(d, i), DM2.10 (c and f), DM3.8 and DM4.5 of the SNLP.

Residential amenity

- 5.10 The layout of the site, the positions of windows and the position and size of garden areas are suitable to ensure that residents will not be overlooked and will benefit from adequately sized outside space.
- 5.11 Given the proximity of the site to the A140, a Noise Assessment was submitted albeit that this was for the originally proposed five unit conversion. In response to this, the Environmental Health Officer had concerns over noise levels at two units that were proposed to be provided next to the A140. Additional information was then submitted relating to the construction of the walls, roofs and ceilings, the type of glazing to be installed and there being no windows inserted in the elevation closest to the A140. This resulted in the Environmental Health Officer's objection being withdrawn. The Environmental Health Officer had no further comment to make following the reduction in the number of dwellings from five to three.
- 5.12 There are a group of farm buildings to the north of the site. The application has indicated an intention to reduce agricultural activity here but the Council cannot control that as part of this application. During visits that I have made to the site for this application, I have observed that these buildings have been used for storing hay bales, tractors and small diggers. While these buildings can continue to be used for agricultural purposes, it seems to me that given the size of the buildings and their position relative to the application site, any disturbance arising from them will not be so significantly adverse so as to result in unacceptable living conditions to residents of the converted barns.
- 5.13 Taking account of the items referred to above, I conclude that residents will benefit from a reasonable standard of amenity and that the application complies with Policy DM3.13 of the SNLP.

Highway safety

- 5.14 The site is accessed directly from the A140 and the section of road outside the application is subject to a 50mph speed limit. In representations received, concerns were raised at the potential impact of vehicles entering and exiting the site on highway safety, particularly when turning right towards the direction of Norwich. As part of this, concerns were also raised about the total number of dwellings (seven) that will use the access.
- 5.15 The Highway Authority (Norfolk County Council) objected to the application when it was proposed that the barns would be converted into five dwellings. Following discussions with the agent and the Highway Authority to try and overcome its objection, amended plans were submitted showing a development of three dwellings and that the access will serve only the residential properties and not agricultural traffic (which will use an access to the north of Malthouse Farm that benefits from an extant planning permission). While the Highway Authority still seemed to have some reservations, ultimately it did not object to the barns being converted into the three dwellings. In the absence of such an objection, I must conclude that the application complies with Policy DM3.11 of the SNLP.
- 5.16 In terms of parking, two spaces per dwelling are shown as being provided. This complies with the guidance set out in the Norfolk Parking Standards for three-bed dwellings. Visitor parking is also being provided. The application complies with Policy DM3.12 of the SNLP.

Ecology

- 5.17 An Ecological Impact Assessment submitted in support of the application explained that evidence was found of day roosting by six bats in the barns at the front of the site. It has been recommended that mitigation and compensation will be required under a European Protected Species Licence. In addition, bat roost and bird boxes were recommended for use along with native species planting around the site. With those measures in place, which could be secured by an appropriately worded planning condition, the application would comply with Policy 1 of the JCS.

Other matters

- 5.18 The Water Management Officer has recommended the use of a condition that requires details of a sustainable surface water drainage scheme to be submitted to and approved in writing. Since the buildings are already present, the site is at very low risk from surface water flooding and only a modest extension is proposed for unit 3, I do not see that such a condition is necessary to make the development acceptable.
- 5.19 A questionnaire was completed on potential contamination risks at the site. The Environmental Health Officer did not raise any issues following this but as a precautionary measure, a planning condition is recommended for use to deal with any unexpected contamination that arises during the development.
- 5.20 Residents have raised concerns about the applicant's future intentions for the site. Whatever those intentions might be, they are not before the Council for consideration and this application must therefore be considered on its own merits.
- 5.21 Under Section 143 of the Localism Act, the Council is required to consider the impact on local finances. This can be a material consideration but in the instance of this application the other material planning considerations detailed above are of greater significance.
- 5.22 The need to support the economy during and following the COVID-19 pandemic is a material consideration that weighs in favour of the application. However, it is acceptable for the reasons set out above and so this is not a decisive factor in the determination of the application.
- 5.23 The development is liable for the Community Infrastructure Levy.

Conclusion

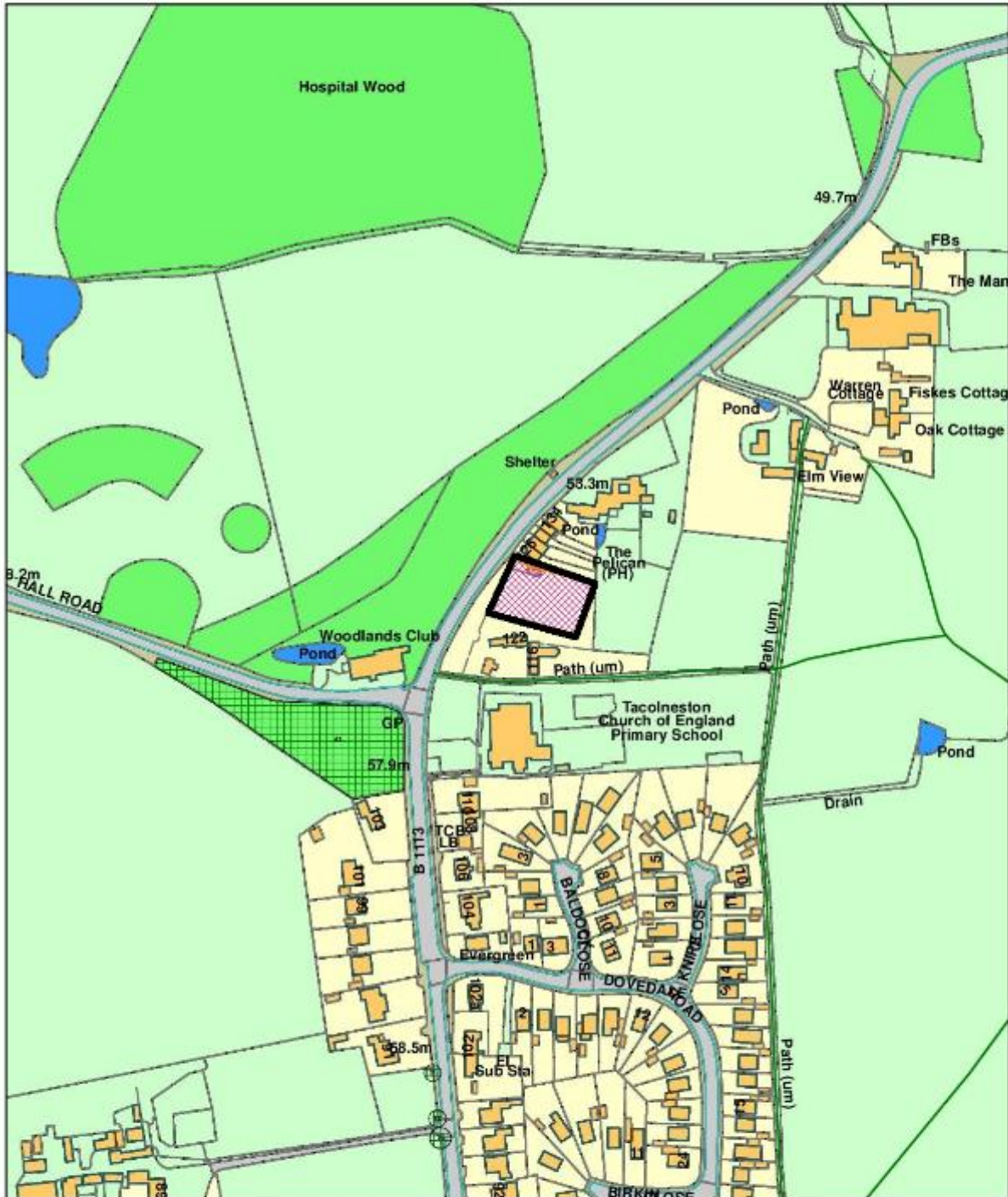
- 5.24 In having regard to those matters raised, the application proposes an acceptable form of development that will bring back into use and enhance a group of prominent historic and traditionally constructed buildings. While noting the concerns that have been raised by members of the local community, there will be acceptable impacts on highway safety and other impacts can be mitigated through suitable planning conditions. Overall, the application complies with the relevant policies of the adopted development plan and is recommended for approval.

Recommendation : Approval with Conditions

- 1 Full planning permission time limit
- 2 In accordance with submitted drawings
- 3 External materials
- 4 Landscaping scheme
- 5 Bat and bird boxes
- 6 Noise mitigation
- 7 Provision of parking area
- 8 Reporting of unexpected contamination
- 9 Water efficiency
- 10 Remove permitted development rights

Contact Officer, Telephone Number Glen Beaumont 01508 533821
and E-mail: gbeaumont@s-norfolk.gov.uk

2020/0048



2. Application No: 2020/0048/F
Parish: TACOLNESTON

Applicants' Name: Mr & Mrs S Manning
Site Address Land north of 122 Norwich Road, Tacolneston, Norfolk
Proposal Proposed new self-build 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 4.2.

Recommendation summary:

Refusal

1. Proposal and site context

- 1.1 This application seeks full planning permission for a detached 2-bed self-build dwelling on land to the north of 122 Norwich Road in Tacolneston.
- 1.2 The application site forms part of the garden of number 122, which is a Grade II listed thatched dwelling finished in a saffron coloured render. To the east of the site is the curtilage of The Pelican Public House. The north is terrace of cottages and their gardens and Norwich Road is to the west/front. The site is within the Tacolneston conservation area but outside the development boundary that has been defined for the village.
- 1.3 The site is mainly laid to grass and is elevated above both Norwich Road and the terrace of cottages to the north. Levels are generally even. Boundary treatments comprise a hedge to the front/west and a 1.5m high hedge and close boarded wooden fence of the same height beyond on the northern boundary. The southern boundary is open to the applicants' existing garden and the shape of the site is such that is open to the east/rear although the boundary to the rear is denoted by a post and rail fence.
- 1.4 Within the site is a single, pitched roof garage with a shed behind it. The garage is located adjacent to 126 Norwich Road and is accessed for a short ramp from Norwich Road. A five-bar gate in front of and at a right-angle to the garage provides access into the site. This access will be widened to allow easier entry into the parking area in the northwest/front corner of the site. It is intended to remove the existing shed and to build a dwelling with a barn-like appearance behind the garage. External materials proposed for use include light red clay pantiles, vertical timber weatherboarding with a light red brick plinth below. The dwelling will measure approximately 14.7m in depth. The front element will be single-storey and approximately 4.3m in height. The rear element will be 1½ storeys in size and will be dug into the ground so that levels are 0.6m are lower than the single storey element. Its overall height will be approximately 5.9m.
- 1.5 Of note to Members will be the planning history of the site. Planning permission has previously been refused for a dwelling and garage on the site and the subsequent appeal was dismissed. That application proposed a larger dwelling that more or less sat centrally in the space between numbers 122 and 126 and in reducing the size and altering the position of the dwelling, the applicants' have sought to address the previous reasons for refusal. The appeal decision is attached as Appendix A to this report and will be referred to in the assessment section where necessary.

2. Relevant planning history

- 2.1 2014/1959 2 No proposed new dwellings and detached garage Withdrawn

2.2	2016/0776	Proposed dwelling and detached garage.	Refused Appeal refused
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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 11 : Making effective use of land
 - NPPF 12 : Achieving well-designed places
 - NPPF 15 : Conserving and enhancing the natural environment
 - NPPF 16 : Conserving and enhancing the historic environment
- 3.2 Joint Core Strategy (JCS)
 - Policy 1 : Addressing climate change and protecting environmental assets
 - Policy 2 : Promoting good design
 - Policy 3: Energy and water
 - Policy 4 : Housing delivery
 - Policy 15 : Service Villages
- 3.3 South Norfolk Local Plan 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
 - DM3.10 : Promotion of sustainable transport
 - 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
 - DM4.8 : Protection of trees and hedgerows
 - DM4.10 : Heritage assets

Statutory duties relating to setting of listed buildings and character and appearance of conservation areas:

Section 66(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.

Section 72 of the same Act provides: "In the exercise, with respect to any buildings or other land in a conservation area, of any functions under or by virtue of [the Planning Acts], special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area."

4. Consultations

4.1 Tacolneston Parish Council

The Parish Council acknowledges the effort the applicant has made to address the objections from the previous application, but has concern about the precedent of allowing a new dwelling in the conservation area. Its concerns include:

The development is outside the development boundary.
Subdivision of the curtilage of a Grade II listed property in a conservation area.
The impact on the conservation area as a whole.
Further development for this site, should request be made to enlarge the 2-bedroom design, (Article 4 restrictions) if this application be passed.
Drainage issues.

The Parish Council requests that a site visit be made by the Planning Committee and that the Committee takes every step to ensure that the special characteristics of the conservation area are considered and maintained and that the impact of the proposal is fully reflected in any decision.

4.2 District Councillor
Cllr B Duffin

I request that this application to be heard by the DMC. I believe that the proposal relates to self-build and would provide further housing in a village where the housing has the potential to support services and facilities and may therefore amount to 'overriding' benefits.

