

Development Management Committee

Members of the Development Management Committee:

Conservatives

Mr V Thomson
(Chairman)
Mrs L Neal
(Vice Chairman)
Mr D Bills
Mr J Easter
Mr R Elliott
Mrs F Ellis
Mr G Minshull

Liberal Democrats

Ms V Clifford-Jackson
Mr T Laidlaw

Please note that planning application **item no.s 1-8** will be heard from **10.00am**

Planning application **item no.s 9-15** will be heard from **2.00pm** onwards

Pool of Substitutes

Mrs Y Bendle Mr D Burrill
Mr B Duffin Mr J Halls
Mr T Holden
Mr K Hurn
Mrs A Thomas
Mr J Worley

Pre-Committee Members' Question Time

9.00 am Blomefield Room

Agenda

Date

Wednesday, 12 February 2020

Time

10.00 am

Place

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

Contact

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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.

Please arrive at the commencement of the meeting if you are intending to speak on items 1-8, and arrive at 2.00pm if you intend to speak on items 9-15.

This meeting may be filmed, recorded or photographed by the public; however, anyone who wishes to do so must inform the Chairman and ensure it is done in a non-disruptive and public manner. Please review the Council's guidance on filming and recording meetings available in the meeting room.

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

Please familiarise yourself with this information if you are not in receipt of the agenda.

If the meeting room is busy, please use the upstairs public gallery until such time as your application is heard. You will need to be in the main meeting room if you wish to speak in regard to an application. Please be aware that the Committee can over-run, and if your application is later on the agenda it may be some time before your application is heard.

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 7)

4. **Minutes of the Meeting of the Development Management Committee held on 15 January 2020;**
(attached – page 9)

5. **Planning Applications and Other Development Control Matters;**

(attached – page 20)

To consider the items as listed below:

Item No.	Planning Ref No.	Parish	Site Address	Page No.
1	2019/1719/F	MORLEY	Land at Wymondham College Golf Links Road Morley St Peter Norfolk	20
2	2019/0184/O	WYMONDHAM	Land North of Carpenters Barn Norwich Common, Wymondham, Norfol	33
3	2019/2209/F	PORINGLAND	Phase 3, Land North of Shotesham Road Poringland Norfolk	58
4	2019/2169/F	DEOPHAM AND HACKFORD	Nick's Diner, Church Road, Deopham, NR18 9DT	70
5	2019/2316/RVC	MORLEY	Willow Tree Barn, Attleborough Road, Morley St. Peter, Norfolk NR18 9TU	76
6	2019/2486/F	KIMBERLEY AND CARLETON FOREHOE	Land northwest of Norwich Road, Kimberley, Norfolk	89
7	2019/2522/F	WICKLEWOOD	Land west of Milestone Lane, Wicklewood, Norfolk	97
8	2019/2523/D	ASLACTON	Land north of Sneath Road Aslacton Norfolk	104
9	2019/1551/F	NEWTON FLOTMAN	Land at Brick Kiln Lane Newton Flotman Norfolk	108
10	2019/1666/O	CRINGLEFORD	40A Newmarket Road Cringleford NR4 6UF	114
11	2019/1751/F	WYMONDHAM	Centre Paws at Barnards Farm Youngmans Road Wymondham Norfolk	122
12	2019/2016/F	WYMONDHAM	Barnards Farm, Youngmans Road Wymondham NR18 0RR	128

Item No.	Planning Ref No.	Parish	Site Address	Page No.
13	2019/2296/F	WYMONDHAM	Barnards Farm, Youngmans Road Wymondham NR18 0RR	134
14	2019/2053/F	TIVETSHALLS	Former Poultry Buildings at Elm Tree Farm School Road Tivetshall St Margaret Norfolk	139
15	2019/2081/F	TOFT MONKS	Land west of Bulls Green Road, Toft Monks, Norfolk	146

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 155)

8. Date of next scheduled meeting – Wednesday, 11 March 2020

1. 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.

TIMING: In front of you there are two screens which tell you how much time you have used of your five minutes. After four minutes the circle on the screen turns amber and then it turns red after five minutes, at which point the Chairman will ask you to come to a conclusion.

MICROPHONES: In front of you there is a microphone which we ask you to use. Simply press the left or right button to turn the microphone on and off

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.

3. FILMING AT COUNCIL MEETINGS: GUIDANCE

Members of the public and press are permitted to film or record meetings to which they are permitted access in a non-disruptive manner and only from areas designated for the public. No prior permission is required, however the Chairman at the beginning of the meeting will ask if anyone present wishes to record proceedings. We will ensure that reasonable facilities are made available to the public and press to assist filming or recording of meetings.

The use of digital and social media recording tools, for example Twitter, blogging or audio recording is allowed as long as it is carried out in a non-disruptive manner.

HEALTH AND SAFETY INFORMATION

Fire alarm	If the fire alarm sounds, please make your way to the nearest fire exit. Members of staff will be on hand to escort you to the evacuation point
Mobile phones	Please switch off your mobile phone or put it into silent mode
Toilets	The toilets can be found on the right of the lobby as you enter the Council Chamber
Break	There will be a short comfort break after two hours if the meeting continues that long
Drinking water	A water dispenser is provided in the corner of the Council Chamber for your use

PLANNING APPLICATIONS AND OTHER DEVELOPMENT CONTROL MATTERS

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

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

Key to abbreviations used in Recommendations

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



DECLARATIONS OF INTEREST AT MEETINGS

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

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

Does the interest directly:

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

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

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

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

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

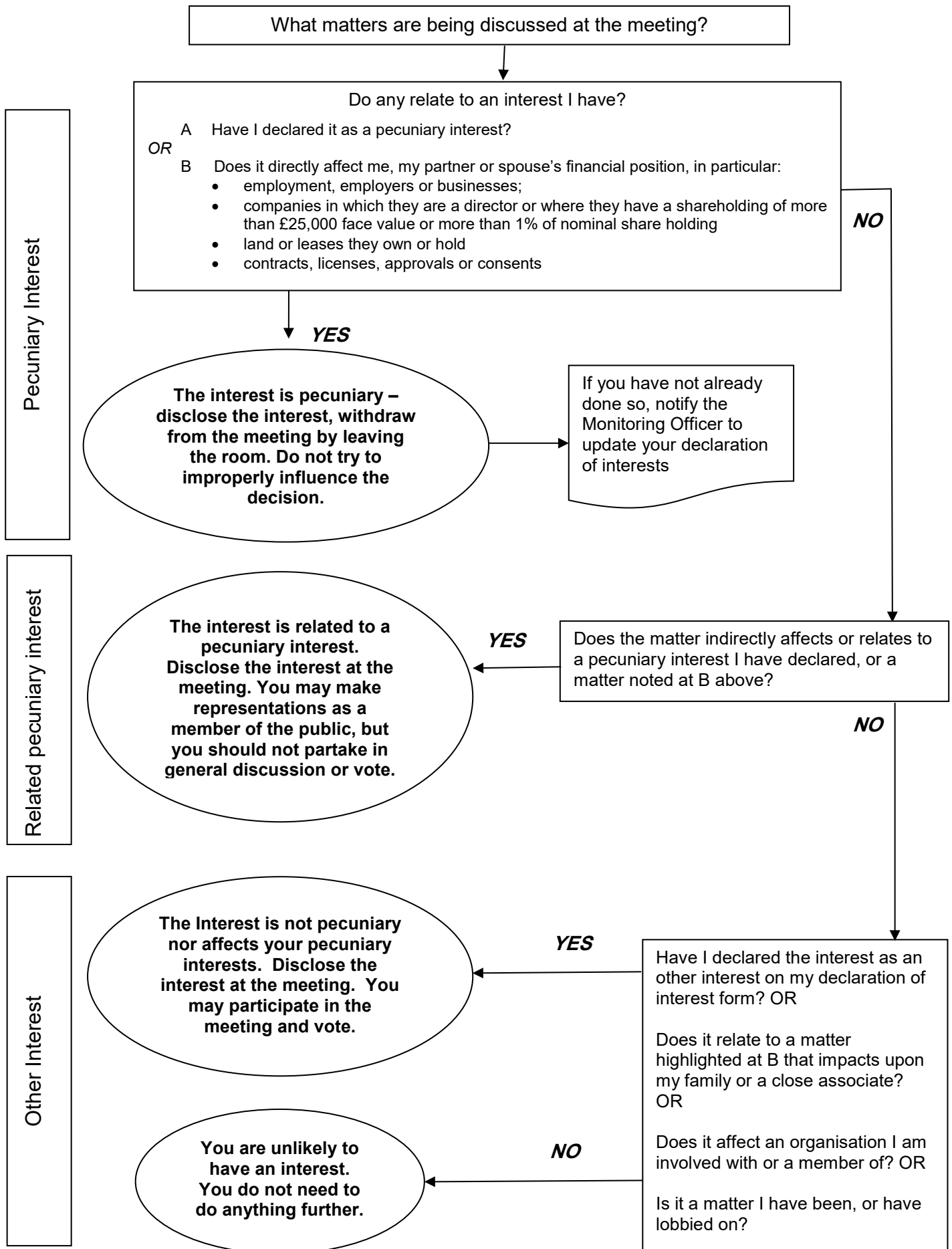
Is the interest not related to any of the above? If so, it is likely to be an other interest. You will need to declare the interest, but may participate in discussion and voting on the item.

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

FOR GUIDANCE REFER TO THE FLOWCHART OVERLEAF.

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

DECLARING INTERESTS FLOWCHART – QUESTIONS TO ASK YOURSELF





DEVELOPMENT MANAGEMENT COMMITTEE

Minutes of a meeting of the Development Management Committee of South Norfolk District Council held at South Norfolk House, Long Stratton, on Wednesday, 15 January 2020 at 10.00 am.

Committee Members Present: **Councillors:** V Thomson (Chairman), D Bills, J Easter, R Elliott, T Laidlaw, G Minshull and L Neal (for items 5 – 8)

Apologies: **Councillors:** V Clifford-Jackson and F Ellis

Substitute Members: **Councillors:** B Duffin and J Halls

Officers in Attendance: The Assistant Director Planning (H Mellors), the Development Management Team Leaders (T Lincoln and C Raine), the Principal Planning Officers (G Beaumont, C Curtis and C Watts) and the Senior Planning Officer (B Skipper)

22 members of the public were also in attendance

475. 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
2018/2784/D (item 2)	CRINGLEFORD	L Neal	Local Planning Code of Practice The Chairman stated that, as Cllr Neal was a member of the Cabinet, she would not be present for the consideration of this item
2018/2791/D (item 3)	CRINGLEFORD	L Neal	Local Planning Code of Practice The Chairman stated that, as Cllr Neal was a member of the Cabinet, she would not be present for the consideration of this item

2019/1719/F (item 5)	MORLEY	All	Local Planning Code of Practice Lobbied by Objectors
		All	Local Planning Code of Practice Lobbied by the Agent to the Applicant
		B Duffin	Other Interest Councillor's grandchildren attend the school
2019/2343/F (item 9)	CRINGLEFORD	L Neal	Local Planning Code of Practice As a member of the Cabinet, Councillor left the room and took no part in the consideration of this item

476. MINUTES

The minutes of the Development Management Committee meeting dated 11 December 2019 were confirmed as a correct record and signed by the Chairman.