4.3 SNC Senior Heritage & Design Officer

The effort by the applicant and architect to reduce the scale and bulk of the property and to design the building in a contemporary but sympathetic manner is commendable. However, the situation remains that this is development within the curtilage of 122 and consequently its setting will not be preserved. No matter how good the design of the dwelling may be considered, a building on this site will still have a harmful impact on the setting of the heritage assets of numbers 116 and 122 as the traditional and verdant setting in which they are currently experienced within will to some extent be altered and lost. The traditional and verdant setting, and the spaces between buildings, is an important part of their setting contributing to their significance. Similarly, development within this part of the conservation area will also lead to some loss of space between the existing grouping of buildings, in a part of the conservation area where the appeal inspector for the previous proposal referred to as an important characteristic of the area.

Accepting that the proposal will lead to less than substantial harm to heritage assets, the proposal should be assessed through para 196 *"Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use"* as well as Policy DM4.10.

In consideration of paragraph 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, the setting of the listed building will not be preserved and this needs to be given considerable weight in the planning balance, and weighted against the benefits of providing an additional house outside the settlement boundary and taking into account that it would be a self-build property.

4.4 SNC Water Management Officer

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

4.5 NCC Highways

Planning condition recommended in relation to the provision and retention of the parking and turning area.

4.6 Other Representations

Letters/emails of support received from five residents of Tacolneston, one resident of Ashwellthorpe and one resident of Mulbarton:

- The Planning Inspectorate did not suggest that there was an objection to any development in this location;
- There is a lack of affordable family homes in Tacolneston;
- The site is brownfield;
- The site is a suitable infill plot;
- The application represents an opportunity for self-build;
- The development will allow the applicants to downsize;
- Buildings previously occupied the site. The application provides an opportunity to reveal the significance of the site by the new dwelling being of a similar scale and mass as barns in this area of the village;
- The design is in keeping with others around it and is well considered;
- The development will enhance this space and make a positive contribution to the area;
- The dwelling will only be marginally visible;
- The dwelling is not so large that it will be unneighbourly;
- Consideration has been given to the environmental impact and how this can be mitigated e.g. use of air source heat pumps and solar panels;
- The site offers good access to the school and other amenities in the village;
- There will be net gains arising from a new orchard, native hedging and the wildflower meadow;
- Any development sensitively carried out is to be welcomed as any opportunity to bring new people into the village can only be beneficial to the quest to promote social cohesion and a sense of community.

Letters/emails of objection received from seven residents of Tacolneston:

- The site is outside of the development boundary;
- There is an allocated site for 21 dwellings in Tacolneston that should satisfy local housing need;
- The site is in a conservation area where several applications and appeals have been rejected;
- No objection as such to development in the conservation area provided it is in keeping with the area and be of benefit to the community as a whole. This application meets neither test;
- The development will not make a positive contribution to the existing built environment;
- The architectural style of the building does not fit with the character and appearance of surrounding buildings;
- The character and appearance of the conservation area will not be preserved or enhanced;
- The development will not be in harmony with the setting of the listed building;
- The dwelling will overshadow and overlook the adjacent gardens to the north leading to loss of privacy and enjoyment of property;
- Because of the sloping nature of the land, will be able to see directly into the proposed kitchen window and conversely, occupier will be able to see directly the bedroom windows of number 128 affecting privacy;
- The difference in levels between the driveway serving the site and levels at 126 Norwich Road are such that concerns exist over potential health and safety and privacy issues and disturbance from vehicular movements on living conditions;
- Access into the site is poor;
- The orchard and wildflower meadow are not dependent on this application;

- Water seeps from 122 Norwich Road into the grounds of number 126. Concerned at the additional impact of development in relation to this and that these issues have not been adequately addressed;
- There is no good reason to permit this application contrary to policy;
- Concerned that approving this application will set a precedent.

Richard Bacon MP

Letter of support received.

I met with my constituent Mrs Manning who discussed with me her desire to build a property within the curtilage of her current home to enable her to downsize and futureproof for her retirement when that arrives.

I understand from our conversation that she has fully addressed the issues raised with the previous refused application in respect of the location of the build on the site, the build standard and heritage considerations amongst others. I am aware that the site is brownfield, which under the NPPF, should be prioritised for development and I am delighted that the build would allow the applicants to remain in the village and continue to contribute to the area.

Norfolk County Councillor Beverley Spratt

I am pleased that this is a self-build application as I am aware there are people in the village who would also like to have the same opportunity. I consider there are many benefits for the community that mitigate this small self-build application which include a new orchard, wildflower meadow adjacent to the highway and native hedging which contribute to the open space. I am pleased to see the application has included climate change considerations as NCC is trying to be carbon neutral by 2030.

5. Assessment

Key considerations

- 5.1
- Principle of development
 - Appearance and layout of dwelling
 - Impact on heritage assets
 - Impact on residential amenity
 - Self-build

Principle of development

- 5.2 The application site is outside of the development boundary that has been defined for Tacolneston. The nearest part of the development boundary for the village runs alongside the southern boundary of the applicants' property a short distance away.
- 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 applicants' planning consultant has set out his 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.

- 5.5 Worthy of Members' attention is that in September of this year, an appeal was dismissed to subdivide The Pelican PH (a short distance to the northeast of the application site) to create an attached dwelling and retain the pub. That decision is attached as Appendix B to this report. While not exactly the same as the current application as the viability of the pub was a key consideration for that proposal, between paragraphs 28 and 33 of the decision, the Inspector did nevertheless assess the proposal against Policy DM1.3. The Inspector did not consider that the potential benefits arising from one dwelling identified by the appellants amounted to overriding and were sufficient to warrant setting aside the restrictions that seek to control development in the countryside.

Appearance and layout of dwelling

- 5.6 For Members' background information, following the appeal dismissed in 2017, discussions took place between the then case officer and the applicants. Although the case officer maintained her significant reservations about any new development in this location on the grounds of its impact on the setting of 116 and 122 Norwich Road, to be constructive, she suggested that small-scale development along the northern boundary in a design similar to outbuildings or barns be considered. Even then, she was clear in saying that linear development along the northern boundary would not necessarily gain officer support but would nevertheless be considered if a detailed scheme was submitted.
- 5.7 As referred to in the introductory section to this report, the dwelling will have a barn-like appearance and when viewed from Norwich Road, will be positioned in the rear left hand quadrant of the site behind the existing garage. The Senior Heritage & Design Officer has acknowledged the efforts made by the applicants and their architect to produce a sympathetic design and has not objected to the approach taken. He has however expressed concern over the impact of the development on designated heritage assets and this will be considered below.
- 5.8 In respect of the layout, to try and address one of the previous reasons for refusal that related to the erosion of the space between 122 Norwich Road and the terrace to the north, the dwelling has been positioned close to the northern boundary. Despite that, I am of the view that its position does not relate well to the surrounding pattern of development and does not appear as a natural place for it to be. Instead, it appears somewhat forced. Consequently, I do not consider that the dwelling will make a positive contribution to local character or relate satisfactorily to its surroundings and so does not comply with Policy 2 of the JCS or Policies DM1.4(d, i) and DM3.8 of the SNLP.

Impact on heritage assets

- 5.9 Sections 1.5 and 2.2 of this report refer to the planning history of the site. Application ref. 2016/0776 was refused planning permission and dismissed on appeal in May 2017. The appeal was dismissed on the grounds of the harm arising to the character and appearance of the area and to designated heritage assets. At paragraph 4 of the appeal decision, the Inspector provided a commentary on the conservation area and stated:-

The conservation area is characterised by traditional buildings of a variety of sizes with mature planting and trees in the spaces between small clusters of buildings. The properties display traditional architectural details and are finished in complementary materials. As such the grade II listed Nos 116 & 122 are a pair of attractive thatched

roof detached dwellings positioned close together but set in relatively large plots with gable ends and chimneys. Thus, I find the area has a traditional and verdant character and appearance and the significance of the conservation area and the listed buildings within it is derived from the architectural quality and the groupings of the buildings as well as the spaces between them.

- 5.10 The Inspector for The Pelican PH appeal also provided a brief commentary on this part of the conservation area at paragraph 28 of their decision:-

The site is located a short distance outside the village development boundary, and is within the 30mph zone. However, I was able to see that the area north of Hall Road has a more spacious and verdant character than the main built up area of the village, befitting its status as a conservation area, as well as providing the setting for several listed buildings. In such locations Policy DM1.3 sets out that 'development' will only be allowed where proposals demonstrate overriding benefits in terms of economic, social and environmental dimensions.

- 5.11 The Senior Heritage & Design Officer observed that due to its set back position, the dwelling will not be so noticeable within street views but it will be visible within the immediate setting of the listed buildings to the south at 116 and 122 Norwich Road. As his comments above explain, his view is that the setting of those properties will not be preserved as their traditional and verdant setting will be altered. Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act requires local planning authorities to 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. Given the significant reduction of the curtilage associated with number 122 and the works associated with the application, I do not consider that the application meets the high bar set by section 66(1).

- 5.12 In respect of the conservation area, the visibility of the dwelling within the street scene will be somewhat dependent on the height of the hedge to the front. However, there are likely to be partial views from the area between the side of 126 Norwich Road and the southern edge of the driveway serving the site. While a gap will remain between 116, 122 and 126 Norwich Road, there will still be a degree of erosion as a result of the new dwelling and my concerns relating to its position and it not relating satisfactorily to its surroundings also apply to the character of the conservation area. I do not consider that the dwelling will preserve or enhance the character of the conservation area so does not meet the test set by s.72(1) of the Planning (Listed Buildings and Conservation Areas) Act.

- 5.13 The development will result in less than substantial harm to the significance of the listed buildings and conservation area and therefore triggers paragraph 196 of the NPPF. This requires such harm to be weighed against the public benefits and this approach is amplified at local level by Policy DM4.10 of the SNLP. The applicants have submitted further representations on what they deem to be public and heritage benefits arising from the application. These are:-

- There will be no physical harm to the listed building
- No outstanding views to or from the site will be lost
- The site is brownfield so developing could help to preserve the countryside
- The development will help to fund the connection of number 122 to mains foul drainage
- Sheds will be removed from around the site
- There will be a series of ecological benefits
- The proposal will release funds for the repair and refurbishment of the listed building such as re-thatching and patch repairs.
- The proposal is a self-build dwelling on previously developed land that can be built out quickly

- Economic benefits will arise during the construction and occupation of the dwelling
 - The construction of the dwelling will exceed Building Regulations
 - The dwelling will be a lifetime home
 - The dwelling will incorporate renewable and low carbon energy technologies
 - The applicant is willing to make a financial contribution to the village hall or other community facility
 - The applicants rent the land to the south. This could be used as a car park during construction and by residents afterwards or tidied up for the benefit of the village afterwards.
- 5.14 Matters relating to economic benefits, previously developed land and self-build are addressed later in this report. On those remaining matters, it is not clear to me how the absence of physical harm to listed buildings or that no outstanding views would be lost could be seen as benefits. Arguably, these are neutral factors that there should be an expectation of achieving anyway as a starting point. It is also not clear to me how the ecological benefits directly contribute to architectural or historic interest. The sheds are relatively modest structures within the wider curtilage and it is difficult to accept that their removal and replacement with a larger structure and subdivision of the existing curtilage represents a benefit. Similarly, I am not persuaded that connecting number 122 to mains drainage would be a heritage benefit or a public benefit in the context of paragraph 196 of the NPPF. In terms of releasing funds for the repair and refurbishment of number 122, it is understood from the applicants' own consultant that there are no pressing issues.
- 5.15 A series of ecological enhancements are being proposed. This includes planting for birds, bees and butterflies, the planting of orchard trees, the installation of bat and bird boxes, an owl chimney and wildflower planting along the verge to the front that the applicants maintain under licence from Norfolk County Council. While I would accept that they are benefits, the amount of weight that can be attributed to them is nevertheless diminished by the possibility that these enhancements can take place without the application. Similarly, it seems to me that the tidying up of a parcel of land that the applicants rent and/or offering it for parking to residents is not solely dependent on the application. It is also understood that this area has been used for some degree of parking in the relatively recent past.
- 5.16 The offer to make a financial contribution to the village hall or other community facility is noted and would need to be secured by a legal agreement. It must be (a) necessary to make the development acceptable in planning terms; (b) directly related to the development; and (c) fairly and reasonably related in scale and kind to the development. While I don't doubt that this offer is well intended, I am not persuaded that it would meet all three of those tests. With that in mind, I am unable to give this any weight.
- 5.17 The intention for the dwelling to exceed current Building Regulations standards and the use of renewable or low carbon technologies is acknowledged. While accepting that the dwelling having a high environmental performance is a benefit, it does not seem to me that such a dwelling would necessarily be pushing the boundaries for this to represent an overriding benefit.
- 5.18 The applicants have also made reference to structures that previously occupied the site. That structures may have previously occupied the site is not particularly relevant. They are not there now and do not appear to have been present for some period of time. The application should therefore be assessed according to how the situation is now.
- 5.19 In view of the level of separation to the Grade II listed Pelican PH to the northeast and how that asset is likely to be experienced, I am satisfied that its setting will be preserved.

- 5.20 However, I do not consider that the proposal will preserve the setting of the Grade II listed 116 and 122 Norwich Road nor the character and appearance of the conservation area and the less than substantial harm to the significance of those heritage assets will not be outweighed by the perceived public benefits. The application is contrary to sections 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act, paragraph 196 of the NPPF and Policy DM4.10 of the SNLP.