477. PLANNING APPLICATIONS AND OTHER DEVELOPMENT CONTROL MATTERS

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

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

APPLICATION	PARISH	SPEAKER
2018/2784/D (item 2)	CRINGLEFORD	N Perryman – Agent for the Applicant
2018/2791/D (item 3)	CRINGLEFORD	N Perryman – Agent for the Applicant
2019/1719/F (item 5)	MORLEY	D Eckles – Parish Council C Pharoah – Objector I Riley – Agent for the Applicant J Taylor – on behalf of the Applicant
2019/1950/D (item 6)	CHEDGRAVE	C Gould – Parish Council J Gregory – Objector M Alsop – Objector G Davies – Agent for the Applicant Cllr K Mason Billig – Local Member
2019/2196/F (item 7)	FRAMINGHAM EARL	F Bray – Applicant S Woodward – Agent for the Applicant Cllr J Overton – Local Member

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

478. QUARTERLY ENFORCEMENT REPORT

Members noted the quarterly enforcement report.

479. PLANNING APPEALS

The Committee noted the planning appeals.

(The meeting closed at 4.00pm)

Chairman

Updates for DEVELOPMENT MANAGEMENT COMMITTEE

– 15 January 2020

Item	Updates	Page No
Item 1 2018/1950	The application has been withdrawn	25
Item 2 2018/2784	<p>Verbal update by officer at meeting: to recommend a change to the recommendation to authorise the Director of Place to approve subject to Highways England raising no objections.</p> <p>Lead Local Flood Authority:- No objections to reserved matters</p> <p>Cringleford Parish Council:- No objections</p> <p>NCC Public Rights of Way:- Withdraw objection following route of footpath being clearly shown on submitted plan. Would now like to commend this proposal as an example of how an existing PROW is incorporated into the layout of a development by utilising the route as an opportunity for and location of onsite open space around which the housing and access is laid out.</p> <p>Hethersett Parish Council:- The Planning Authority must pay due diligence to climate change concerns and to the environment in light of the Government's declaration of a climate emergency in May 2019. The Planning Authority ensures effective flood and drainage observations are made with regard to the River Yare which does not impact on its current ecology. These must be enforceable.</p> <p>1 addition letter of objection/concern</p>	42
Item 3 2018/2791	<p>Verbal update by officer at meeting: to await Highways England raising no objections.</p> <p>Cringleford Parish Council:- No objections</p> <p>Hethersett Parish Council:- The Planning Authority must pay due diligence to climate change concerns and to the environment in light of the Government's declaration of a climate emergency in May 2019. The Planning Authority ensures effective flood and drainage observations are made with regard to the River Yare which does not impact on its current ecology. These must be enforceable.</p> <p>NCC Ecologist:- No objections subject to conditions</p> <p>NCC Public Rights of Way:- No objections</p> <p>Lead Local Flood Authority:- No objections to reserved matters</p> <p>Cllr Adrian Dearnley:- I am content for this application to be determined under delegated powers but would draw planners attention to comments made by Hethersett Parish Council and members of the Public.</p> <p>1 addition letter of objection/concern</p> <p>Additional conditions: 3 Ecology to Accord with Submitted Details 4 Lighting Design Strategy for Biodiversity</p>	58

Item 4 2019/0184	The application has been deferred	75
Item 5 2019/1719	<p>Verbal update by officer at meeting. Additional condition for construction traffic management.</p> <p>Lobbying letter from applicants circulated to Members</p> <p>Cllr Dewsbury - insufficient parking for cars using middle access. Local roads not wide enough for traffic. Trods required should be provided by developers.</p> <p>NCC Highways The submitted road safety audit for trod has not raised significant concerns subject to mitigation measures being incorporated. However, still insufficient design detail to demonstrate that trod can be delivered. County tree officer also advises that trod likely to impact on root protections areas of several trees in the verge.</p> <p>Officer response Report and recommendation advises that further design detail for trod still required. This may also require assessment of trees and wider landscape impact.</p> <p>Lead Local Flood Authority No further comments received.</p> <p>Officer response Verbal confirmation from LLFA that discussions with applicants' drainage consultants continue to address any outstanding issues.</p> <p>1 further objection – Highway safety measures for pedestrians going north towards Morley not addressed. Is an accident blackspot and conflict with heavy vehicles. Need full pavement going south, not just trod. Inaccurate survey data submitted. Build up of traffic at entrances conflicts with pedestrians. Not enough space within site for waiting buses and cars. DfE should prioritise highway users safety. Contrary to South Norfolk Council's own policies and NPPF.</p> <p>Officer response Highways consider that this proposal not likely to generate additional unaccompanied pedestrians. Would be disproportionate to require further footpath provision. Trod improvements proposed are to improve access to bus services and so reduce car trips. Proposal would increase car parking provision within College site.</p>	99
Item 6 2019/1950	<p>Further comments received from Chedgrave Parish Council:</p> <p>It is difficult to see from the reserved matters application what has changed. The buildings still lack any architectural merit and would seem to have no connection with the local vernacular. Concerns raised by Chedgrave Parish Council and others do not seem to have been addressed, in particular access from Pits Lane which is unnecessary, problematic and adversely affects a naturally planted bank to the frontage. The proposal to widen Pits Lane means the destruction of an attractive rural verge to the Pits Lane and widening is unnecessary. The provision of a TROD footpath is unnecessary and will provide a hazard in wet weather. All construction and associated vehicles from Pits Lane must be restricted - there is very limited facility to turn on Pits Lane (the lower end of which is a private road). Access for all construction vehicles should be from Hardley Rd. only. Unless these matters can be satisfactorily addressed, Chedgrave Parish Council continues to OBJECT to this application.</p>	111

	<p>Officer response The officer considers that the issues raised are adequately addressed in the committee report and do not wish to add any further comments.</p> <p>The case officer wishes to clarify the following:</p> <p>All matters were reserved for consideration in granting outline planning permission.</p> <p>Recommended condition 8 relates to the implementation of the off-site highway improvement to be secured under recommended condition 7. See full wording of the conditions as below:</p> <p>7. Notwithstanding the details indicated on the submitted drawings no works above slab level shall commence on site unless otherwise first agreed in writing by the local planning authority until detailed drawings for the off-site highway improvement works as indicated on Drawing No. PL020 have been submitted to and approved in writing by the Local Planning Authority.</p> <p>8. Prior to the first occupation of the development hereby permitted the off-site highway improvement works (including Public Rights of Way works) referred to in condition no. 7 shall be completed to the written satisfaction of the Local Planning Authority.</p> <p>With regard to recommended condition 12, the following are the specific changes that are controlled:</p> <p>Class A relates to enlargement, improvement or other alteration to the dwelling Classes B and C relates to additions and alterations to the roof Class D relates to buildings, enclosures, swimming pools within the curtilage of any dwelling Class E chimneys, flues, soil or vent pipes Class G any other works</p> <p>The officer also wishes to highlight that the applicant has submitted an engineers report for a surface water drainage arrangement for the development which will be liaised upon with the Councils Water Management Officer with a view to addressing the needs of condition 8 of the outline approval.</p>	
Item 7 2019/2196	No updates	120
Item 8 2019/2222	<p>By way of clarification, the suggested reasons for refusal are the same or closely follow those used in the previous refusal (2018/2733) a copy of which is attached to this update sheet. It is considered however, that it would be beneficial, for the avoidance of doubt, that suggested reason 3 is removed to avoid any potential confusion concerning whether the “tilted balance” of paragraph 11 of the NPPF is engaged, or not, which in this case it is not as the Council has in excess of a 5 year housing land supply and an up to date Local Plan.</p> <p>It should be noted that this application has only been re-submitted to allow for an appeal being lodged given that the time to appeal the previous refusal has now lapsed.</p>	128
Item 9 2019/2343	No Updates	135

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Freephone 0800 168 2000, Email planning@s-norfolk.gov.uk,
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Agent

Mr Daniel Wallage
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Kings Lynn
PE30 5AB

Applicant

Ms Sophia O'Callaghan
C/o Richard C F Waite Architects
34 Bridge Street
King's Lynn
PE30 5AB

Application Type :Outline

Ref: 2018/2733

REFUSAL OF OUTLINE PLANNING PERMISSION

Location: Land North East Of The Maples, Norwich Road, Ashwellthorpe, Norfolk,

Proposal: Erection of dwelling

Particulars of decision: The District Council hereby gives notice in pursuance of the Town and Country Planning Act 1990 that outline planning permission **has been refused** for the carrying out of development referred to above for the following reasons:

1. The site is located outside of the development limit and the scheme is not acceptable under any other specific development management policy within the Local Plan which allows for residential development outside of a development boundary, nor does it demonstrate overriding benefits in terms of economic, social and environment dimensions and therefore fails to comply with the relevant criterion of Policy DM 1.3 of the South Norfolk Local Plan 2015.
2. The site lies in an area remote from facilities and services, where there are insufficient pedestrian facilities to access these which would thereby result in an overreliance on the private car/vehicle contrary to the requirements of Policy DM3.10 of the South Norfolk Local Plan and also the aims of the NPPF.
3. The cramped nature and prominent location of the site would be at odds with the character of the cluster of dwellings in the immediate locality and therefore have an adverse impact upon the character and appearance of the area contrary to Policy DM4.5 of the South Norfolk Local Plan 2015 which requires new development to respect, conserve and where possible enhance the landscape character of the area and more generally DM3.8 of the South Norfolk Local Plan 2015 which seeks to protect and enhance the environment and existing locally distinctive character and Policy 2 of the Joint Core Strategy which seeks to secure good design.
4. The proposed development does not represent a sustainable development, having regard to the three tests set out in the NPPF, by virtue of its poor connectivity to facilities and services and adverse impact upon the character and appearance of the street scene and noting that there is a land supply under the JCS.
1. **NOTE :** The application is not for a sustainable form of development and the application does not demonstrate it would improve the economic, social or environmental conditions of the area.

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.

1. **Appl. No** : **2018/1950/O**
 Parish : **Spooner Row**

 Applicants Name : Trustees of JM Greetham No.2
 Site Address : Land east of Chapel Road and south of Station Road Spooner Row
 Norfolk
 Proposal : Outline permission for up to 40 dwellings, open space and
 associated infrastructure with access via Station Road.

 Decision : This item was **withdrawn** by the Applicant prior to the meeting.

2. **Appl. No** : **2018/2784/D**
 Parish : **CRINGLEFORD**

 Applicants Name : Big Sky Developments Ltd
 Site Address : Area BS2 South Of Newmarket Road Cringleford Norfolk
 Proposal : 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)

 Decision : Members voted unanimously to delegate authority to the Director of
 Place to **Approve**, subject to Highways England raising no objections.

 Approved with conditions

 1 In accordance with outline consent
 2 To accord with submitted plans
 3 Materials to accord with submitted details
 4 Lighting to be agreed
 5 Ecology mitigation to accord with submitted details

Other Applications

3. Appl. No : 2018/2791/D
Parish : CRINGLEFORD

Applicants Name : Big Sky Developments Ltd
Site Address : Area BS9 South Of Newmarket Road Cringleford Norfolk
Proposal : 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)

Decision : Members voted unanimously to delegate authority to the Director of Place to **Approve**, subject to Highways England raising no objections and the satisfactory amendments in respect of landscaping.

Approved with conditions.

- 1 In accordance with outline consent
- 2 To accord with submitted plans

4. Appl. No : 2019/0184/O
Parish : WYMONDHAM

Applicants Name : United Business and Leisure (Properties) Ltd
Site Address : Land North of Carpenters Barn Norwich Common, Wymondham, Norfolk
Proposal : Outline application for the erection of up to 150 residential dwellings including Affordable Housing, with the provision of new vehicular, pedestrian and cycle access from Norwich Common, incorporating open spaces, sustainable urban drainage systems, associated landscaping, infrastructure and earthworks

Decision : This item was **deferred** by the Applicant prior to the meeting.

5. Appl. No : 2019/1719/F
Parish : MORLEY

Applicants Name : Department for Education
Site Address : Land at Wymondham College Golf Links Road Morley St Peter Norfolk
Proposal : 452 place primary school, 32 place residential boarding block, multi-use games area and play facilities, parking and landscaping.

Decision : Members voted 7-2 for **Deferral**

Deferred

Reasons for Deferral

Members agreed the development in principle, but wanted sight of the TROD and Travel Plan, and confirmation that surface water drainage details have been addressed before making their final decision.

6. **Appl. No** : **2019/1950/D**
 Parish : **CHEDGRAVE**
- Applicants Name : Mr Alan Jones
 Site Address : Land At Junction Of Hardley Road Pits Lane Chedgrave Norfolk
 Proposal : Reserved matters application following outline permission
 2018/1553 for the erection of 5 dwellings including access,
 appearance, landscaping, layout and scale.
- Decision : Members voted unanimously for **Approval**
- Approved with conditions
- 1 In accordance with approved drawings
 - 2 New Access over ditch/watercourse
 - 3 Access - Gradient
 - 4 Visibility splay, approved plan
 - 5 Provision of parking, service
 - 6 Construction Traffic (Parking)
 - 7 Highway Improvements Offsite
 - 8 Highway Improvements Offsite
 - 9 External materials to be agreed
 - 10 Implementation of boundary treatment
 - 11 Landscaping scheme - minor applications
 - 12 No PD for Classes ABCD&E
7. **Appl. No** : **2019/2196/F**
 Parish : **FRAMINGHAM EARL**
- Applicants Name : Mr & Mrs Nick & Francesca Bray
 Site Address : The Homestead Gull Lane Framingham Earl NR14 7PN
 Proposal : Erection of attached two storey self-contained annexe
- Decision : Members voted 8-1 for **Refusal**
- Refused
- 1 Not an annexe
 - 2 Not a sustainable location and highway safety
 - 3 Unsatisfactory design and relationship with existing dwelling
 - 4 No overriding benefits

8. **Appl. No** : **2019/2222/O**
 Parish : **ASHWELLTHORPE AND FUNDENHALL**
- Applicants Name : Ms Sophia O'Callaghan
Site Address : Land North East of The Maples Norwich Road Ashwellthorpe
 Norfolk
Proposal : Erection of single storey dwelling

Decision : Members voted unanimously for **Refusal**

 Refused

 1 Outside of Development Boundary
 2 Overreliance on the Private Car
 3 Unsustainable Development
 4 Out of Character
9. **Appl. No** : **2019/2343/F**
 Parish : **CRINGLEFORD**
- Applicants Name : Big Sky Developments Ltd
Site Address : Land East of A11 and North and South of Round House Way
 Cringleford Norfolk
Proposal : Erection of gas governor enclosure and associated works

Decision : Members voted 8-0 for **Approval**

 Approved with conditions

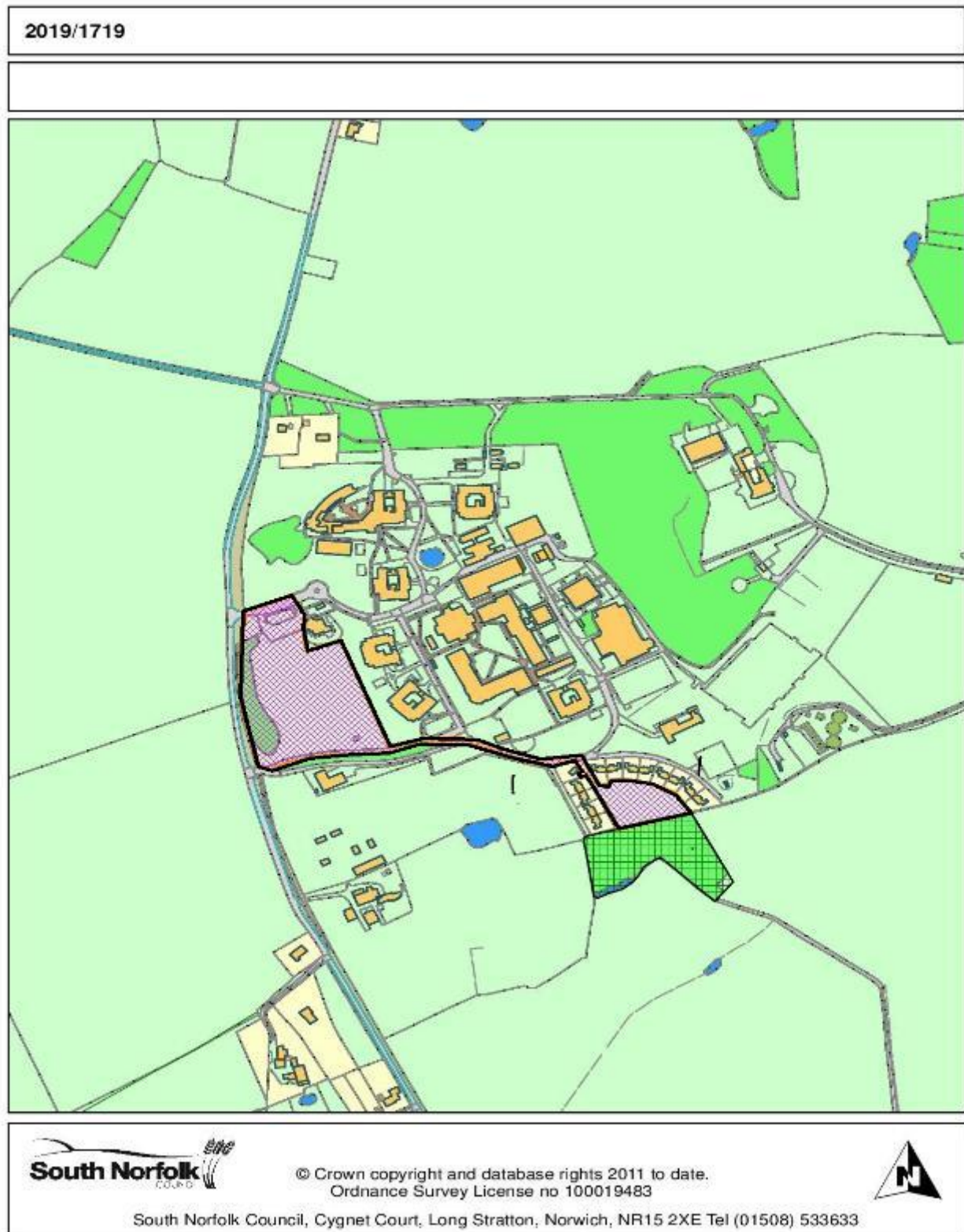
 1 Full Planning permission time limit
 2 Accord with submitted plans

PLANNING APPLICATIONS AND OTHER DEVELOPMENT CONTROL MATTERS

Report of Director of Place

Applications referred back to Committee

Application 1



Applications referred back to Committee

- 1. Application No : 2019/1719/F**
Parish : MORLEY

Applicant's Name: Ms Sue Archer
Site Address Land at Wymondham College Golf Links Road Morley St Peter
Norfolk
Proposal 452 place primary school, 32 place residential boarding block,
multi-use games area and play facilities, parking and landscaping.

Reason for reporting to committee

There are exceptional circumstances which warrant consideration of the proposal by committee.

Recommendation summary : Approval with conditions

1 Update following resolution at 15 January 2020 DMC

- 1.1 This application was heard at the Development Management Committee on 15 January 2020 where Members deferred the decision for consideration of further details in respect of the provision of a trod path along Golf Links Road and outstanding surface water drainage details. Members also sought clarification of proposed travel planning measures.
- 1.2 The January 2020 committee report is attached as Appendix 1.
- 1.3 At this meeting, Members resolved to agree the principle of and need for this proposal together with siting, layout and design and landscaping. Therefore, this update report relates only to the outstanding issues as specified.

Trod path considerations

- 1.4 Further details have now been submitted which indicate that the extension to the trod path south along Golf Links Road would be between 1.2m – 1.5m in width and finished with a tar and chip surface. It would be separated from the adjacent ditch by a 1.1m high post and rail fence. A no dig construction method and root protection system are proposed in the vicinity of any trees.
- 1.5 These details have been assessed by the Highway Authority who are now satisfied that the proposed trod path is deliverable and that the safety measures proposed are satisfactory. This would be secured by condition and the applicant would enter into a separate legal agreement with the Highway Authority. The Authority has further commented that as the existing grass verge appears to be regularly used by pedestrians, an improved trod would increase this usage.
- 1.6 The Council's Landscape Architect has expressed concern that the route of the proposed trod may impact on several trees in the verge including the introduction of a post and rail fence. There would not be sufficient space to re-plant trees or introduce hedge planting along this path and so the applicant proposes additional tree planting to the front of the College site where more space is available. On balance, it is considered that the clear benefits of providing an improved pedestrian route with necessary safety measures would outweigh any adverse landscape impact in this instance.
- 1.7 It is now considered that all outstanding matters relating to the proposed trod path have been addressed.