Impact on residential amenity

- 5.21 Those dwellings that are nearest to the application site are the row of cottages to the north. These are set at a lower level than the application site although their gardens terrace upwards so that from the mid to rear sections, levels appear to be comparable to the application site.
- 5.22 The nearest property is 126 Norwich Road. Its rear elevation angles towards the application site such that the proposed dwelling will be visible to varying degrees from the property. Although it will be visible from the first floor rear bedroom window, I do not consider that the dwelling will amount to an oppressive form of development. Windows are proposed for the north elevation and these will serve a WC, kitchen, living room and shower room at ground floor level and two high level rooflights in the first floor, each serving a bedroom and ensuite. When considering the position, height and orientation of these windows relative to number 126, I am of the view that there will not be intrusive overlooking of rooms and/or private amenity areas and vice versa.
- 5.23 In the garden of number 126, the patio area immediately to the rear of the dwelling is at a noticeably lower level than the application site but as one walks up the garden, levels eventually step up so that they are at a similar level to the application site. Because of the lower level of the patio and position of the dwelling, I recognise that the proposed dwelling will be visible but I do not consider that it will be overbearing from this area or from the kitchen and bedroom windows. The dwelling will become more visible further into the garden and at this point, it will be between 4.7m and 5m from the common boundary. Although a finely balanced assessment, taking account of distance from the boundary, that the highest part of the roof will be in excess of 8m from the boundary and that the dwelling will be adjacent to the mid and rear section of number 126's garden, on balance, I consider that the impact on 126 will not be significant enough to warrant refusal of the application on these grounds.
- 5.24 The dwelling will be visible to varying degrees from other neighbouring properties to the north and from the applicants' existing dwelling to the south. However, I consider that there will be no significant amenity issues on those properties.
- 5.25 Taking account of the above, the application complies with Policy DM3.13 of the SNLP.

Self-build

- 5.26 Amongst other things, paragraph 61 of the NPPF requires Councils to plan for people wishing to build their own homes. The application is for a self-build dwelling and while this weighs in favour of the application and the Council's planning policies do not preclude such applications, regard must be given to other planning considerations too. Further, the Council is meeting its targets for providing sufficient suitable development permissions that could be used for self-build or custom-housebuilding. For the reasons set out above, I do not consider this to be a suitable site and when taking account of the Council meeting its self-build targets, I do not consider that a substantial amount of weight can be attributed to the application being for a self-build dwelling.

Other Issues

- 5.27 The site is to be accessed via the existing ramp serving the garage before turning at a right angle into the site. In its capacity as Highway Authority, Norfolk County Council has not objected on the grounds of highway safety.
- 5.28 Although outside of the development boundary that has been defined for the village, the site is within walking distance via footpath of the services that are available to residents including the primary school (if needed), social club, The Pelican PH (although it has been closed for some time) and a small number of retail units (including a hairdresser and takeaway). With this in mind, I accept that the site is in a relatively accessible location in relation to those amenities available within the village and complies with Policy DM3.10 of the SNLP.
- 5.29 Concerns have been raised in relation to the drainage of the site and it is understood that there is an issue with the excess water discharging off-site towards number 126. As it should be for any proposal, flood risk should not increase off-site as a result of the development and in this case, the Water Management Officer has recommended planning conditions to require details of surface water drainage (including percolation tests) to be submitted for approval and for the foul water to be discharged to a package treatment plant. During the course of the application though, the agent has confirmed that the intention is connect to the foul sewer network.
- 5.30 The application proposes the removal of an apple and a cherry tree to accommodate the dwelling. At least four new trees will be planted so as to incorporate a young orchard into the proposals and given this compensatory planting, I consider that the application complies with Policy DM4.8 of the SNLP.
- 5.31 An Ecological Report has been submitted in support of the application. This found no evidence of the site being used by protected species. Proposed ecological enhancements include the installation of bat and bird boxes, the planting of a wildflower meadow in the verge to the front of the site, wildflower planting underneath the canopy of the retained Pear tree, the planting of bee and butterfly friendly plants in the sunken garden, the planting of six new apple trees to contribute towards the creation of an orchard and the planting of a new native species hedge along the southern boundary of the site. While recognising that these are enhancements, as assessed above, I do not consider that the implementation of these measures is entirely dependent on this application.
- 5.32 Paragraph 68 of the NPPF states that small and medium sized sites can made an important contribution to meeting the housing requirement of an area. While a material consideration in favour of the application, the site is not considered suitable for the reasons already set out.
- 5.33 Whether or not the site is previously developed land is debateable. While outside of the development boundary, it is part of a built-up area with the building that was previously on site is no longer there with the site being reclaimed as garden. If the site was considered as previously developed land, it would weigh in favour of the application but would not be a decisive consideration nor would I consider it a heritage benefit.
- 5.34 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.

- 5.35 The need to support the economy during and following the COVID-19 pandemic is a material consideration that weighs in favour of the application. However, it is acceptable for the reasons set out above and so this is not a decisive factor in the determination of the application.
- 5.36 This application is liable for the Community Infrastructure Levy although since an indication has been given that the dwelling will be self-build, it is open to the applicants to claim exemption.

Planning balance and conclusion

- 5.37 The application site is located outside of the development boundary and as required by Policy DM1.3, overriding benefits must be demonstrated in terms of the social, economic and environmental dimensions of sustainable development. Less than substantial harm will also arise to the significance of designated heritage assets and so this must be weighed against the public benefits of the proposal.
- 5.38 Weighing in favour of the application is that it proposes a self-build dwelling that will contribute towards the housing supply. Economic benefits will arise during the construction of the dwelling and its subsequent occupation. Environmental benefits will arise from ecological enhancements although these may take place without the application. Given that the application proposes a single dwelling, that the Council can demonstrate a five year housing land supply and is granting enough suitable permissions for self-build plots, these benefits are limited rather than overriding. Those elements of the proposal that are policy compliant such as the impact on highway safety and residential amenity are neutral factors in the overall balance. On the other hand, the application will cause harm to the setting of the Grade II listed dwelling at 122 Norwich Road, will not preserve the character and appearance of the conservation area, will not provide public benefits that outweigh the less than substantial harm arising to the significance of these heritage assets and will introduce a form of development that does not relate satisfactorily to its surroundings. These factors weigh heavily against the granting of planning permission.
- 5.39 Taking account of the above, I do not consider that there are compelling reasons to warrant granting planning permission for a new dwelling outside of the development boundary. The application is therefore recommended for refusal as it does not meet the tests set out in sections 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act, paragraph 196 of the NPPF, Policy 2 of the JCS and Policies DM1.3, DM1.4(d, i), DM3.8 and DM4.10 of the SNLP.

Recommendation: Refusal

Reasons for refusal

- 1) The position of the dwelling position does not relate well to the surrounding pattern of development layout. It will not make a positive contribution to local character or relate satisfactorily to its surroundings and does not comply with Policy 2 of the Joint Core Strategy or Policies DM1.4(d, i) and DM3.8 of the South Norfolk Local Plan Development Management Policies Document.
- 2) The traditional verdant setting of the group of dwellings at number 116 and 122 Norwich Road will not be preserved as a result of the reduction in the size of the curtilage at number 122 and the introduction of a new dwelling and its associated works. The public benefits submitted by the applicants are not of sufficient weight to outweigh the less than substantial harm to its significance. The application does not comply with section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act, paragraph 196 of the NPPF or Policy DM4.10 of the South Norfolk Local Plan Development Management Policies Document.

- 3) Although the visibility of the dwelling within the street scene is somewhat dependent on the height of the hedge to the front, there are likely to be partial views from the area between the side elevation of 126 Norwich Road and the southern edge of the driveway serving the site. While a gap will remain between 116, 122 and 126 Norwich Road, there will still be a degree of erosion as a result of the new dwelling and it remains the case that the position of the dwelling will not relate satisfactorily to its surroundings and will introduce a dwelling in a position that does not preserve or enhance the character of the conservation. This less than substantial harm is not outweighed by the perceived public benefits and the application does not comply with section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act, paragraph 196 of the NPPF or Policy DM4.10 of the South Norfolk Local Plan Development Management Policies Document.
- 4) 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.

Contact Officer, Telephone Number Glen Beaumont 01508 533821
and E-mail: gbeaumont@s-norfolk.gov.uk

Appeal Decision

Site visit made on 9 May 2017

by **L Fleming BSc (Hons) MRTPI**

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 18 May 2017

Appeal Ref: APP/L2630/W/16/3163564
122 Norwich Road, Tacolneston NR16 1AL

- 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 & Mrs Manning against the decision of South Norfolk District Council.
- The application Ref 2016/0776, dated 4 April 2016, was refused by notice dated 27 May 2016.
- The development proposed is a dwelling on land adjacent listed building.

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - whether the proposed development would preserve or enhance the character or appearance of the Tacolneston Conservation Area (CA) and whether it would preserve the settings of No 116 Norwich Road and No 122 Norwich Road (Nos 116 & 122) and the Pelican Inn all of which are grade II listed;
 - the effect of the proposed development on the living conditions of nearby residents with particular regard to outlook and privacy.

Reasons

Heritage Assets

3. In accordance with the duty imposed by section 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990 I am required to pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area. Furthermore, section 66(1) of the same Act requires that special regard must be had to the desirability of preserving the setting of listed buildings. Moreover, paragraph 132 of the National Planning Policy Framework (the Framework) states that when considering the impact of new development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.
4. The CA is characterised by traditional buildings of a variety of sizes with mature planting and trees in the spaces between small clusters of buildings. The properties display traditional architectural details and are finished in complementary materials. As such the grade II listed Nos 116 & 122 are a pair

of attractive thatched roof detached dwellings positioned close together but set in relatively large plots with gable ends and chimneys. Thus, I find the area has a traditional and verdant character and appearance and the significance of the CA and the listed buildings within it is derived from the architectural quality and the groupings of the buildings as well as the spaces between them.

5. The proposed dwelling and double garage would be relatively large buildings visible through the access, above the boundary treatments and from the dwellings nearby. Although not as tall as No 122 Norwich Road (No 122) the proposed dwelling would be two-storey with a wide front elevation facing the road. Even though set back, with views limited by vegetation, the proposal would introduce a significant bulk of development into the space between Nos 116 & 122 and No 126 Norwich Road (No 126).
6. Whilst constructed from materials and incorporating architectural details prevalent in the CA, the orientation and the expanse of the pantile roof would draw attention to a modern dwelling which would appear noticeably larger than Nos 116 & 122. In my view its scale exacerbated by its orientation is such that it would compete with them and draw attention away from Nos 116 & 122 when viewed from Norwich road. Furthermore, the proposed development would erode the space between Nos 116 & 122 and the row of terraced dwellings. This diversion of attention and erosion of space would harm the significance of Nos 116 & 122 and the CA and would harm the character and appearance of the area.
7. In reaching these conclusions I acknowledge that the historic maps show a number of buildings in the vicinity of the appeal site. However, these buildings are no longer in place such that they no longer influence the character or appearance of the area. Furthermore without full details, I am unable to assess their relevance to the significance of the heritage assets. I have therefore afforded this matter limited weight.
8. I have also considered the effect of the proposal on the grade II listed Pelican Inn. However, the separation distances and intervening trees are such that the proposal would have a neutral effect on this building and thus its setting would be preserved.
9. Moreover, I have also assessed the effect of the proposed development on trees and hedgerows. Whilst I acknowledge that substantial tree works are proposed the majority of the trees and hedging would remain and additional planting would be provided. I therefore find the proposed development acceptable in this regard. Thus, there is no conflict with Policy DM4.8 of the South Norfolk Local Plan Development Management Policies Document (2015) (DMPD).
10. However, overall I find the proposal would fail to preserve the settings of the grade II listed Nos 116 & 122 and would fail to preserve the character or appearance of the CA. It would therefore be contrary to the provisions of the respective sections of the Act and would fail to accord with paragraph 132 of the Framework, which attaches great weight to the conservation of designated heritage assets and their settings.
11. For the same reasons the proposal would not accord with Policy 2 of the Joint Core Strategy for Broadland, Norwich and South Norfolk (2011 amended 2014) and Policies DM3.8 and DM4.10 of the DMPD which among other things seek to

achieve good design and ensure that new development does not harm designated heritage assets.

12. That said, in the context of the significance of the heritage assets as a whole, I would calibrate the harm arising from the proposed development, in accordance with paragraphs 133 and 134 of the Framework, as less than substantial. In these circumstances, the Framework requires the degree of harm to be balanced against any public benefits the development may bring.
13. There would indeed be some benefits, such as one more dwelling thus contributing to housing supply. Furthermore there is additional benefit in that the proposed dwelling would be self-build in a location where I am told there is a demand for such. I also note the proposed living accommodation has been designed to be flexible in order to meet changing needs over time.
14. Moreover, the proposed dwelling would be close to basic services and facilities such that they could be easily accessed through walking and cycling and the area has public transport connections to larger settlements nearby. The occupants might work locally and support local services and there may also be employment opportunities associated with construction.
15. However, whilst I acknowledge the limitations in extending a listed building and even if I were to accept the proposal would represent the redevelopment of previously developed land, the combined benefits are modest, and do not outweigh the harm identified to the designated heritage assets.
16. In reaching these conclusions I acknowledge the appellants comments about whether or not the Council are able to demonstrate a five year supply of deliverable housing land within the terms of paragraph 47 of the Framework. Relevant to such I note the comments with regard to the deliverability of sites allocated for development in Tacolneston and the need for housing in the village and specific parts of the district. However, overall I find the evidence on this matter to be inconclusive.
17. Nonetheless, I have found harm to the setting of designated heritage assets and consequently, footnote 9 from the Framework indicates that development should be restricted. Even if this is not the case and the second bullet point under the decision-taking section of paragraph 14 is engaged, in my view the harm would significantly and demonstrably outweigh the benefits of the scheme when assessed against the Framework taken as a whole.