Surface water drainage considerations

- 1.8 Further details have now been submitted in respect of the proposed surface water drainage strategy for the site. These have been assessed by the Lead Local Flood Authority who are now satisfied that the applicant has demonstrated that surface water can be managed within the site without increasing flood risk elsewhere. The LLFA has therefore withdrawn its objection subject to a standard condition.
- 1.9 It is now considered that outstanding matters relating to surface water drainage have been addressed.

Travel planning considerations

- 1.10 The applicants have now updated the proposed Interim Travel Plan to include a commitment to provide a minibuss between the college site and the village of Morley, as tabled during discussions at DMC on 15 January. It also now includes a commitment to provide or procure an additional bus service between the College site and Wymondham and this has been underwritten by NCC Children's Services for a period of at least 7 years. It is now considered that these represent more tangible travel planning measures than was previously proposed that would contribute to a reduction in private car trips to the wider College site.
- 1.11 At the last meeting, the officers' recommendation of approval was subject to a legal agreement to secure funding for the provision of the bus service. However, following further discussions with the Highway Authority, it is now considered that this can be achieved through conditions requiring approval of a full costed travel plan for the combined College and primary school sites and provision of the bus service. Therefore, in accordance with the NPPF, it is considered that these matters should properly be addressed through conditions and not by way of a legal agreement.
- 1.12 On this basis, it is now considered that outstanding matters relating to travel planning measures have been addressed.

Representations received since the last committee

- 1.13 Morley Parish Council has again expressed concern about the extent of safety measures proposed due to existing highway conditions for pedestrians coming from north and traffic congestion at the junction of Golf Links Road/Norwich Road. The Parish Council do not consider that the proposal to provide a mini bus between the site and Morley would be practical.
- 1.14 In response, the Highway Authority consider that some of the concerns that have been expressed during this application relate to existing highway conditions that are not linked to the use of the College site and that to require additional measures as suggested, such as traffic lights, would be disproportionate. It is the view of the Authority that the provision of an improved road to Golf Links Road, together with tangible travel planning measures to reduce private car movements to the site, represent a clear safety benefit.

Conclusion

- 1.15 Since the last committee, satisfactory further details have now been submitted in respect of the proposed road and surface water drainage. In consultation with the Highway Authority, officers are now satisfied that additional travel planning measures that would reduce car trips associated with the senior school can be secured by condition. It is therefore considered that all outstanding matters have now been addressed and the recommendation remains for approval, subject to conditions as outlined below.

- 1.16 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.

This application is not liable for Community Infrastructure Levy (CIL).

Recommendation : Approval with conditions

- 1 Time Limit - Full Permission
- 2 In accordance with submitted drawings
- 3 External materials to be agreed
- 4 Archaeological work to be agreed
- 5 Provision of parking, service
- 6 Travel plan
- 7 Bus provision
- 8 Highway Improvements Offsite
- 9 Fire hydrant
- 10 Archaeological work to be agreed
- 11 Ecology Mitigation
- 12 Landscaping scheme to be submitted
- 13 Landscape management plan
- 14 Tree protection
- 15 Implementation of remediation scheme
- 16 Surface water
- 17 Details of foul water disposal
- 18 Construction Traffic Management

Contact Officer, Telephone Number Blanaid Skipper 01508 533985
and E-mail: bskipper@s-norfolk.gov.uk

Appendix 1

Development Management Committee

15 January 2020

5. **Application No :** 2019/1719/F
Parish : MORLEY

Applicant's Name: Department for Education
 Site Address Land at Wymondham College Golf Links Road Morley St Peter
 Norfolk
 Proposal 452 place primary school, 32 place residential boarding block,
 multi-use games area and play facilities, parking and landscaping.

Reason for reporting to committee

There are exceptional circumstances which warrant consideration of the proposal by committee.

Recommendation summary:

Delegated authority to the Director of Place to approve with conditions subject to completion of legal agreement in respect of funding of travel plan and submission of satisfactory details in respect of TROD path design and surface water drainage strategy.

1 Proposal and site context

- 1.1 Wymondham College is located in the open countryside to the south west of Wymondham and is accessed from Golf Links Road which forms the western boundary of the College campus. This proposal is for a 452 place (two form) primary school with a residential boarding block for approximately 32 pupils, car parking and access road, a MUGA and informal play area and new landscaping within the existing Wymondham College campus

2. Relevant planning history

- | | | | |
|-----|-----------|---|----------|
| 2.1 | 2013/0520 | Removal of existing temporary buildings and construction of a new maths and communications centre | Approved |
| 2.2 | 2014/1258 | Temporary boarding accommodation for 20 students plus two staff bedrooms, common room, office and plant room for a period of 5 years. | Approved |
| 2.3 | 2014/1599 | Demolition of part of existing dining room and construction of new single storey extension to dining room. | Approved |
| 2.4 | 2014/2095 | Retrospective application for a temporary classroom accommodation, including 10 classrooms, central maths area, and a disabled toilet for a 5 year period. | Approved |
| 2.5 | 2016/2822 | To replace ten temporary classrooms and the former military block (Horsa buildings) at the heart of the campus with a new permanent teaching block plus erection of new workshop building | Approved |
| 2.6 | 2017/0568 | Proposed single storey extension to front | Approved |
| 2.7 | 2017/2898 | Proposed maintenance building. | Approved |

Development Management Committee			15 January 2020
2.8	2018/0731	Temporary office accommodation for a five year period. (Retrospective application)	Approved
2.9	2019/0295	Removal of condition 1 of permission 2014/2095 - To replace temporary 5 year permission for permanent classroom accommodation.	Approved
2.10	2012/0027	Proposed new roof structure to sports hall	Approved
2.11	2007/0922	Proposed extension to existing principals house	Approved
2.12	2007/0592	Proposed second floor infill extensions to provide staff accommodation to Peel Hall	Approved
2.13	2006/1814	Installation of a synthetic grass pitch with fencing and specialised sports floodlighting	Approved
2.14	2006/1239	Creation of a new sixth form centre with boarding and day facilities for larger Year 12 and Year 13 year-groups by converting and extending Lincoln House	Approved
2.15	2006/0843	Extension to refectory building to increase dining space, provide toilets, relocate administration dept, and staff room facilities	Approved
2.16	2003/2565	Proposed second floor boarding accommodation for Lincoln Hall	Approved
2.17	2003/2564	Proposed classroom extension to humanities block for modern languages	Approved
2.18	2003/2563	Proposed classroom extension to the humanities block	Approved
2.19	2003/0293	Conversion of former cook/ freeze building to classroom accommodation	Approved
2.20	2002/0962	Erection of extensions to staff flats at Kett House Residential Hall	Approved
2.21	2002/0961	Erection of extension to staff flat at Fry House Residential Hall	Approved
2.22	2002/0960	Extension to staff flat at New House Residential Hall	Approved
2.23	2002/0477	Erection of additional staff accommodation within Peel House residential hall	Approved
2.24	2002/0476	Erection of additional staff accommodation within Lincoln House residential hall	Approved
2.25	2002/0393	Science department link extension	Approved
2.26	2001/1097	Extension to staff flat (New Hall)	Approved

Development Management Committee

15 January 2020

2.27	2000/1989	Erection of refectory extension	Approved
2.28	2000/1148	Erection of extension to science and mathematics block	Approved
2.29	1998/1371	Change of use to cold food preparation	Approved
2.30	1998/0740	Bedroom extension to Fry Hall	Approved
2.31	1998/0669	Erection of building for 11 classrooms and ancillary accommodation to replace existing Nissen huts	Approved
2.32	1997/0777	Installation of telecommunication equipment on water tower and erection of equipment cabin	Approved
2.33	1995/1357	Convert houses to sick bays with staff flats over, single storey extension to create medical centre and demolition of existing garages	Approved
2.34	1993/0900	Demolition of existing Nissen huts and erection of new two storey building and extension to single storey building	Approved
2.35	1992/1701	Installation of floodlighting over tennis courts	Approved

3 Planning Policies

- 3.1 National Planning Policy Framework (NPPF)
 NPPF 02 : Achieving sustainable development
 NPPF 06 : Building a strong, competitive economy
 NPPF 09: Promoting sustainable transport
 NPPF 12 : Achieving well-designed places
 NPPF 14 : Meeting the challenge of climate change, flooding and coastal change
 NPPF 15 : Conserving and enhancing the natural environment
- 3.2 Joint Core Strategy (JCS)
 Policy 1 : Addressing climate change and protecting environmental assets
 Policy 2 : Promoting good design
 Policy 5 : The Economy
 Policy 6 : Access and Transportation
 Policy 17 : Small rural communities and the countryside
- 3.3 South Norfolk Local Plan Development Management Policies
 DM1.3 : The sustainable location of new development
 DM2.1 : Employment and business development
 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
 DM3.15 : Outdoor play facilities and recreational space
 DM3.16 : Improving the level of community facilities

Development Management Committee

15 January 2020

DM4.2 : Sustainable drainage and water management
DM4.5 : Landscape Character Areas and River Valleys
DM4.9 : Incorporating landscape into design

3.4 Supplementary Planning Documents (SPD)

3.5 South Norfolk Place Making Guide 2012

4. Consultations

4.1 Parish Council

Object - impact on local highway network. Increased vehicle/pedestrian traffic along Golf Links Road, Chapel Road and through village. Not liable for CIL and Parish Council do not have resources for mitigation measures. Effective traffic control measures and trod path will be required.

4.2 District Councillor

To be reported if appropriate

4.3 Anglian Water

Not linking to AW sewer so no comments

4.4 NCC Highways

Concerns regarding lack of sustainable links to the site and potential traffic impacts on surrounding road network.

Up-to-date Highways comments will be reported verbally to Members.

4.5 NCC Education

Support proposed new school. Will provide much needed places as primary schools in town are at capacity. Planned new school at Silfield delayed and cost implications for NCC to bring it forward. Significant number of Wymondham families already travel to College. Children's Services committed to help mitigate transport and travel concerns so impact may not be significant. Proposal will reduce pressure on existing schools.

4.6 Police Architectural Liaison Officer

Encourage preventative security measures for schools as set out in Secured By Design standards.

4.7 Historic Environment Service

Within area of archaeological importance. Recommend condition to require further investigation.

4.8 SNC Landscape Architect

New buildings unlikely to have a significant visual impact. Existing tree belt sufficient to provide screening. Acceptable in landscape terms. Recommend tree protection measures and long-term management plan

Development Management Committee

15 January 2020

4.9 SNC Conservation and Design

Contemporary design is straightforward and well-proportioned. No objection subject to approval of materials.

4.10 SNC Community Services - Environmental Quality Team

No objection subject to remediations identified in submitted reports and standard conditions

4.11 Economic Development Officer

To be reported if appropriate

4.12 Sport England

No objection subject to final details of Multi Use Games Area (MUGA) and new grass pitches.

4.13 NCC Ecologist

Ecology report is fit for purpose. Recommend further bat surveys to inform mitigation.

4.14 NCC Lead Local Flood Authority

Objection – welcome proposed SuDS within scheme but insufficient information regarding mitigation of flood risk.

LLFA comments on revised surface water drainage information will be reported verbally to Members.

Environment Agency

No objections.

4.15 Norfolk Fire & Rescue Service

One hydrant required.

4.16 Other Representations

28 objections received (summarised):

- Will harm viability of existing local primary schools
- Proposal will increase reliance on cars as not an accessible location
- Insufficient car parking at College causing tailbacks at peak times
- Additional traffic generated will obstruct residents and other road users
- Golf Links Road already used by farm and commercial vehicles and will not cope with additional traffic
- Proposals to reduce car use are inadequate
- Will increase risk of accidents as road path too narrow
- Flood risk not addressed
- Golf Links Road floods in heavy rain
- Will harm character of area as building forward of main school
- Loss of open space used by pupils
- Increase in car emissions
- Vacant Hethersett Old Hall School should be re-used instead
- Underground asbestos within site

Development Management Committee

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28 responses in support received (summarised):

- Great need for primary places in Wymondham area
- Will relieve pressure on existing Wymondham schools
- Increased parental choice
- Will support local economy next to Norwich – Cambridge hi tech corridor
- New primary will benefit from facilities of well-established school
- Will reduce school runs to multiple schools
- Support but will need to phase pick up and drop off with adequate space
- Improvement to trod path will benefit whole community
- Will also provide local community facilities
- College's proposals respond to travel issues
- Well thought out design with no adverse impact on rural character

5 Assessment

Principle

- 5.1 Planning law requires that applications must be determined in accordance with the Development Plan, unless material considerations indicate otherwise. The National Planning Policy Framework (NPPF) is a material consideration in determining planning decisions.
- 5.2 Policy DM1.3 of the South Norfolk Local Plan 2015 (SNLP) allows for development in the countryside if specific local plan policies allow or otherwise demonstrates overriding benefits in terms of economic, social and environment dimensions. In respect of specific policies, DM2.1 and DM3.16 are relevant policies to this proposal.
- 5.3 Policy DM2.1 supports the expansion of existing employment uses in the countryside providing that they would not have a significant adverse impact on the local and natural environment and character of the area and should protect the amenities of neighbouring occupiers.
- 5.4 Policy DM3.16 requires that proposals for new community facilities in the countryside (which includes primary schools) should demonstrate evidence of need, good accessibility to the community to be served and that no alternative sites are available within settlements.
- 5.5 This site is within the open countryside and outside of any development boundaries. It is remote from any settlement and as such, would be considered to be in an unsustainable location. It is accepted that this proposal would represent an expansion of the existing educational and employment use of this site, albeit the introduction of primary, with shared use of existing facilities and some crossover of existing staff skills. The co-location of the primary proposed with the secondary education on this existing site is material to the decision making process.
- 5.6 It is considered that, in principle, this proposal would accord with local plan policy DM2.1 in so far as the employment elements of the proposal are concerned subject to addressing any adverse impacts as it would be an expansion of an existing employment use.
- 5.7 Principally however the proposal is a community facility and as such DM3.16 is the most relevant development plan policy in respect of the principle of the development. This policy is intended to direct new services and facilities to locations within development boundaries and accessible by pedestrians from within the community to be served, however as stated above the policy may also allow for sites outside of settlement limits. The three key considerations are demonstration of need; good

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Social role

- 5.15 It is accepted that this proposal would benefit the delivery of primary places in the wider area where a need has been demonstrated. While this proposal is not supported by policy DM3.16 due to remote location, there are specific considerations in respect of the co-location of the proposed primary school on an existing well-established educational site. It is therefore considered that this proposal would bring forward social benefits in line with the objectives highlighted in the NPPF.

*Environmental role***Design and layout**

- 5.16 This application proposes a two storey primary school to be sited on informal open space between the existing boarding blocks and the western boundary of the college campus. Vehicular access would be from the southern college entrance on Golf Links Road with a one way system and parking to the front of the school building and leading to an existing car park to the north which would also be enlarged. Parking is proposed in accordance with NCC adopted standards. Egress would be via the northern college entrance. It is also proposed to provide a MUGA and grass pitches adjacent to the school building which would be available to the senior school and boarders when the primary is not operating.
- 5.17 The Council's Senior Conservation & Design Officer has assessed this proposal and considers that the contemporary design is straightforward and well-proportioned and would sit well with the mixture of building designs within the campus, subject to the use of high quality materials.
- 5.18 The second element of the proposal is a two storey boarding block to accommodate approximately 32 pupils on an enclosed grassed area adjacent to the southern college boundary. This building would be more domestic in scale and appearance and this design approach is considered acceptable. Therefore, it is considered that both buildings would be of acceptable scale, form and appearance and would integrate well with their surroundings, in accordance with policy DM3.8 of the SNLP.

Highways and travel planning

- 5.19 Policy DM3.10 of the SNLP requires that all development supports sustainable transport objectives and to maximise the use of sustainable forms of transport appropriate to the location. In addition, policy DM3.11 does not permit development that endangers highway safety or the satisfactory functioning of the highway network.
- 5.20 The applicants have submitted a transport assessment in support of their proposal which summarises the current position of the College. There are currently 1286 students on roll which includes 565 boarding places. There are 420 staff of which some are part time and a number live on the site. The site is accessed from three entrances on Golf Links Road. Improvements carried out in 2012 included increasing car parking within the site and upgrading the southernmost access to allow a two way flow of traffic. There is an existing TROD path along part of Golf Links Road but it does not extend to the junction with Norwich Road where the nearest public service bus stops are located. The College site itself is served by one bus service at the beginning and end of the school day. There are also a number of privately-organised minibus and taxi services. Traffic surveys were undertaken during last year to identify the numbers of vehicles entering the College site and the periods of peak activity. The survey concludes that around 75% of day students travel to the College by car. Taking into account car sharing, the survey estimates that when full, the College generates a likely trip rate of 273 vehicles in the morning and afternoon peak periods.

Development Management Committee

15 January 2020

Amenity

- 5.29 The College campus is well separated from any residential properties unrelated to the school and so this proposal would not have any direct impact in respect of loss of privacy or daylight.
- 5.30 The applicants have submitted reports in respect of potential ground contamination including unexploded ordnance. The Council's Environmental Protection Team has accepted the reports and recommend a condition requiring implementation of the recommendations made. On this basis, the proposal accords with policies DM3.13 and DM3.14 of the SNLP.

Landscape impact and landscaping

- 5.31 These proposals have been assessed by the Council's Landscape Architect. The proposed school building is set well back from the existing tree belt along the western site boundary which would continue to have space to establish and increase in height. As such, it is considered that the building would be unlikely to have a significant impact on the wider landscape character of the surrounding area. The site of the proposed boarding block is visually contained and so this element of the proposal would not be likely to have wider visual impact.
- 5.32 The majority of the existing trees would be retained and safeguarded. Conditions for tree protection measures during works and long-term management plans are recommended in addition to standard landscaping conditions. On that basis, it is considered that this proposal is acceptable in landscape terms in accordance with policy DM4.9 of the SNLP.

Ecology

- 5.33 A submitted ecological impact assessment has been assessed by NCC as fit for purpose and it is considered that the proposed development would have an acceptable impact on local ecology subject to the mitigation measures as submitted. A condition is recommended in this respect.

Other matters

- 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 **This application is not liable for Community Infrastructure Levy (CIL)**

Conclusion

- 5.36 This proposal accords in principle with policy DM2.1 as it would provide for the expansion of an existing employment site. It would accord, in part, with policy DM3.16 as it would contribute to the provision of primary places in a wider area where such need has been demonstrated. However, it would not comply with this policy in respect of its location in relation to the community which it would serve. However, it is considered that there are sufficient material considerations in respect of the co-location of the primary school on the existing well established secondary school site, including the delivery of boarding places, and demonstrated need as previously outlined, that would represent significant social benefits in the context of policy DM1.3.

Development Management Committee

15 January 2020

- 5.37 The acceptability of the principle of this proposal relies on addressing and delivering tangible, positive and funded travel planning measures that would significantly decrease reliance on private car use to address the harms of placing a community facility in what is an otherwise unsustainable location. Following discussions with NCC Highways, it is considered that key travel planning that is required to make this acceptable include improvements to bus provision to the College site and the extension of the TROD path along Golf Links Road to its junction with Norwich Road. Members will note that at the time of writing this report it is still not clear whether there is the ability to deliver these measures and this is fundamental to assessing the proposal. Therefore, this recommendation is based on these measures being able to be secured.
- 5.38 On this basis, it is considered that, whilst the proposal would not comply with DM3.16, there are sufficient material considerations as identified to conclude and balance that the benefits of the proposal in the context of DM1.3 are overriding.
- 5.39 It is considered that the proposal would accord with Development plan policies in respect of design and layout and impacts on landscape, amenity and ecology
- 5.40 The proposal is therefore, subject to satisfactory resolution of the outstanding travel plan and drainage matters, considered to accord with the Development Plan and on this basis the application is recommended for approval with conditions and entering into a S106 as set out below.