Living conditions

18. The proposed dwelling would sit centrally in a large plot positioned some distance from the plot boundaries. Thus it would be some distance from the rear gardens of the terraced properties on Norwich Road.
19. I acknowledge that the proposed garage would be positioned on the boundary with No 126. However, even when taking account of the change in levels the proposed garage building would not be overly tall and the majority of the shared boundary with the appeal site would remain free from structures, such that it would not result in any sense of enclosure or overbearing effect.
20. The northern side elevation of the proposed dwelling would only have one window which would be obscurely glazed and views towards the gardens of the terraced dwellings on Norwich Road from other elevations would be from

oblique angles and partially restricted by planting. Views over the rear garden of No 116 Norwich Road would also be from an oblique angle. Whilst the proposed dwelling would look out over a large area of land in front of No 122, this property would retain a large area of outdoor space to its rear thus maintaining a private outdoor space.

21. For these reasons, I find no harm to the living conditions of nearby residents with particular regard to outlook and privacy. Thus, the proposal would accord with Policy DM3.13 of the DMPD which seeks to ensure new development does not harm residential amenity.

Conclusion

22. For the reasons given above, even though I have found no harm to nearby residents living conditions I have found harm to the character and appearance of the area and designated heritage assets. Thus on balance the proposal would not accord with the development plan and therefore having had regard to all other matters raised I conclude that the appeal should be dismissed.

L Fleming

INSPECTOR



Appeal Decision

Hearing Held on 18 August 2020

Site visit made on 20 August 2020

by **A J Mageean BA (Hons) BPI PhD MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 09 September 2020

Appeal Ref: APP/L2630/W/18/3214456

The Pelican, 136 Norwich Road, Tacolneston, NR16 1AL

- 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 and Mrs Maginn against the decision of South Norfolk District Council.
 - The application Ref 2018/0043 dated 5 January 2018, was refused by notice dated 20 April 2018.
 - The development proposed is subdivision of public house, retention of commercial element and creation of 1 no. attached dwelling.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The appeal building is a Grade II listed building. The listed building consent application submitted alongside the planning application in this case was approved, subject to conditions (2018/0044). This related to works to split the public house and remove the external staircase, replace the first floor door on the southern elevation with a window, blocking up of the external ground floor door on the northern elevation and the installation of a new ground floor kitchen and wc. The Council was satisfied that these works could be undertaken without harm to the listed building, and I have no reason to take a different view.

Main Issues

3. The main issues in this case are:
 - Whether adequate evidence that the building cannot be practically or viably converted for employment use has been demonstrated;
 - Whether the proposal would provide adequate living conditions for the future occupants of the new dwelling, with particular reference to noise and disturbance;
 - The effect of the proposal on the provision of community facilities in the local area; and,

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

- Whether this is a suitable location for the development proposed, and whether there are any other relevant social, economic or environmental considerations in this case.

Reasons

Employment use

4. The Pelican Inn ('the Pelican') is located on the northern edge of the village of Tacolneston, outside the development boundary. I understand that a public house has operated on this site since at least the mid-19th Century, but that it closed to customers in September 2016. The Pelican has been in the appellants possession for the past 20 years. During the early 2000's the appellants substantially extended the building to accommodate a ground floor restaurant and upper floor bed and breakfast accommodation. Whilst initially there was commercial success, the appellants describe how the smoking ban and financial crash of 2007 and 2008 ultimately meant that the current configuration of the Pelican became unsustainable as a business.
5. The current proposal seeks to modify the building, effectively reducing the public house element to its earlier size, and introducing a dwelling into the extended area. Policy DM2.10 of the South Norfolk Local Plan Development Management Policies (LP) establishes a preference for the adaptation and re-use of existing buildings in the countryside for employment uses, in order to support the tourism industry and the local economy. Conversion of historic buildings for residential use will be supported where there is compelling evidence that the building cannot be practically or viably converted to employment uses.
6. LP Policy DM3.16 clarifies the evidence required in order to demonstrate a lack of future need, demand or economic viability for proposals involving the loss of local employment space. Specifically, this includes six months of marketing for the permitted and similar uses, using an appropriate agent; and confirmation that the property has been offered on a range of terms agreed to be reasonable on the advice of an independent qualified assessor.
7. The appellants have submitted evidence that the Pelican was marketed with two professional agencies between October 2014 and June/July 2017, a total of 30 months consecutively. The Public House was marketed initially with both freehold and leasehold options. Later on it was also marketed as a site suitable for C1 use (hotel, boarding or guest house), linked to a now expired approval for a rear extension. Whilst the property agencies involved specialise in public houses, inns, restaurants and hotels, and over 100 enquiries were made, no formal viewings took place, suggesting very little commercial interest.
8. It is clear from the evidence that the site was actively promoted in the relevant market areas throughout this time. I appreciate that the asking price was based on advice from professional agents. The appellants acknowledge that the asking price may have been too high, though suggest that potential buyers would still have made an approach if interested. However, this point is not supported by the email correspondence from one of the agents, which refers to the fact that the price tag may have been putting potential acquirers off.
9. I understand that the need for collaboration with the Council on the marketing approach was raised with the appellants at the pre-application stage, in order

to gain agreement that this was 'reasonable' by an independent qualified assessor. The onus was on the appellants to ensure that this happened: the fact that it did not significantly undermines the appellants case. Specifically, whilst the marketing period was extensive, as the terms offered were not confirmed as being reasonable, the requirements of Policy 3.16 1)b)ii) were not met. Whilst the appellants view is that the Pelican 'offer' was too small for larger investors and too large for independent owner operators, the failure to address marketing requirements means that this assessment carries little weight.

10. The current proposal seeks to secure a smaller public house, thereby potentially creating an opportunity for new operators to open the site and support local employment. In this respect the proposal appears to partially support the aspirations of Policy DM2.20. Nonetheless, the proposal does not present the compelling evidence required in support of conversion for residential use.
11. On this issue I conclude that adequate evidence that the building cannot be practically or viably converted for employment use has not been demonstrated. In this regard there is overall conflict with Policy DM2.20 which seeks to secure the re-use of redundant non-residential buildings for employment uses. I have also found that the specific marketing tests for the loss of local employment set out in Policy DM3.16 have not been met.

Living conditions

12. The recently redeveloped area would become a three bedroomed dwelling attached to the public house. In these circumstances the principle of permitting residential use directly adjoining a facility aimed at encouraging social gatherings must be carefully considered.
13. The Premises Licence allows the playing of recorded music indoors until midnight during the week and 1.30am on Saturdays and Sundays. The sale of alcohol is also permitted during these times. The Licence restrictions include the fact that live music is not allowed, and that doors and windows must be kept closed during any amplified music or speech. Notices requesting that customers leave quietly are also to be displayed, and external lighting must not be intrusive. These restrictions help to manage and mitigate the potential for significant noise and disturbance.
14. Nonetheless, the activity associated with public houses, even quiet country pubs, is characterised by elevated noise levels both inside and outside the premises, as well as the regular comings and goings of vehicles late into the night, at what are generally considered to be anti-social hours. The direct connection of the dwelling to the public house indicates a discord with the principle of creating a high standard of amenity for future occupiers. Whilst the proposal seeks to revert the Pelican to its pre 2004 size, thereby reducing its capacity and capability for general noise and disturbance, in essence the conflict would remain, and this would be in a more concentrated area. In this fundamental sense I cannot agree that the proposal would be comparable to the creation of a pair of semi-detached properties.
15. I appreciate the fact that the built area that would accommodate the dwelling was completed in 2004 and as such has high levels of insulation in walls, floors and the roof space, offering some level of acoustic insulation. This could

perhaps be enhanced with further measures. Whilst a condition has been suggested, there is no detail before me on how or whether a significant improvement could be achieved.

16. Looking at the proposal in a little more detail, some elements, such as the fact that the food preparation area would adjoin the utility area for the dwelling, would be of lesser concern. However, the proximity of the snug to the dwelling's living room area suggests the possibility of noise disturbance. At first floor level the only adjoining element would be between bedroom accommodation in the public house and bedroom 1 of the dwelling. However, the fact that the only window to bedroom 1 would be located close to the shared boundary with the public house beer garden would be a concern, particularly in summer evenings when dwelling windows are likely to be open and the modestly sized beer garden would be popular with customers.
17. The beer cellar, and its associated deliveries, are on the western part of the site, away from the proposed dwelling, and therefore unlikely to cause any additional disturbance.
18. The presence of the public house, with its currently extensive garden area, has not generated complaints from the occupiers of the Norwich Road properties whose rear gardens adjoin its western side. However, these dwellings are set back some distance from the Pelican and its garden. Whilst rear bedrooms face the side of the garden, the degree of separation means that these circumstances are not directly comparable to the present case. I understand that the subdivision of No 128 Norwich Road to create two dwellings was allowed in 1999. However, not only are these properties located at the southern end of this terrace some distance from the Pelican, but the current question of the compatibility of directly adjoining uses would not have been at issue.
19. There are numerous historic examples of public houses adjoining dwellings, particularly within the built-up areas of towns and cities. In this regard the local examples referred to by the appellants are not unusual. However, this is not in itself an indication that these arrangements create the standards of living for residential occupiers required by contemporary planning standards. Furthermore, no matter how well managed the public house, it would be unrealistic to expect future operators to prioritise residential amenity over the viability of the business operation.
20. On this issue I conclude that the proposal would not provide adequate living conditions for the future occupants of the new dwelling, with particular reference to noise and disturbance. There would be conflict with LP Policy DM3.13 which requires that particular regard is paid to avoiding the introduction of incompatible neighbouring uses in terms of nuisances such as noise. This requirement resonates with the National Planning Policy Framework (the Framework) requirement that development ensures a high standard of amenity for existing and future users.

Community facilities

21. Tacolneston is a moderately sized village with a primary school, a church and a limited range of shops and other services. At its southern end the Jolly Farmers Restaurant and Bar is a family orientated business whose primary focus is providing reasonably priced meals to eat in or take away. At the

northern end of the village, a short distance from the Pelican, is the Woodlands Club, a long-established private members licensed premises, which clearly advertises the fact that new members are welcome. Whilst the Woodlands Club does not provide food or accommodation, and its location in what appears to be a single storey prefabricated building means that it does not have the feel of a traditional drinking establishment, it appears to be popular locally.

22. The Pelican was nominated as an Asset of Community Value (ACV) by CAMRA in 2016, along with around 100 other public houses in South Norfolk. I understand that it was recognised as providing a community facility of great value. As a traditional drinking establishment the Pelican has offered a somewhat different social experience to that provided by the Jolly Farmer and the Woodlands Club. However, the Pelican has been closed for almost four years and I understand that the ACV designation will lapse in September 2021.
23. The proposal would involve the loss of the main restaurant area and therefore the capacity for the provision of food. The sales particulars refer to 50% of sales having come from food, suggesting this element was of importance to the commercial viability of the business. Whilst I understand that 30 covers could still be provided for food, details of how this would compare to the previous offer are not before me. More generally, whilst over half the floor area would be commercial floorspace and it may be that smaller owner operated sites would have lower costs, in this case there is very little business planning evidence before me. The fact that many of the UK's pubs are small, owner operated and independent freehouses does not in itself support the viability of the current proposal.
24. The presence of a dwelling directly adjoining the public house could impact on any future management plans for the business. Following on from the previous main issue, it is possible that efforts to ensure that noise and disturbance for residential occupiers is kept to a minimum would mean that future plans to support the viability of the business enterprise would be closely scrutinised and ultimately restricted. As such, the presence of the dwelling and associated restrictions could be off putting to future potential operators.
25. Policy DM3.16 seeks to promote and retain local community facilities, including buildings last in use as public houses. However, the evidence relating to viability matters and the future of the Pelican even in a reduced form is somewhat sketchy. Therefore, whilst returning the Pelican to its original size may not be unreasonable in principle, the evidence before me does not give confidence that the proposal could viably support its re-opening.
26. Be that as it may, Policy DM3.16 states that a change of use will only be permitted where it can be demonstrated that adequate other facilities exist within a reasonable distance to meet local needs. Taking the dictionary definition of 'adequate', this generally means satisfactory or acceptable in quality or quantity. In this regard the community of Tacolneston is reasonably well served by social drinking establishments. The Pelican has provided an historic and unique facility which is not reflected in other local facilities. This led to its designation as an ACV. Nonetheless in the context of 'adequate' other local facilities, its absence in basic terms may not be significant, noting also that the Joint Core Strategy for Broadland, Norwich and South Norfolk (JCS) Policy 15 does not regard public houses to be the most important services for service villages.

27. I conclude that there would not be conflict with Policy DM3.16, and therefore that the appeal proposal would not have a harmful effect on the provision of community facilities in the local area. The lack of conflict in this regard is a neutral factor in this decision.