Recommendation : Delegated authority to the Director of Place to approve subject to completion of legal agreement in respect of funding of travel plan agreement and submission of satisfactory details in respect of TROD path design and surface water drainage strategy and subject to the following conditions;

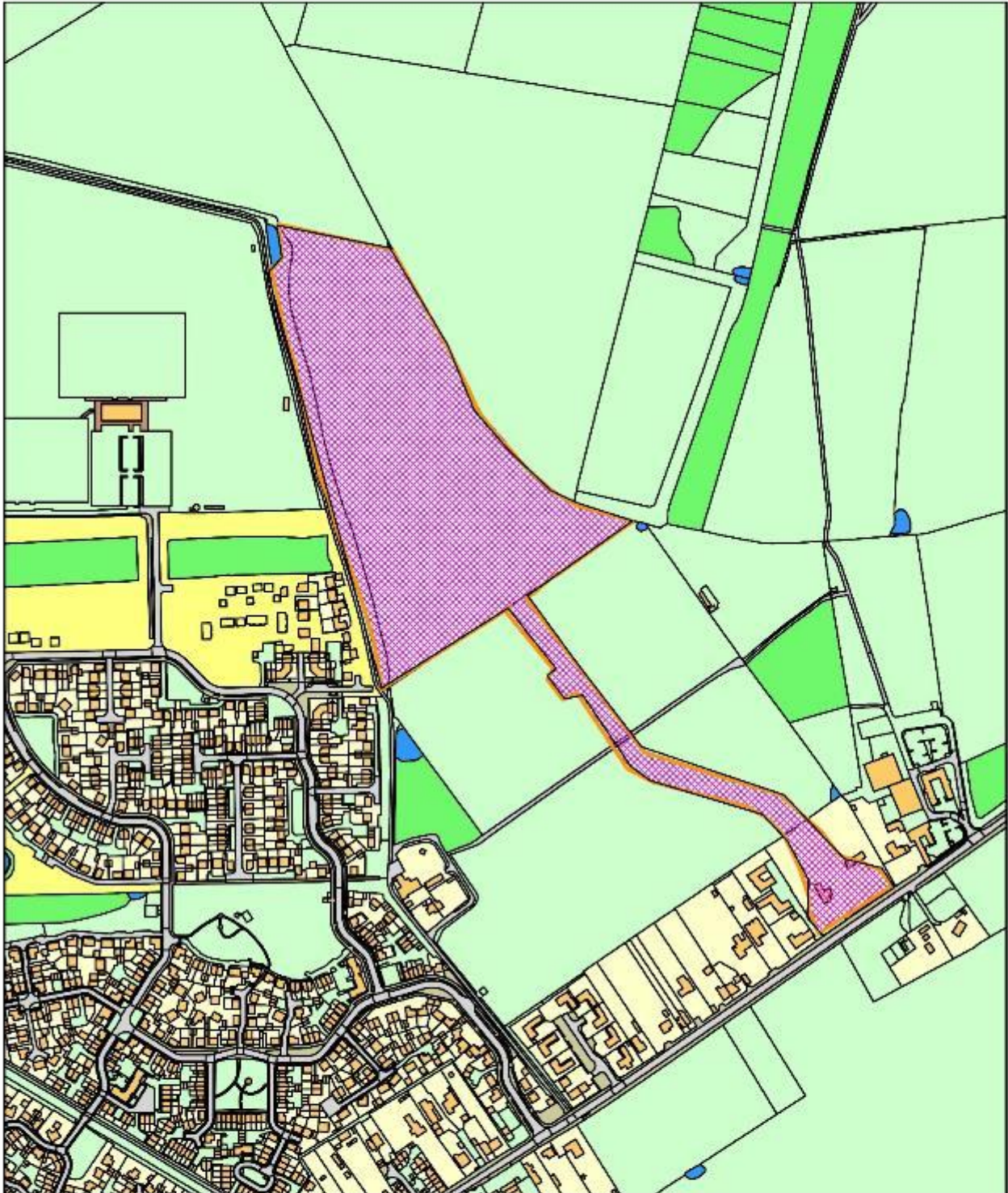
- 1 Time limit full permission
- 2 In accord with approved drawings
- 3 Materials
- 4 Provision of car parking, servicing
- 5 Travel plan
- 6 Fire hydrant
- 7 Archaeological work to be agreed
- 8 Ecology mitigation
- 9 Landscaping
- 10 Landscape management
- 11 Tree protection
- 12 Contamination remediation
- 13 Surface water
- 14 Foul water

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Major Applications

Application 2

2019/0184



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

Major Applications

- 2. Appl. No : 2019/0184/O**
Parish : WYMONDHAM

Applicants Name : United Business and Leisure (Properties) Ltd
 Site Address : Land North of Carpenters Barn Norwich Common, Wymondham, Norfolk

Proposal : Outline application for the erection of up to 150 residential dwellings including Affordable Housing, with the provision of new vehicular, pedestrian and cycle access from Norwich Common, incorporating open spaces, sustainable urban drainage systems, associated landscaping, infrastructure and earthworks

Reason for reporting to committee

There are exceptional circumstances which warrant consideration of the proposal by committee.

Recommendation : Refusal
 (Summary)

1 Proposal and site context

- 1.1 The application seeks outline planning permission for up to 150 dwellings, including 40% affordable housing, with the provision of new vehicular, pedestrian and cycle access from Norwich Common, incorporating open spaces and associated infrastructure. All other matters are reserved other than for the means of access.
- 1.2 The site is located to the north-east of Wymondham and is outside, but adjacent, to the developed boundary to the west. Adjoining the site, to the west, is the recently completed Wymondham Rugby Club (WRFC), and the under-construction residential development of Becket's Grove.
- 1.3 Immediately to the south of the site, is land comprising of agricultural fields (Elm Farm) which has reserved matters consent for 300 residential units (ref 2019/0536). Land to the north and east of the site and beyond, is predominately agricultural in nature.
- 1.4 The site is adjacent to, though not part of, the Wymondham to Hethersett Strategic Gap, as defined on the Wymondham Area Action Plan (WAAP, 2015) proposals map, which is located to the south and east, including land with outline consent (application ref 2014/0799) south of the site.
- 1.5 The site itself comprises circa. 7.86 hectares of agricultural land and is relatively flat. The site's boundaries are delineated by vegetation comprising well established hedgerows interspersed with trees. Existing access is achieved through two breaks in vegetation in the south-west and north-west corners of the site. A public footpath runs within and along the western boundary of the site, extending towards Oaklands Farm and onto Melton Road in the north and Norwich Common in the south.

2. Relevant planning history

- | | | | |
|-----|-----------|---|---------|
| 2.1 | 2010/1241 | Proposed residential development (Class C3) up to 350 dwellings with associated access on Land at Carpenters Barn, Norwich Common, Wymondham. To include the infrastructure associated with the residential | Refused |
|-----|-----------|---|---------|

		development, public open space and new vehicular and pedestrian access routes.	
2.2	2012/0839	Proposed residential development (Class C3) up to 350 dwellings with associated access on Land at Carpenters Barn, Norwich Common, Wymondham. To include the infrastructure associated with the residential development, public open space and new vehicular and pedestrian access routes.	Approved
2.3	2014/1969	Reserved matters application (following outline planning permission 2012/0839/O) for residential development of 217 dwellings, including details of appearance, landscaping, layout and scale.	Approved
2.4	2014/2093	Discharge of condition 5 of planning permission 2012/0839/O - Masterplan	Approved
2.5	2015/1405	Reserved matters application following planning permission 2012/0839 - Appearance, landscaping, layout and scale.	Approved
2.6	2015/1666	Discharge of conditions 8 - archaeological evaluation, 13 (i) - roads, footways, cycleways, foul and on-site water drainage (ii) Visibility splays & 20 - tree and hedge protection plan of planning permission 2012/0839/O	Approved
2.7	2015/2062	Discharge of Condition 5 of planning consent 2014/1969 - Construction management plan.	Approved
2.8	2017/1067	Discharge of conditions 9 of planning permission 2012/0839/O - surface water drainage scheme	under consideration
2.9	2018/0074	Discharge of conditions 3 and 4 from planning consent 2015/1405 - materials and boundary treatment, construction site management plan for Phase 2.	Approved
2.10	2018/0076	Discharge of conditions 3 and 4 from planning consent 2014/1969 - Deed of variation to the existing S106 legal agreement and boundary treatments.	Approved
2.11	2018/1743	Discharge of conditions 6 - water consumption, 7 - soft landscape, 10 - contamination, 11 - monitoring pollutants, 12 - pollution control, 14 - construction vehicle wheel cleaning , 15 - scheme for off-site highway improvement works to right hand turn lane, 16 - completion of 15, 17 - Traffic Regulation Order, 18 - Interim Travel Plan, 19 - implementation of Interim Travel Plan,	under consideration

21 - levels, 25 ecology mitigation - and 26 -
fire hydrants, of permission 2012/0839/O

Appeal History

2.12	2010/1241	Development Appeal for proposed residential development (Class C3) up to 350 dwellings with associated access on Land at Carpenters Barn, Norwich Common, Wymondham. To include the infrastructure associated with the residential development, public open space and new vehicular and pedestrian access routes.	Appeal allowed
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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 06 : Building a strong, competitive economy
 NPPF 09: Promoting sustainable transport
 NPPF 11 : Making effective use of land
 NPPF 12 : Achieving well-designed places
 NPPF 14 : Meeting the challenge of climate change, flooding and coastal change
 NPPF 15 : Conserving and enhancing the natural environment
 NPPF 16 : Conserving and enhancing the historic environment
 NPPF 17 : Facilitating the sustainable use of minerals
- 3.2 Joint Core Strategy (JCS)
 Policy 1 : Addressing climate change and protecting environmental assets
 Policy 2 : Promoting good design
 Policy 3: Energy and water
 Policy 4 : Housing delivery
 Policy 6 : Access and Transportation
 Policy 9 : Strategy for growth in the Norwich Policy Area
 Policy 10: Locations for major new or expanded, communities in the Norwich policy Area
 Policy 13 : Main Towns
 Policy 20 : Implementation
- 3.3 South Norfolk Local Plan (SNLP)
 South Norfolk Local Plan Development Management Policies
 DM1.1 : Ensuring Development Management contributes to achieving sustainable development in South Norfolk
 DM1.2 : Requirement for infrastructure through planning obligations
 DM1.3 : The sustainable location of new development
 DM1.4 : Environmental Quality and local distinctiveness
 DM3.1 : Meeting Housing requirements and needs
 DM3.2 : Meeting rural housing 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
 DM3.15 : Outdoor play facilities/recreational space
 DM4.2 : Sustainable drainage and water management
 DM4.3 : Facilities for collection of recycling and waste

DM4.4 : Natural environmental assets
DM4.5 : Landscape Character Areas and River Valleys
DM4.8 : Protection of Trees and Hedgerows
DM4.9 : Incorporating landscape into design

3.4 Wymondham Area Action Plan (WAAP)

3.5 Supplementary Planning Documents (SPD)

South Norfolk Place Making Guide 2012

4. Consultations

4.1 Wymondham Town Council

Comments on originally submitted proposals:

- We consider that the application should be refused for the following reasons:
- Outside of development boundary
- Closes Strategic Gap between Wymondham and Hethersett.