Location and other considerations

28. The site is located a short distance outside the village development boundary, and is within the 30mph zone. However, I was able to see that the area north of Hall Road has a more spacious and verdant character than the main built up area of the village, befitting its status as a conservation area, as well as providing the setting for several listed buildings. In such locations Policy DM1.3 sets out that 'development' will only be allowed where proposals demonstrate overriding benefits in terms of economic, social and environmental dimensions.
29. The proposal would provide a new family home. Whilst at the time the planning application was determined the Council was unable to demonstrate a five year supply of housing land, the publication of the Interim Greater Norwich Area Housing Land Supply Assessment in 2018 has established that an adequate supply is in place. As I must make my assessment on the basis of the situation existing at the present time, the so called 'tilted balance' in favour of granting planning permission does not apply. As such the weight attached to the provision of one additional housing unit would be modest.
30. I have considered the fact that the proposal would seek to secure the future of a listed building, which in terms of its original function has lain vacant and deteriorating for almost 4 years. In this regard the appellants suggest that the proposal would represent its optimum viable use. The active use and therefore conservation of the whole building would also be of benefit to its setting within the Tacolneston Conservation Area, and would support the statutory duty to give special attention to conserving or enhancing the character or appearance of conservation areas. Nonetheless, I have found that the evidence relating to viability does not demonstrate that the original part of the building would be brought back into its former use, and I therefore attach limited weight to this point.
31. The economic benefits associated with a new operator taking on the site could support the aspirations of JCS Policy 5 in relation to rural economic growth. However, such consideration must similarly be tempered by the lack of substantive viability evidence.
32. Other suggested benefits referred to include an improvement in biodiversity as a result of the creation of a private garden. As there would be very modest net gains in this regard very limited weight can be attached to this point.
33. Even when taken together, the potential benefits identified would not amount to overriding considerations which would suggest that the restrictions associated with controlling development in the countryside should be set aside. As such there would be conflict with Policy DM 1.3.
34. I recognise that the particular circumstances of the appellants have driven the current proposals. Whilst I have sympathy with their financial situation, such personal considerations rarely outweigh wider land use planning matters. This

is because such circumstances do change over time, whilst the development remains long after they cease to be relevant.

35. The current scheme may seem sensible in terms of securing a possible home for the appellants and re-establishing the original public house unit for another operator. However, for the reasons I have described, there are fundamental issues with the scheme before me, not least in terms of the incompatibility of residential and public house use for the future occupiers of the dwelling.
36. Furthermore, I am not persuaded that this is the only viable option for the future of this building. Whilst it is clear that a comprehensive site solution is required, from the evidence before me it appears that a limited range of possible options have been considered.

Conclusion

37. Summing up, the evidence does not demonstrate that the building cannot practically or viably be converted for employment use, or that the conversion of part of the building to a dwelling would create satisfactory living conditions for the future occupiers of the building. Furthermore, there are no overriding considerations which would suggest that the development should be permitted.
38. I therefore conclude that the appeal proposal is in conflict with the development plan taken as a whole, and that this conflict is not outweighed by material considerations. Therefore, the appeal is dismissed.

AJ Mageean

INSPECTOR

2020/1236



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

3. Application No: 2020/1236/O
Parish: SCOLE

Applicant's Name: Mr Vincent Mills
Site Address: Scole Engineering, Diss Road, Scole, IP21 4DN
Proposal: Change of Use from Commercial Use to Residential Use to Create 6 Dwellings including Demolition of Existing Garage Workshop Buildings. (Re-Submission).

Reason for reporting to committee

The proposal would result in the loss of employment.

Recommendation summary:

Approval with Conditions

1. Proposal and site context

- 1.1 The application site is located to the north of Diss Road, Scole and is located inside of the development Boundary and Scole Conservation Area. The existing site contains a commercial site in use as a garage/workshop with associated hard standing for the parking and display of vehicles.
- 1.2 The site is bounded to the east and west by residential dwellings fronting Diss road, with those to the east sited close to the road edge in a generally semi-detached or terraced style and historic in age. Opposite the site sits further residential development of more modern character and appearance in a generally detached pattern set further from the highway.
- 1.3 The proposal is for the demolition of existing buildings and outline permission for the erection of 6 dwellings.
- 1.4 This application follows the withdrawal of a previous application (2019/1439) on a larger site as a result of lack of supporting information including justification for the loss of employment and the site size extending beyond the development limits.

2. Relevant planning history

- | | | | |
|-----|-----------|---|-----------|
| 2.1 | 2019/1439 | Outline application for demolition of existing garage buildings and erection of 8 dwellings | Withdrawn |
|-----|-----------|---|-----------|

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 08: Promoting healthy and safe communities
 - NPPF 09: Promoting sustainable transport
 - NPPF 11: Making effective use of land
 - NPPF 12: Achieving well-designed places
 - NPPF 14: Meeting the challenge of climate change, flooding and coastal change
 - NPPF 15: Conserving and enhancing the natural environment
 - NPPF 16: Conserving and enhancing the historic environment

- 3.2 Joint Core Strategy (JCS)
Policy 1: Addressing climate change and protecting environmental assets
Policy 2: Promoting good design
Policy 3: Energy and water
Policy 4: Housing delivery
Policy 5: The Economy
Policy 6: Access and Transportation
Policy 15: Service Villages

- 3.3 South Norfolk Local Plan Development Management Policies
DM1.3: The sustainable location of new development
DM2.2: Protection of employment sites
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
DM3.14: Pollution, health and safety
DM4.2: Sustainable drainage and water management
DM4.8: Protection of Trees and Hedgerows
DM4.10: Heritage Assets

- 3.4 Supplementary Planning Documents (SPD)

South Norfolk Place Making Guide

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

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

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

4. Consultations

- 4.1 Scole Parish Council

No Comment

- 4.2 District Councillor

No comments received

- 4.3 SNC Water Management Officer

No objection to principle of surface water approach subject to details etc. being submitted. Condition relating to surface water requested.

4.4 SNC Community Services - Environmental Quality Team

A full site investigation is required to ascertain the ground conditions and appropriate remediation work is carried out to enable the proposed redevelopment to be carried out correctly. I therefore suggest that a condition is added to require a site investigation as well as a condition regarding the potential for unexpected contamination.

4.5 NCC Highways

First Consultation:

I note that this application is submitted in outline with all matters reserved. However, the proposed site layout shows that the intended site entrance will conflict with the existing marked bus stand. An alternative arrangement will therefore be required.

I would have no objection to the principle of the development. However, the applicant would need to provide an appropriate design at a reserved matters / full application stage

Second Consultation:

Appears acceptable using the existing entrance location

4.6 Historic Environment Service

The proposed development site lies adjacent to the Roman town of Scole (parts of which are a Scheduled Monument). The northern extent of the town is at present unknown and may extend into the current development area. Major archaeological excavations before the housing estate to the south of Diss Road uncovered dense Roman occupation, as did excavations to the southwest before the A140 bypass was constructed. A trench across the road from the current development area excavated in 1999 uncovered a Roman midden layer.

Consequently, there is potential that heritage assets with archaeological interest (buried archaeological remains) will be present at the site and that their significance will be adversely affected by the proposed development.

Conditions Requested

4.7 Environment Agency

The previous use of the proposed development site as a former garage presents a high risk of contamination that could be mobilised during construction to pollute controlled waters. Controlled waters are particularly sensitive in this location because the proposed development site is located upon a secondary aquifer A overlying a principal aquifer. The site is within a Drinking Water Protection Area - Surface water safeguard zone.

The JPC Environmental Services Phase 1 Contaminated Land Assessment, May 2020 demonstrates that it will be possible to manage the risk posed to controlled waters by this development. Further detailed information will however be required before built development is undertaken.

We agree with the recommendations set out in Section 5 of the report that further investigation is required. Given the site has underground fuel tanks, there is potential for deeper contamination to be present which may have impacted groundwater. This should be investigated as part of the Phase 2 intrusive investigation. VOC/SVOC analysis should be undertaken on soils and groundwater together with the sampling proposed.

Requested Conditions

4.8 Other Representations

None Received

5 Assessment

Key considerations

- 5.1 The key considerations include the principle of development, including the loss of employment land, the design in terms of settlement pattern, impact on heritage, amenity, contamination, pollution and highways

Principle

- 5.2 The proposal site is located wholly within the development boundary of Scole, with access to footpaths and public transport and therefore in terms of policy DM1.3 of the local plan represents a suitable location for residential development.

- 5.3 However, policy DM2.2 seeks to protect existing employment locations unless certain criteria can be met. The overall principle of this proposal therefore relies on the assessment of this criteria along with other relevant development management policies.

Loss of Employment

- 5.4 Policy DM2.2 of the Local Plan Sets out two criteria for when to permit the loss of an employment site; these relate to either (a) the demonstration that the site is no longer viable or practical to retain as employment or (b) demonstration that the proposal would have an overriding economic, environmental or social benefit.
- 5.5 In terms of criterion (a) the applicant has conducted a marketing exercise for 6 months on the site with a view to demonstrating that the site is no longer viable. Byway of background, the business is aiming to move and downsize its premises. Paragraph 2.13 of the Local Plan sets out the requirements of demonstrating viability through the marketing process including gaining an agreed price with the district valuer and a marketing strategy with the Council in line with the detailed method set out in Policy DM3.16 of the Local Plan.
- 5.6 In this instance neither the price nor the marketing exercise was agreed prior to the marketing process being undertaken. Notwithstanding this, upon review of the submitted evidence it appears that in retrospect the means of marketing was sufficient had it been proposed prior to the process taking place. The marketing exercise undertaken generated no interest in this site. In terms of the appropriateness of the asking price, in the absence of the independent input from the district valuer; it was agreed with the applicant to gain an additional two quotes to value the site to provide context. In this instance, it has been taken into account that the Coronavirus pandemic has potentially significantly affected the commercial property market and as a result the applicant also has provided a revaluation from the original agent and a comparison with a similar site for sale on Victoria Road in Diss to give as much certainty as possible.
- 5.7 The revised valuation shows a drop in value; while the other two valuations provide values approximately £100,000 apart showing int the uncertainly in the market. Based on the reduction in value shown by the revised quote, the new quotes have one slightly higher and one moderately lower than the marketed value. While the range creates uncertainly; the evidence before me suggests that the original price was not a significant departure from a reasonable value of the site. Furthermore, the site in Victoria Road, Diss is valued higher than this proposal; likely reflecting its town rather

than village location however it is considered that it provides further evidence to support the original valuation likely being of an appropriate approximate value.

- 5.8 On the basis of both the original and additional information provided therefore, while a level of uncertainty remains, I do not consider this sufficient to warrant reason to refuse the application. On balance, in this instance, I consider the criteria set out by policy DM2.2 (2)(a) to have been met with regard to testing the viability of this site; thereby resulting in the establishment of the principle of removing the employment use through this application.

Design/Heritage

- 5.9 As an outline application the impact on the Conservation Area and the character and appearance of the area is considered with regard to the principle of the loss of the existing commercial buildings and the density and use of the site for residential properties only.
- 5.10 The impact on Conservation Areas requires consideration under paragraph 16 of the NPPF, development management policies DM4.10 and DM3.8 and S72 Listed Buildings Act 1990 with special attention to be paid to the desirability of preserving or enhancing the character or appearance of Conservation Areas.
- 5.11 The proposal is for 6 properties and an indicative plan has been submitted as a result of all matters being reserved. It is considered that it demonstrates that the can be arranged in a layout that is complimentary to the remainder of the street scene on the north side of Diss Road in terms of settlement pattern. The proposed density also relates well to the settlement pattern of the immediate vicinity through being less dense than the village centre to the east but denser than the village edge to the west and south. Furthermore, the removal of a large and functional set of buildings and associated frontage parking and street furniture and replacement with well-designed residential properties would inevitably enhance the appearance of the conservation area in this location subject to design details to be submitted as part of the reserved matters. As such I consider that the proposal accords with the aims of policy DM3.8, DM4.10, paragraph 16 of the NPPF and S72 Listed Buildings Act 1990.
- 5.12 I have also considered the proposal in relation to nearby listed buildings and while the proposal does not directly affect the curtilage of a listed building, I have considered the wider setting in line with policy DM4.10 of the Local Plan, Paragraph 16 of the NPPF and Sections 16 and S66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990. The rear corner of the existing engineering workshop orders the curtilage of Listed buildings associated with the Scole Inn. The proposal removes this building and leaves the likely potential for built form to be positioned a greater distance from the boundary than is presently the case. As such the proposal will no adverse impact on the setting of nearby listed buildings and accords with the aims of policy DM4.10 of the Local Plan, paragraph 16 of the NPPF and Sections 16 and S66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990
- 5.13 The Norfolk Historic Environment Service has responded to the consultation to highlight potentially significant likelihood for archaeological remains to be present at the site and I have therefore included the requirement for archaeological investigation and recording by condition on the application.
- 5.14 Overall, I consider the proposal to accord with the aims of Local Plan Policies DM3.8 and DM4.10 with regard to design and impact on heritage.

Residential Amenity

- 5.15 The indicative plan shows that the proposal can be accommodated without significant detrimental impact on the amenity of neighbouring users through providing sufficient scope for dwellings to be arranged to avoid significant overlooking and overshadowing impacts. Furthermore, the impact of noise from a residential use is likely to be lower than the existing commercial use of the site on immediate neighbours.
- 5.16 As such I consider the proposal to conform to the aims of Policy DM3.13 of the Local Plan at this outline stage.