Comments on amended proposals:

- No further comments received.

4.2 District Councillor

- No comments received

4.3 NCC Highways

Comments on originally submitted proposals:

- The developer proposes a mitigation package that comprises a roundabout access to the development from the B1172. The proposal is a modified form of the previously conditioned access junction (for the Rugby Club/Elm Farm application) which the highway authority considers appropriate. Also proposed are capacity improvements to the roundabout at Tuttlles Lane/B1172 the deliverability of which will need to be confirmed as the detailed design progresses. The highway authority considers that retaining features may need to be provided which have not been considered in the indicative drawing included with this application.
- The masterplan shows connections to the adjacent development including to the south of the rugby club site. It is not clear what form this access will take and how it will connect to the rugby club access road. Detailed drawings will need to be provided at the reserved matters stage indicating this connection.
- In the light of the above mitigation package the highway authority recommends no objection subject to conditions.

Comments on amended proposals:

- The approved layout for 2019/0536 maintains priority on the spine road as it bends to the south and 2019/0184 is served as a side road, just south of the apex of the bend.
- We would request that the 2019/0184 red-line plan is further updated to reflect the configuration and alignment of the access road as per the approved drawing re 2019/0536.
- Following amendments, the revised red-line plan is acceptable.

4.4 NCC Public Rights of Way

Comments on originally submitted proposals:

- Wymondham FP26 crosses through the development site and is acknowledged by the developer in the documents submitted.

- The developer states the footpath is going to be incorporated on its original line along the western boundary.
- The developer suggests that this route will be enhanced, looking at the plans it looks as though the footpath will be incorporated within a green corridor, which is welcomed.
- I would like some more details on the proposed surfacing of the Public Footpath.
- The Public Footpath needs to be kept open and available for use at all times.
- The location of the hedge along the western boundary does cause me some concern as if this is planted too close to the Public Footpath then this could be an ongoing maintenance issue. Ideally any new planting should be at least 1 metre away from the Public Footpath.
- I would also like to see the Public Footpath signposted as a Public Footpath where the path enters and exists the development site, this can be done using waymark posts and waymark discs. The developer should be responsible for installing the two waymark posts needed.
- The development proposal provides great connectivity to the adjacent development and nearby countryside, these links are welcomed.

Comments on amended proposals:

- Detailed drawings and information will need to be submitted at the reserved matters stage. These should show both the definitive route of FP26 and the proposed route of footpath within the open space of the site.
- If the new path is to be on the alignment of the PRoW then this must follow the definitive route exactly and ensure its legal width is incorporated for the full length.
- Should it be preferred for a more sinuous route through the greenspace on aesthetic grounds, then it is advised this is on a separate alignment to the PRoW which should remain available for use and unobstructed.
- Norfolk County Council will have to approve the specification of any surfacing should a footpath be constructed over the PRoW.

4.5 NCC Historic Environment Service

Comments on originally submitted proposals:

- The proposed development site is not marked in the correct location on the two earliest maps reproduced in the assessment and the significance of historic landscape context of the site is not given adequate consideration.
- The Cultural Heritage Assessment concludes that, based on the information considered, that there is low potential for heritage assets with archaeological interest to be present at the site. We do not entirely agree with this statement.
- Further information about the presence, form, date, state of preservation and significance of any heritage assets at the proposed development site will be required prior to the development of the site.
- The submission of this information (in the form of an archaeological evaluation) prior to the determination of this application would minimise the risk both to the historic environment and the developer. However, as the present application is for outline permission only, with all matters apart from access reserved, and given the likely nature and significance of any heritage assets with archaeological interest that may be present, it will in this instance be possible to secure the required archaeological investigations through appropriate planning conditions.
- If outline planning permission is granted, we therefore ask that this be subject to a programme of archaeological mitigatory work in accordance with National Planning Policy Framework (2019) para. 199.

Comments on amended proposals:

- No further comments received.

4.6 NCC Ecologist

Comments on originally submitted proposals:

- Up to date preliminary ecological appraisal required.
- The report does not make it clear that the habitats have not changed since the previous survey visits. We need confirmation that the habitats have not changed (if this is the case) or further details if the habitats have changed to determine if there are likely to be impacts on protected species.
- The great crested newt survey data is out of date. There is potential for great crested newts to move between ponds across the site (if present) and therefore potential for impacts on great crested newts. Update great crested newt surveys on ponds within 500m of the site will be necessary prior to the planning application being determined.

Comments on amended proposals:

- The updated reports are fit for purpose. No objection subject to conditions relating to implementation of biodiversity method statement and submission of scheme of lighting.

4.7 NCC Lead Local Flood Authority

Comments on originally submitted proposals:

- We object to this planning application in the absence of an acceptable Flood Risk Assessment (FRA) / Drainage Strategy.
- We will consider reviewing this objection if the following issues are adequately addressed: infiltration testing in line with BRE 365; confirmation of how the drainage strategy will affect adjacent development sites; provision of a phasing plan; a maintenance and management plan for the existing ordinary watercourses.

Comments on amended proposals:

- We are able to remove our objection subject to conditions being attached to any consent regarding the submission of detailed designs of a surface water drainage scheme prior to the commencement of development.

4.8 NCC Planning Obligations

Comments on originally submitted proposals:

- Taking into consideration the permitted developments in the area, all local education provision may be considered full. There is therefore insufficient capacity to accommodate the children generated by this proposed development.
- The following infrastructure will need to be funded through CIL: mitigation required at Early Education sector for 15 places, at the Primary School sector to 42 places, for High School sector for 22 places and at Sixth Form for 2 places.
- Additional expansion at Wymondham High Academy has and will be provided in response to existing allocations to expand this school.
- The capacity figures identify that once the permitted development takes place it is highly likely that the Academy will be at least up to its capacity.
- The County Council are already in discussion with the Academy Trust at Wymondham High to identify options for future expansion of secondary school provision in the Town.
- This development will require 1 fire hydrant per 50 dwellings
- New development will have an impact on the library service and mitigation will be required to develop the service.
- Connections into the local Green Infrastructure (GI) network, including Public Rights of Way and ecological features, should be considered alongside the potential impacts of development.

Comments on amended proposals:

- Our original comments sent remain unchanged.

4.9 SNC Senior Heritage and Design Officer

Comments on originally submitted proposals:

- The development is of a flat field with no heritage constraints in terms of the setting of heritage assets.
- There are no landscaping features within the site itself to take into account, however there are landscaping features around the site in terms of hedging and hedge line trees, and there is the landscaping feature of the Wong to the east.
- There are footpaths on the edge of the fields to the west and south. These have been shown, but ideally housing should front towards the hedging and footpaths on both on the west and east sides of the field.
- The public space is to the north of the site and therefore some distance. It may be appropriate to have some space here, but alternatively spaces could be made bigger in the south west and south east corners.
- There is limited indication of parking – on principal roads the parking should be to the side of properties.
- I am concerned at the extent of 2.5 and 3 storey houses shown in the building heights plan. This is getting into a very rural area and should be predominantly 2 storeys with only limited 2.5 storey elements.

Comments on amended proposals:

- No further comments.

4.10 SNC Landscape Architect

Comments on originally submitted proposals:

- The LVA does not include a description of the proposed development, so it is not certain what is being appraised. Whilst accepting this is an outline application, information is provided the potential height parameters, so we need to be clear that the LVA has considered this as three-storey elements are potentially proposed.
- Para 6.2 refers to the established vegetation on the boundaries of the site offering screening, however this will be dependant on the height and form of the buildings.
- It is clear that the existing development at Becket's Grove is not entirely screened by a similar context of existing vegetation. Anticipating a similar effect, I have concerns about the landscape and visual effects of the proposals when considered from the Melton Road and FP26 aspects.– One of the published Development Considerations for the D1 Wymondham Settled Farmland Plateau is “maintain the nucleated clustered character of the settlements and limit edge sprawl out into the adjacent landscape; well planned infill and edge development may be acceptable”
- From the Melton Road and FP26 approach, my judgement is that the proposal is likely to result in the harm of a sprawl out into the landscape - and as such could be argued to be contrary to DM4.5.
- Furthermore, I would question the conclusion of the LVA (in 7.31) that the visual effect for the users of FP26 as it passes through the site would cause a Moderate adverse effect; my own judgement is that the effect will be a significant harm (Major Adverse).
- Within 7.3 the site is referred to as being an ‘isolated field within a large NCA’ (National Character Area); my understanding is that isolated means separate from others, where this site is not, being adjacent to four undeveloped fields, at least two of which are to remain as they are.
- The site is connected to, and part of, the wider landscape character. It is accepted that the Site represents a very minor proportion of the Landscape Character Area, this in itself is not justification for loss of a field typical of the LCA (both national and local)
- In 7.5 it is argued that the Site is subjected to a “strong influence” from adjacent land uses to give an “edge of settlement character that the Proposed Development would sit within” (paragraph 7.8 also refers to it “being heavily influenced”).

- At present only a lesser proportion of the Site's boundary has residential use beyond it (Becket's Grove) with a greater proportion of development being the much more open rugby club.
- Whilst the land to the south of The Site has the benefit of outline consent for residential use, a detail site arrangement is not yet agreed, so its final influence on the application Site is not yet fully known.
- Section 7.10 provides a mixed message, but its final sentence is clear: "The Proposed Development would result in a Major adverse effect upon the character of the site". I take this to mean that the very nature of the scheme, which will permanently change an agricultural field to a suburban area, will be a permanent.
- My conclusion is that the scheme will not be achievable without landscape harm, and in some instances this will be significant.
- An arboricultural assessment has been provided this is acceptable.
- The AIA has identified that the existing trees' RPAs are influenced by the existing ditches and this is reflected on the constraints drawings. The most notable tree on site is a veteran oak tree and I am pleased to note that the AIA recommends specific consideration for this. Whilst the proposed site layout is illustrative, it appears that the quantum of development is achievable without significant detriment to the existing trees.
- No assessment of the existing hedgerows against the criteria of the Hedgerows Regulations has been undertaken, however from an initial desk study it appears that the Hedgerows surrounding the site are potentially 'important', and as such policy DM4.8 is pertinent. The proposed scheme necessitates the loss of sections of hedgerow, therefore it appears to be contrary to policy DM4.5 which presumes in favour of retention.
- Much is made of the potential benefits of connections to the network of existing permissive bridleways (for example in 7.10) however signs currently displayed on these indicate that the funding has ceased.
- Whilst there appears to be no immediate indication that the voluntary provision of access will not continue, there appears to be no guarantee from this proposal that the network of paths will be open to public use indefinitely.
- In order to see the linkages as a benefit, it needs to be demonstrated that access to recreational footpaths will be positively and permanently secured, for example by the dedication of new PROWs.