Contamination and Pollution

- 5.17 Policy DM3.14 of the Local Plan aims to protect site users and surrounding areas from the effects of pollution. A desktop contamination assessment has been submitted and Environmental Services and The Environment Agency have been consulted as part of the application. While not objecting in principle, they have raised concern relating to the potential for pollution to arise from the site, especially with regard to potential impacts on ground water due to the sites present and former use. These are also highlighted in the applicant's report.
- 5.18 As a result, a series of conditions have been recommended that will enable an appropriate level of assessment and control over the development to enable any contamination to be managed, mitigated and remedied to avoid impact on, the future uses of the site, nearby residents or the wider water quality. With these conditions in place the proposal is able to meet the aims of Policy DM3.14 of the Local Plan in this instance.

Highway Safety and Parking

- 5.19 Local Plan policies DM3.11 and DM12 consider highway safety and parking arrangements respectively in relation to new development. The highway authority has no objection in principle to the proposal, however they have raised concern that the indicative access was obstructed by the bus stop immediately outside of the site. A revised indicative plan has been provided to show that an access is possible without this obstruction; with highway authority agreement. As such the proposal is acceptable as an outline with all matters reserved at this stage subject to access details to be provided at the reserved matters stage. As such no further information is required at this time.

Other Issues

- 5.20 I note the Water Management Officer response and request for condition which has been included in the proposed list. Further detail in this regard can be considered at reserved matters and discharge of condition stage.
- 5.21 Paragraph 68 of the NPPF states that small and medium sized sites can make an important contribution to meeting the housing requirement of an area. The Council has taken a proactive approach to this through the allocation of a range of small and medium sized sites and through defining Development Boundaries for over 80 settlements to facilitate suitable windfall development. Point (c) of NPPF para 68 states that local planning authorities should '*support the development of windfall sites through their policies and decisions – giving great weight to the benefits of using suitable sites within existing settlements for homes*'. Although this is a material consideration in the determination of the application, it can only be afforded limited weight, given the previous supply of housing on small sites within the district.

- 5.22 The application can be considered to be previously developed land (brownfield land). In line with the NPPF, I have considered the benefits of the efficient use of land, but consider that in this case, this does not outweigh the other material considerations.
- 5.23 The need to support the economy during and following the COVID-19 pandemic is a material consideration, given that the marketing has indicated that there is little commercial interest in the premises and the redevelopment would lead to economic benefits locally associated with the construction phase and then subsequently from spending by the new residents this would weigh in favour of the application.
- 5.24 Under Section 143 of the Localism Act the council is required to consider the impact on local finances. This can be a material consideration but in the instance of this application the other material planning considerations detailed above are of greater significance.
- 5.25 **Community Infrastructure Levy (CIL)** – the applicant is advised that CIL is liable on this development and will be calculated on the basis of the details submitted in the reserved matters application.

Conclusion

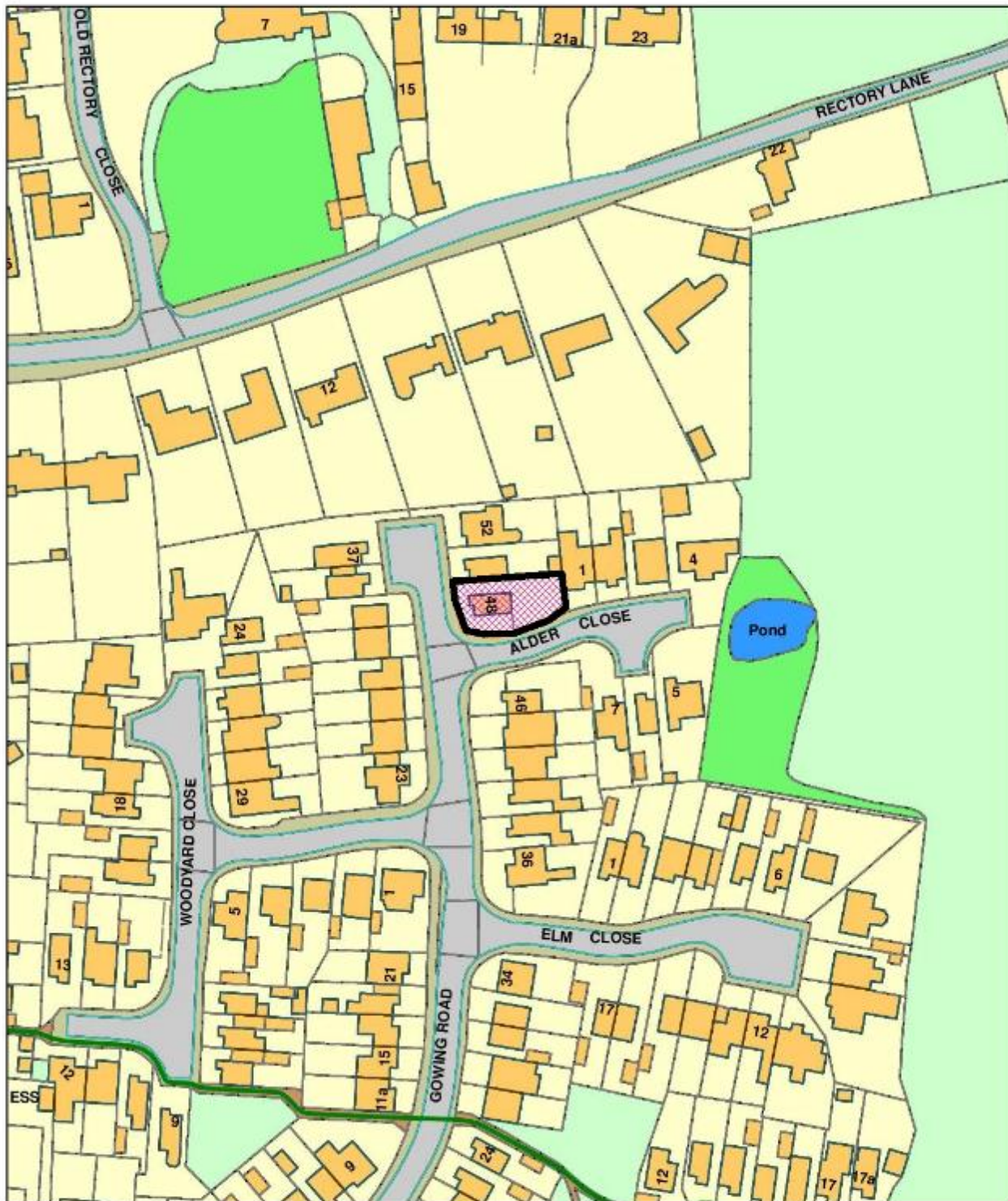
- 5.26 On balance, the proposal has demonstrated justification for the loss of an employment site by meeting the criteria set out in Policy DM2.2 part (2) (a). Furthermore, the proposal is acceptable as an outline in terms of design / density in the settlement, impact on heritage assets, impact on neighbour amenity, contamination/pollution risk, highway safety and parking. As such I consider the application to be acceptable and recommend approval on this basis.

Recommendation: Approval with Conditions

- 1 Time Limit - Outline Permission
- 2 OL requiring approval of Reserved Matter
- 3 In accordance with submitted drawings
- 4 Surface water
- 5 Archaeological work to be agreed
- 6 Contamination Assessment
- 7 Contamination Remediation
- 8 Contamination Monitoring
- 9 Contamination During Construction
- 10 Drainage Systems
- 11 Foundation Methods

Contact Officer, Telephone Number Peter Kerrison 01508 533793
and E-mail: pkerrison@s-norfolk.gov.uk

2020/1466



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

4. Application No : 2020/1466/H
Parish : MULBARTON

Applicant's Name: Neil & Tamara Parfitt
Site Address 48 Gowing Road Mulbarton NR14 8AT
Proposal Erection of 2 storey side extension.

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 property is a two storey detached dwelling situated on a corner plot within the development limit for Mulbarton. The property is in a street scene of a mix of detached and semi detached two storey dwellings. There have been both single and two storey extensions to other properties in the area.

1.2 The proposal consists of a two storey side extension on the south elevation of the property.

2. Relevant planning history

2.1 No relevant history

3. Planning Policies

3.1 National Planning Policy Framework (NPPF)
NPPF 12 : Achieving well-designed places

3.2 Joint Core Strategy (JCS)
Policy 2 : Promoting good design

3.3 South Norfolk Local Plan Development Management Policies
DM3.4: Residential extensions and conversions within Settlements
DM3.8: Design Principles
DM3.12: Provision of vehicle parking
DM3.13: Amenity, noise and quality of life

3.4 Site Specific Allocations and Policies

3.5 Mulbarton Neighbourhood Plan

No relevant policy

4. Consultations

4.1 Mulbarton Parish Council

No comments received

4.2 District Councillor

Cllr Clifford-Jackson:

Concerned with scale and may dominate the road scene. Committee to consider the appropriateness for the location

Cllr Legg:

Delegate

Cllr Francis:

Delegate

4.3 NCC Highways

Three off-street car parking spaces required

4.4 Other Representations

No responses received

5 Assessment

Key considerations

- 5.1 The key considerations in determining this application are the impact on neighbour amenity, the character and appearance of the proposal on the original dwelling and the surrounding area and highway safety.

Principle

- 5.2 The principle of residential extensions to an existing dwelling is acceptable in accordance with Policy DM3.4 of the SNLP.

Neighbour Amenity

- 5.3 Policy DM3.13 relates to the protection of the amenities of the neighbouring occupiers as does criterion b) of Policy DM3.4 of the SNLP.
- 5.4 Due to the design of the proposed extension and its position within the site when seen in the context of its relationship and orientation to the neighbouring properties means that no significant loss of light, privacy or outlook would occur and therefore it is considered that neighbour amenity is safeguarded and the scheme accords with the requirements of Policy DM3.13 and those of criterion b) of Policy DM3.4 of the SNLP.

Character and appearance

- 5.5 Policy DM3.4 states that proposals for residential extensions will be permitted providing they incorporate a good quality of design which maintains or enhances the character and appearance of the original dwelling, the street scene and surrounding area. DM3.8 seeks to promote good design.
- 5.6 The application site is a detached two storey dwelling situated on a corner plot within an area of detached and semi-detached properties. Other properties in the area have been extended with either one or two storey side extensions and also some have had additional porches to the front added.

- 5.7 The proposed two storey side extension has a subservient appearance on the original dwelling, helped by the front elevation being set back from that of the main dwelling, and although it would be visible within the surrounding area it will not appear detrimental or incongruous to the street scene retaining the openness of the area. The proposal therefore accords with criterion a) of Policy DM3.4 and Policy DM3.8 of the SNLP.

Highway safety (parking)

- 5.8 Policy DM3.12 states planning permission will be granted where appropriate parking provision is provided and criterion d) of Policy DM3.4 requires adequate parking and access to be provided. The Highways Officer requires three parking places for the property as it will become a four bedroom dwelling. A plan has been submitted showing the ability for three vehicles to park off road within the site. The proposal therefore accords with Policy DM3.12 and criterion d) of Policy DM3.4 of the SNLP.

Other Issues

- 5.9 Policy DM3.4 also requires the retention of sufficient amenity space to accompany the property, it is evident that a reasonable size garden would be retained.
- 5.10 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.
- 5.11 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.
- 5.12 This application is not liable for Community Infrastructure Levy (CIL)

Conclusion

- 5.13 The proposal accords with the policies within the South Norfolk Local Plan, Policy 2 in the Joint Core Strategy and the Mulbarton Neighbourhood Plan.

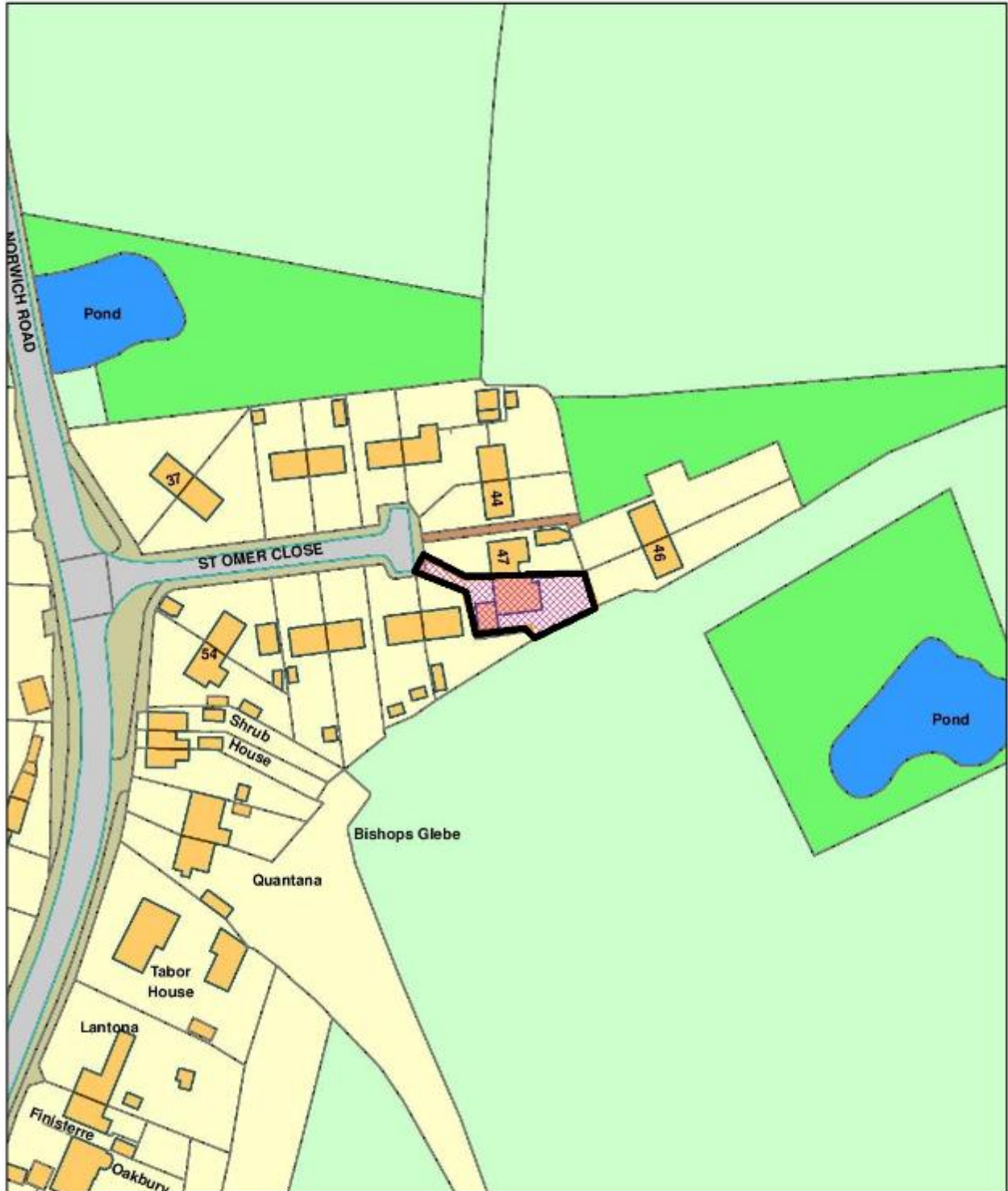
Recommendation : Approval with Conditions

1 Time Limit - Full Permission

2 In accordance with submitted drawings

Contact Officer, Telephone Number Lynn Armes 01508 533960
and E-mail: larmes@s-norfolk.gov.uk

2020/1550



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

5. Application No : 2020/1550/H
Parish : MULBARTON

Applicant's Name: Mr & Mrs D Smith
Site Address 48 St Omer Close Mulbarton NR14 8JU
Proposal Erection of single storey and two storey side extension, including dormer.

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 property is a two storey semi-detached dwelling situated on a corner plot within the development limit for Mulbarton. The property is in a street scene of semi-detached two storey dwellings.
- 1.2 The proposal consists of a two storey side extension on the south elevation of the property. The site is bordered by a field to the south and neighbours gardens to the east and west. The property has a garage to the front of the proposed location of the extension between the site and the neighbouring property.
- 1.3 The extension has a dormer window in the front elevation which is to provide high level light to the first floor of the extension. There will be no line of sight out of this window.

2. Relevant planning history

- 2.1 2014/0554 Proposed single storey rear extension, replacement of flat roof with pitched roof and detached single garage with pitched roof. Approved

3 Planning Policies

- 3.1 National Planning Policy Framework (NPPF)
NPPF 12 : Achieving well-designed places
- 3.2 Joint Core Strategy (JCS)
Policy 2 : Promoting good design
- 3.3 South Norfolk Local Plan Development Management Policies
DM3.4 : Residential extensions and conversions within Settlements
DM3.8 : Design Principles applying to all development
DM3.13 : Amenity, noise, quality of life
DM3.12 : Provision of vehicle parking
- 3.4 Site Specific Allocations and Policies
- 3.5 Mulbarton Neighbourhood Plan
No relevant policy

4. Consultations

4.1 Mulbarton Parish Council

No comments received

4.2 District Councillor

Cllr Clifford-Jackson: Scale in location, close proximity to neighbouring properties and out of keeping with rural location.

4.3 Other Representations

1 letter of objection
Impose close to property
Overlook garden
Block sunlight to bathroom and hallway

5 Assessment

Key considerations

- 5.1 The key considerations in determining this application are the impact on neighbour amenity, the character and appearance of the proposal on the original dwelling and the surrounding area and highway safety.

Principle

- 5.2 The principle of residential extensions to an existing dwelling is acceptable in accordance with Policy DM3.4 of the SNLP.

Neighbour Amenity

- 5.3 Policy DM3.13 relates to the protection of the amenities of the neighbouring occupiers as does criterion b) of Policy DM3.4 of the SNLP.
- 5.4 There has been a letter of objection from the neighbouring property to the west of the site with regard to overlooking and the blocking of sunlight to the bathroom and hallway. The dormer window facing the neighbours is a high level dormer in the vaulted ceiling of the first floor bedroom. There will be no line of sight out of this window. The other window in the front elevation is a bathroom window which has been conditioned to be obscure glazed. With regard to the blocking of sunlight to the neighbours property, the site is to the east of the neighbour and it is considered that due to the distance between the properties and the orientation of the proposal any loss of sunlight to the two ancillary rooms is not significant enough to warrant refusing the application.
- 5.5 Due to the design of the proposed extension its position within the site and the relationship and orientation to the neighbouring properties it is considered that neighbour amenity is safeguarded and the scheme accords with the requirements of Policy DM3.13 and those of criterion b) of Policy DM3.4 of the SNLP.

Character and appearance

- 5.6 Policy DM3.4 states that proposals for residential extensions will be permitted providing they incorporate a good quality of design which maintains or enhances the character and appearance of the original dwelling, the street scene and surrounding area. DM3.8 seeks to promote good design.

- 5.7 The application site is a semi-detached two storey dwelling situated on a corner plot within an area of semi-detached properties.
- 5.8 The proposed two storey side extension has a subservient appearance on the original dwelling and is situated on the elevation which is furthest away from the highway and will be obscured in the street scene by the original dwelling. The southern boundary of the site borders onto a field marked by a mature hedge. Due to the location of the extension and the boundary treatment the proposal will not have a significant impact on the rural location of the site from the southern viewpoint. The proposal therefore accords with Policy DM3.8 and criterion a) of Policy DM3.4 of the SNLP.

Highway safety (parking)

- 5.9 Policy DM3.12 states planning permission will be granted where appropriate parking provision is provided and criterion d) of Policy DM3.4 requires adequate parking and access to be provided. The site retains sufficient on-site parking to serve so as to accord with Policy DM3.12 and criterion d) of Policy DM3.4 of the SNLP.

Other Issues

- 5.10 Policy DM3.4 also requires the retention of sufficient amenity space to accompany the property, it is evident that a reasonable size garden would be retained.
- 5.11 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.
- 5.12 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.
- 5.13 This application is not liable for Community Infrastructure Levy (CIL)

Conclusion

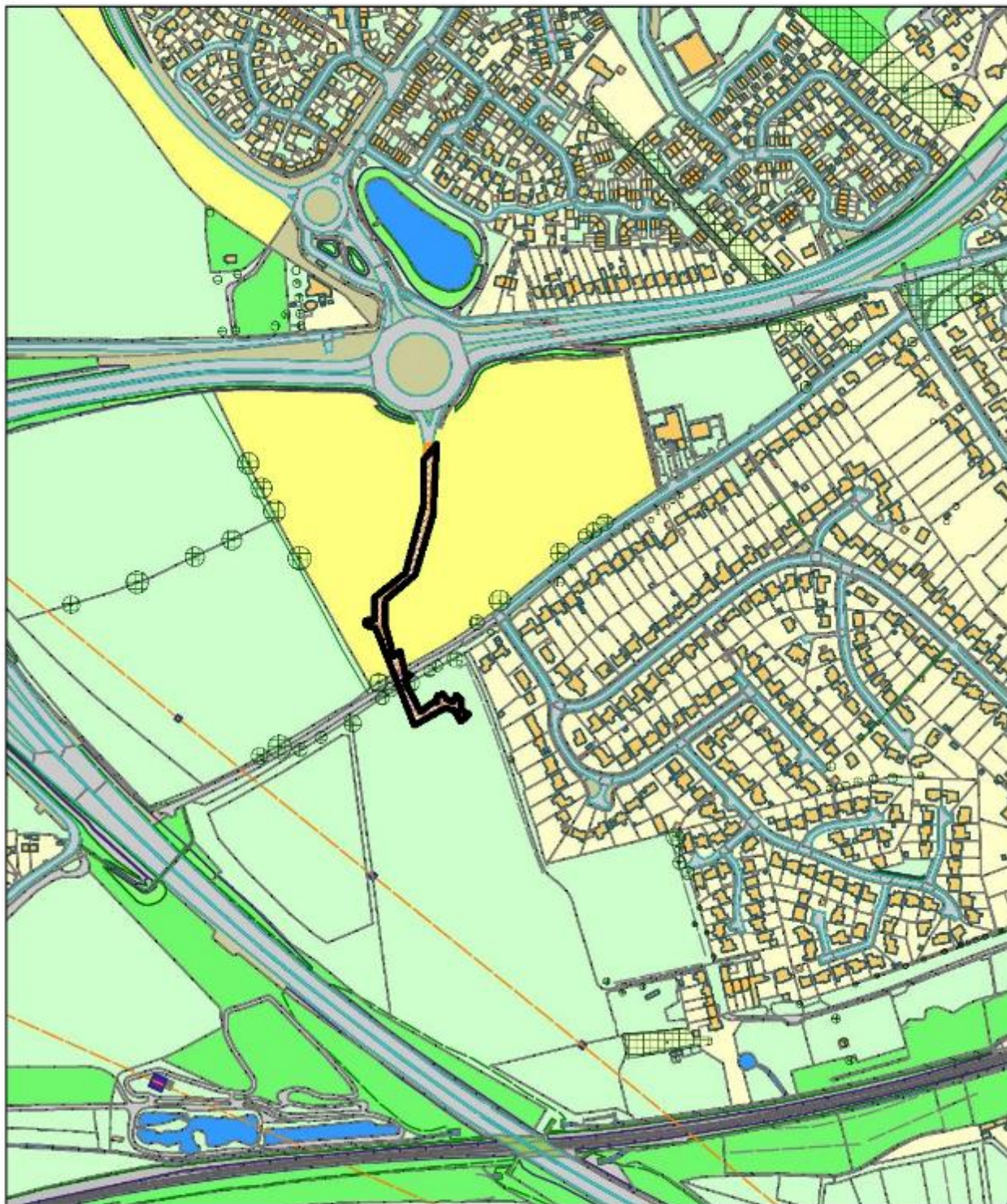
- 5.14 The proposal accords with the policies within the South Norfolk Local Plan, Policy 2 in the Joint Core Strategy and the Mulbarton Neighbourhood Plan.

Recommendation : Approval with Conditions

- 1 Time Limit - Full Permission
- 2 In accordance with submitted drawings
- 3 Obscure glazing

Contact Officer, Telephone Number Lynn Armes 01508 533960
and E-mail: larmes@s-norfolk.gov.uk

2020/1142



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

Application Submitted by South Norfolk Council

6. **Application No :** **2020/1142/F**
 Parish : **CRINGLEFORD**

Applicant's Name: Big Sky Developments Ltd
Site Address Land east of A11 and north and south of Round House Way
 Cringleford Norfolk
Proposal Erection of a substation and associated development

Reason for reporting to committee

The applicant is Big Sky Development Ltd in which South Norfolk Council has an interest

Recommendation summary :

Approval with conditions

1. Proposal and site context

- 1.1 The application is a full application for a substation and enclosure on land on the edge of Cringleford. The site subject to this application forms part of the land which lies directly adjacent to Roundhouse Way and extends south from the A11, with the A47 bypass to the west and existing residential development to the east. The whole site comprises of approximately 27 hectares of grade 3 agricultural land with undulating gradient falling in various directions. The southern parcel is outside of Cringleford Conservation Area and the closest listed buildings are a 19th century Round House, on the opposite side of the A11 to the application site and The Farmhouse located adjacent to the boundary to the southeast corner at the end of Meadow Farm Drive.
- 1.2 The site benefits from outline planning permission for a large mixed-use development including up to 650 dwellings granted consent at appeal on 7 January 2016 (2013/1494) and a subsequent variation of conditions application (2017/2120). This application seeks approval for the erection of substation which is required to serve surrounding development sites.

2. Relevant planning history

- | | | | |
|-----|-----------|--|--------------|
| 2.1 | 2013/0552 | Request for Scoping Opinion for proposed residential development for up to 700 residential units, green infrastructure land, up to 2500 square metres of Class A1-A5 and D1 floorspace and access from the A11 roundabout | EIA Required |
| 2.2 | 2013/1494 | Outline planning application with all matters reserved (save access) for the creation of up to 650 residential dwellings (use class C3), up to 2,500 sq mtrs of use class A1, A2, A3, A4, A5 and D1 floorspace, together with highways works, landscaping, public realm, car parking and other associated works. | Refused |
| 2.3 | 2017/0196 | Variation of conditions 5, 6, 11, 28, 35, 36, 37 and 38 of permission 2013/1494 (Outline planning application with all matters reserved (save access) for the creation of up to 650 residential dwellings (use class C3), up to 2,500 sq mtrs of use class A1, A2, A3, A4, A5 and D1 floorspace, | Approved |

together with highways works, landscaping, public realm, car parking and other associated works.) - to facilitate greater flexibility in the delivery of the scheme

2.4	2017/2120	Variation of conditions 1, 3, 4, 7, 10, 13, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 29, 30, 33, 36, 38, and 39 following application 2017/0196 which relates to - (Outline planning application with all matters reserved (save access) for the creation of up to 650 residential dwellings (use class C3), up to 2,500 sq mtrs of use class A1, A2, A3, A4, A5 and D1 floorspace, together with highways works, landscaping, public realm, car parking and other associated works.) - to facilitate the development coming forward on a phased basis.	Approved
2.5	2018/2783	Reserved Matters details of appearance, layout, scale and landscaping following outline permission 2017/2120, for RM-APP-1 comprising 67 dwellings together with associated landscaping and infrastructure. (The outline submission included an Environmental Statement)	Approved
2.6	2018/2785	Reserved Matters details of appearance, layout, scale and landscaping following outline permission 2017/2120, for RM-APP-3 comprising 62 dwellings together with associated landscaping and infrastructure. (The outline submission included an Environmental Statement)	under consideration
2.7	2018/2786	Reserved Matters details of appearance, layout, scale and landscaping following outline permission 2017/2120, for RM-APP-4 comprising 56 dwellings together with associated landscaping and infrastructure. (The outline submission included an Environmental Statement)	under consideration
2.8	2018/2787	Reserved Matters details of appearance, layout, scale and landscaping following outline permission 2017/2120, for RM-APP-5 comprising 23 dwellings together with associated landscaping and infrastructure. (The outline submission included an Environmental Statement)	under consideration
2.9	2018/2788	Reserved Matters details of appearance, layout, scale and landscaping following outline permission 2017/2120, for RM-APP-6 comprising 21 dwellings together with associated landscaping and infrastructure. (The outline submission included an Environmental Statement)	under consideration

2.10	2018/2789	Reserved Matters details of appearance, layout, scale and landscaping following outline permission 2017/2120, for RM-APP-7 comprising 42 dwellings and approximately 500 sq metres of commercial floorspace, together with associated landscaping and infrastructure. (The outline submission included an Environmental Statement)	under consideration
2.11	2018/2790	Reserved Matters details of appearance, layout, scale and landscaping following outline permission 2017/2120, for RM-APP-8 comprising 765 sq metres of commercial floorspace (Use classes A1,A2,A3,A4,A5,D1) together with associated landscaping and infrastructure. (The outline submission included an Environmental Statement)	under consideration
2.12	2018/2784	Reserved Matters details of appearance, layout, scale and landscaping following outline permission 2017/2120, for RM-APP-2 comprising 79 dwellings together with associated landscaping and infrastructure. (The outline submission included an Environmental Statement).	Approved
2.13	2018/2791	Reserved Matters details of appearance, layout, scale and landscaping following outline permission 2017/2120, for RM-APP-9 comprising of the formal and informal landscaping areas, including areas for formal sport pitches and a sports pavilion, and associated infrastructure. (The outline submission included an Environmental Statement)	Approved
2.14	2019/2067	Proposed signage advertising the adjacent housing development (St Giles Park)	Approved
2.15	2019/2343	Erection of gas governor enclosure and associated works	Approved

Appeal History

2.16	14/00025/AGREFU	Outline planning application with all matters reserved (save access) for the creation of up to 650 residential dwellings (use class C3), up to 2,500 sq mtrs of use class A1, A2, A3, A4, A5 and D1 floorspace, together with highways works, landscaping, public realm, car parking and other associated works.	Appeal Allowed
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3 Planning Policies

- 3.1 National Planning Policy Framework (NPPF)
NPPF 12 : Achieving well-designed places
NPPF 16 : Conserving and enhancing the historic environment

- 3.2 Joint Core Strategy (JCS)
Policy 1 : Addressing climate change and protecting environmental assets
Policy 2 : Promoting good design
- 3.3 South Norfolk Local Plan Development Management Policies
DM3.8 : Design Principles applying to all development
DM3.11 : Road safety and the free flow of traffic
DM3.13 : Amenity, noise, quality of life
DM3.14 : Pollution, health and safety
DM4.8 : Protection of Trees and Hedgerows
DM4.9 : Incorporating landscape into design
DM4.10 : Heritage Assets
- 3.4 Cringleford Neighbourhood Plan
GEN1 : Co-ordinated approach for delivering overall growth
HOU2 : Design Standards
- 3.5 Supplementary Planning Documents (SPD)
South Norfolk Place Making Guide 2012

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

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

4. Consultations

4.1 Cringleford Parish Council

No objections

- Would recommend a condition that requires more shrubbery around the station, to both shield it from view and to help prevent noise coming from it affecting nearby housing

4.2 District Councillor

No comments received

4.3 SNC Senior Heritage & Design Officer

No objections

- The structure will be quite utilitarian because of the nature of the building. The choice of brick and pantiles is however fine. It would be useful to have some landscaping to its side so that it does not just stand out in open space.

4.4 SNC Landscape Architect

Original proposal

- I would not wish for the position of this substation to be agreed until the details of the private drive are fixed. Whilst the substation itself appears to avoid the root protection areas for the TPO trees, the drive itself does not; this will need to be addressed.

- There are no details of the proposed cable routes for the substation and these will need to be planned to avoid excavation within the RPAs. If it is proposed to connect to the underground cables along Cantley Lane, then this may not be the best location for the substation. Details are required.
- Finally, I am concerned by the visual intrusion on the scheme, for this area has - up to now - been indicated as a green space with the trees and hedgerows of Cantley Lane as a setting. The proposed structure is very utilitarian and could be incongruous in the situation.

Amended Proposal

- The revised siting for the substation is much improved and I have no objection to this.
- Conditions in respect of tree protection and no-dig specification

4.5 NCC Highways

No objections

4.6 Other Representations

1 letter of objection

- Disturbance/noise – will be noisy and near my house
- Impact on ecology
- Out of character

5 Assessment

Key considerations

- 5.1 The key considerations are the impact of the siting; design; residential amenity, highway safety, trees and landscape and setting of listed buildings.

Principle

- 5.2 There is no specific policy relating to the provision of a substation however, the principle of providing associated infrastructure in relation to the consented housing development is therefore considered acceptable subject to no adverse impacts being identified.

Layout and Design

- 5.3 Both JCS Policy 2 and Section 12 of the NPPF require high quality design with importance being attached to the design of the built environment, which is seen as a key aspect of sustainable development.
- 5.4 The substation has been located on a less sensitive part of the development, in a location where it will be somewhat screened by existing trees to the north. The proposed layout of the housing development indicates the substation will be adjacent to a garage to southwest, garden fence to the southeast, and open area of landscaping to the northeast. The materials of the substation match the intended brick type and roof type of the nearest dwellings and garages, which will minimise its impact. It is considered that the substation will sit sympathetically within the site and relate positively to the approved design code.
- 5.5 On this basis, it is considered that the scheme would accord with Policy 2 of JCS, Section 12 of NPPF, DM3.8 of the Development Management Policies document and GEN1 and HOU2 of the Cringleford Neighbourhood Plan.

Residential amenity

- 5.6 Policy DM3.13 Residential amenity directs that development should not be approved if it would have a significant adverse impact on nearby resident's amenities or the amenities of new occupiers.
- 5.7 With regards to impact upon residential amenity of the proposed and existing properties have been assessed and largely relate to those properties proposed in the adjacent parcel submitted under RM-APP-5 application reference 2018/2787. There is not considered to be any adverse impacts on the nearest neighbours by virtue of the distance of the substation to the proposed residential properties and the nature of the proposal.
- 5.8 Concerns have been raised in respect of the noise and disturbance to existing residential properties, whilst this is fully appreciated, given the intervening development and the nature of the proposal, it would not adversely impact the amenities of the existing residential properties located to the east of the housing development.
- 5.9 As such, the proposed development would not result in any significant harm to the amenities of existing or proposed properties and accords with DM3.13 of the Development Management Policies document.

Highway safety

- 5.10 Policy DM3.11 states that planning permission will not be granted for development which would endanger highway safety or the satisfactory functioning of the highway network.
- 5.11 The substation is proposed to be access from the main spine/estate road which has been granted consent under applications references 2018/2783 and 2018/2791 and then via a private drive. Its siting on land, situated within RM-APP-5 and does not impact on the approved estate road, footpath or any parking arrangements. As such it is considered that the proposals comply with the requirements of policies DM3.12 and DM3.13 of the Development Management Policies document.

Trees and landscaping

- 5.12 Policy DM4.5 requires all development to respect, conserve and where possible, enhance the landscape character surrounding the development. Policy DM4.9 advises that the Council will promote the retention and conservation of significant trees, woodlands and traditional orchards
- 5.13 The overall landscaping scheme and tree protection for the development site is subject to a discharge of conditions application, however, as this application is a full application, an Arboricultural method statement specifically relating to the sub-station and private drive has been provided, following comments made by the Landscape Architect. The proposal accords with the aspirations of the Design Code and would not result in any significant harm to the local landscape. The Landscape Architect originally raised concerns as set out above and these have been addressed by re-siting the substation and the submission of additional information. The proposal is considered acceptable and complies with the requirements DM4.5 and DM4.9 of the Development Management Policies document and GEN1 of the Cringleford Neighbourhood Plan.
- 5.14 The Parish Council request a condition for planting to be provided to screen the substation is imposed. Given the location of the proposed garage and garden fencing to the southwest and southeast boundaries and the access to the substation to the northwest, it is proposed to impose a condition for planting to the northeast, which is the open boundary.

Setting of Listed Buildings

- 5.15 This application is a significant distance from the two listed buildings within the vicinity of the outline site, separated by the A11 and the proposed development to the south of this particular application and therefore it has no impact at all on those two listed buildings identified above.

Other Issues

- 5.16 Under Section 143 of the Localism Act the council is required to consider the impact on local finances. This can be a material consideration but in the instance of this application the other material planning considerations detailed above are of greater significance.
- 5.17 This application is not liable for Community Infrastructure Levy (CIL)

COVID as a material planning consideration

- 5.18 The need to support the economy as part of the recovery from the COVID-19 pandemic is a material consideration. This application will likely provide employment during the construction phase of the project and supports the housing development. This weighs in favour of the proposal.

Conclusion

- 5.19 The proposed substation is considered acceptable in terms of its layout. Furthermore, the development will not harm the character and appearance of the area, and it will not adversely affect the amenities of future the neighbouring properties. It is considered that the proposal would accord with Policy. I therefore recommend that the application be approved.

Recommendation : Approve

- 1 Full Planning permission time limit
- 2 In accordance with submitted drawings
- 3 Scheme of planting to northeast boundary
- 4 Full details of no-dig surfacing
- 5 Materials to accord with submitted details

Contact Officer, Telephone Number Claire Curtis 01508 533788
and E-mail: ccurtis@s-norfolk.gov.uk

Planning Appeals

Appeals received from 11 September 2020 to 9 October 2020

Ref	Parish / Site	Appellant	Proposal	Decision Maker	Final Decision
2019/2522	Wicklewood Land west of Milestone Lane Wicklewood Norfolk	Mr D Coldham	Erection of two single storey self-build dwellings and associated access	Development Management Committee	Refusal
2020/0164	Alpington Land north of 2 Gilbert Close Church Road Alpington Norfolk	Mr Raymond Lincoln	Demolish existing garage and erection of a single storey 2 bedroom bungalow (revised)	Delegated	Refusal
2019/0330	Land east of London Road Suton Norfolk	Ms S Smith	Change of use to allow formation of 8 No travellers pitches each with mobile home, hard standing for touring caravan and stable building	Delegated	Refusal
2020/8033 (Enforcement)	Land at: Plots 1-8 south east side of London Road Suton Norfolk	Ms Christine Falquero	Change of use of land from agricultural land to land used for residential purposes, for the standing of caravans for human habitation and the standing of associated timber buildings and structures	N/A - Enforcement Notice Issued	To Be Decided at an Appeal Hearing

Planning Appeals

Appeals decisions from 11 September 2020 to 9 October 2020

Ref	Parish / Site	Appellant	Proposal	Decision Maker	Final Decision	Appeal Decision
2019/1568	Pulham St Mary Land south of Norwich Road Pulham St Mary Norfolk	Mr Martin Ware	Erection of 4 dwellings	Delegated	Refusal	Appeal dismissed
2019/1983	Scole Annexe at 1 Flax Farm Cottages Diss Road Scole Norfolk	Mr S Alleyne	Removal of condition 5 of planning permission 2016/1982 - to allow the annexe to be rented or sold separately from main dwelling (retrospective)	Delegated	Refusal	Appeal dismissed
2019/1972	Spooner Row Land south-east of Oak Farm Bungalow Sawyers Lane Sutton Norfolk	Mr & Mrs B Seaman	Removal of existing outbuilding and erection of self-contained annexe for use to the agricultural business.	Delegated	Refusal	Appeal Allowed
2020/0099	Woodton Land south east of The Street Woodton Norfolk	Mrs Louise Bond	Erection of up to four dwellings (re-submission of 2018/2780)	Delegated	Refusal	Appeal Allowed