Comments on amended proposals:

- Additional comments in light of Barton Willmore's response of 26 June:
- My original comment was merely highlighting that the LVA has no explicit description of the development, whether by parameters or otherwise. Paragraph 6.4 only refers to distribution, so the additional clarification is useful. That it is clarified that the expectation is that the proposed scheme will be similar to the consented schemes nearby only serves to confirm my concerns.
- Barton Willmore's response confirms that "any views of the proposals would be very similar to those of Becket's Grove" and this is precisely my point. My concern is that the increased likelihood of viewing similar developments will result in sprawl as cautioned against in the published landscape character assessment.
- That an existing section of FP26 passes through, or immediately adjacent to, residential development is – to my mind – not relevant. There are many situations where a footpath begins or ends in a settlement. The fact here is that the existing situation passes through the site, which has a clear rural character due to its contained nature.
- I accept that the proposed site extends no further than the northern extent of the New Wymondham Rugby Club, but the Club's facilities are primarily pitches; the two are not comparable developments.
- The letter mentions the potential landscape benefits, but it should not be forgotten that this is not dependant on the development. The Landscape Strategy for the

- Wymondham Settled Farmland Plateau can be implemented regardless of whether there is a residential scheme here.
- The letter refers to the sections of exiting hedgerow required to be removed in order to facilitate access as being “very short”. The accesses are road connections which would create a permanent break in the hedgerows’ connectivity. The layout for the scheme to the south has been approved; if this site were to link, then the connecting Type 1 road (and associated paths and verge) would require a minimum gap of 14.5 m (based on approved layout for 2019/0536) not allowing for construction tolerances.
- I still remain of the view that the scheme will not be achievable without landscape harm, and in some instances this will be significant; the proposal is therefore contrary to DM4.5.
- Furthermore, as the proposed scheme necessitates the loss of not insignificant sections of potentially ‘important’ hedgerows, it appears to be contrary to policy DM4.8 also.

Comments on additional information:

- The revised proposal that requires removal of only one section of hedgerow to achieve highway access is noted; it is now only proposed to remove a 15-metre section of hedgerow H4 for highway creation.
- The additional information (Ecology Technical Note TN2: Consideration of Effects on Important Hedgerows) confirms that H4 is likely to qualify as ‘important’ if tested against the ecological criteria set by the Hedgerows Regulations.
- The note argues that the removal of a section of hedge H4 would be permitted under Regulation 6 – (1)(c) however I disagree; my interpretation is that the exception relates to the current use of the land, and not for a proposed future development upon it.
- The Note also argues that it is acceptable to create a new gap provided that it does not exceed 20 metres as the Hedgerows Regulations include gaps less than 20 metres as being part of an overall hedgerow. This is not the same as agreeing that such gaps are acceptable. Indeed, if (independent of this application) a party were to propose notification to remove the same 15-metre section of hedge in order to create a supplementary access, it would be reasonable to assume that such a request would be denied, as gaps by their very nature result in a decreased quality of the feature. Whilst it may be the case that wildlife might be able to traverse a 15-metre wide gap within a hedge, I am sure that ecologists would agree that no gap at all is more conducive to connectivity. Furthermore, my understanding is that if the gap is host to a metalled road, with associated kerbs etc. the crossing is less successful than if left in its ‘natural’ state. It is, however, not just ecology that is a consideration. For the D1 Wymondham Settled plateau Farmland Landscape Character Area one of the identified Sensitivities and Vulnerabilities is further “opening-up” of the landscape through loss of woodland, hedgerows or hedgerow trees, while the Landscape Strategy for the LCA is restoration of hedgerows and field boundaries, particularly at settlement edges where vegetation could help integrate settlement into the landscape. I would therefore argue that the removal of a section of hedgerow here is contrary to DM4.5
- My view continues to be that there is no overriding justification for the loss of ‘important’ hedgerow here, and as such the proposal is contrary to policy DM4.8

4.11 SNC Environmental Quality Team

Comments on originally submitted proposals:

- We do not wish to object to this planning application. However, we would recommend that any approval of this application include conditions regarding contaminated land and construction management.

Comments on amended proposals:

- No further comments received.

4.12 SNC Housing Enabling & Strategy Officer

Comments on originally submitted proposals:

- This application is for up to 150 dwellings, of which 52 (34.7%) are proposed as affordable homes.
- I note that the total of 52 affordable homes includes 10 for Affordable Private Rent in addition to the 42 affordable homes (28%) required under Policy 4 of the Greater Norwich Joint Core Strategy.
- My preferred tenure for affordable ownership is shared ownership
- I wish the mix to be improved by including some 1 bedroom houses and/or flats for small households.
- The applicants propose not to set the affordable housing mix as part of the Outline application (para 6.39 of the Planning Statement). However, if it is decided to approve this application, I would wish the mix to be specified to provide certainty.
- On this basis I have no objection to the application

Comments on amended proposals:

- I note from the applicants' letter that the proportion of affordable homes proposed is increased to 60 (40%).
- On this basis, I still have no objection to the application.

4.13 SNC Environmental Waste Strategy

No comments received

4.14 Anglian Water Services

Comments on originally submitted proposals:

- Our records show that there are no assets owned by Anglian Water or those subject to an adoption agreement within the development site boundary
- The foul drainage from this development is in the catchment of Wymondham Water Recycling Centre that will have available capacity for these flows.
- From the details submitted to support the planning application the proposed method of surface water management does not relate to Anglian Water operated assets

Comments on amended proposals:

- No additional comments.

4.15 Norfolk Fire Service

- No comments received

4.16 Historic England

Comments on originally submitted proposals:

- On the basis of the information available to date, Historic England do not wish to offer any comments. We would therefore suggest that you seek the views of your specialist conservation and archaeological advisers, and other consultees, as relevant.

Comments on amended proposals:

- No additional comments.

4.17 Wymondham Heritage Society

Comments on originally submitted proposals:

- We object to this application.

- This is also detrimental to the Strategic Gap between Wymondham and Hethersett and will add to the congestion on Norwich Road, and bearing in mind that there are also Reserved Matters for 300 dwellings on land west of Elm Farm, Norwich Common.
- The accumulation of these applications does not accord with the WAAP, in particular to “maintain the open land between Wymondham and Hethersett”.
- Added pollution, loss of agricultural land, loss of habitat for wildlife and loss of open spaces. Detrimental to FP26 with reduced open landscape. The infrastructure cannot cope: doctors, dentists, schools, hospitals, roads etc.
- Norwich Common is being saturated with housing, a conurbation between Wymondham and Hethersett: a once tranquil green area is now becoming totally urbanised and damaging to quality of life.

Comments on amended proposals:

- No further comments received.

4.18 Architectural Police Liaison Officer

Comments on originally submitted proposals:

- Various comments regarding Secured by Design principles to assist in the design process to achieve a safe and secure environment.

Comments on amended proposals:

- No additional comments.

4.19 NHS Estates

Comments on originally submitted proposals:

- Wymondham Medical Practice is already operating at capacity, with Windmill surgery having sufficient clinical space to accommodate new patients
- However, under patient choice, patients cannot be directed / steered to anyone surgery and as such patients will be free to register with either surgery Wymondham Medical Practice does not have sufficient capacity for the additional growth resulting from this development and proposed cumulative development in the area.
- South Norfolk District Council has advised that Healthcare is not currently contained on their CIL123 list, consequently, until this policy is addressed, it is confirmed mitigation cannot be obtained for primary healthcare.
- Assuming the above is considered in conjunction with the current application process, the STP Estates Workstream would not wish to raise an objection to the proposed development.

Comments on amended proposals:

- No further comments received.

4.20 Other Representations

5 letters of objection received, summarised as follows:

- Road congestion on Norwich Rd
- Additional traffic through construction phase and post completion will cause safety hazards to the B1172
- Increase levels of pollution from the extra traffic.
- Road impact assessment data was not taken at a realistic time of day
- Wymondham Rugby Club route will become main route for more development
- There is another proposal for 650 houses using the same route via the WRC, plus 150 houses and the 300 houses to a new roundabout, which would all go to one point.
- The gateway for all this traffic is via the Wymondham Rugby Club access road.
- Additional growth will impact negatively on the character and heritage of charming historic Market Town.

- Loss of habitat for wildlife will also mean a loss of open ,wild places for people to walk and enjoy nature.
- Loss of hedgerows and “green lung” for Wymondham
- Schools, medical facilities and leisure facilities will be unable to cope
- Application is outside the WAAP for housing development
- closes the agreed strategic gap between Wymondham and Hethersett
- Data used from a 2011 census is not up to date
- Does not provide sufficient open recreational space
- House designs not environmentally friendly or provide renewable energy
- Unknown impact to existing utilities infrastructure and likely disruption

5 Assessment

5.1 In terms of the planning application, the applicant has referred to the benefits of the scheme as follows:

- The provision of both market and affordable dwellings;
- The provision of 40% of the development as Affordable dwellings equating up to 60 affordable dwellings (18 dwellings in excess of policy requirements), including Affordable Private Rent units;
- The provision of additional choice within the housing market, through the delivery of Build to Rent units (Affordable Private Rent);
- The provision of Bungalows to meet a specific housing need;
- The over-provision of Open Space, specifically informal recreation space which complements and enhances the recreation facility and open space provision of the adjoining Wymondham Rugby Club (totalling 1.91 hectares against a requirement of 1.69 hectares);
- The Charitable status of the applicant.

Principle

5.2 Planning law (section 38(6) of the Planning and Compulsory Purchase Act 2004) requires that applications be determined in accordance with the Development Plan, unless material considerations indicate otherwise. Material considerations include the National Planning Policy Framework (NPPF).

5.3 In accordance with both the Council's adopted development plan, development proposals for housing that accord with the development plan will be approved without unnecessary delay, unless material considerations indicate otherwise.

5.4 The site is outside of any defined development boundary and thus is in a countryside location. As such criteria 2 (c) and (d) of Policy DM1.3 are applicable. These set out the circumstances where development will be permitted outside of the development boundary.

5.5 In this regard, consideration should be given to Policy DM1.3 which makes provision for development to be granted outside of development boundaries, such as this, where one of two criteria are met: either
 c) where specific development management policies allow; or,
 d) where there are overriding benefits in terms of economic, social and environmental dimensions of sustainable development, as set out in Policy DM1.1.

5.6 It should be noted that given the residential nature of this application, and the fact that the Council is able to demonstrate a five year housing land supply as set out in the Annual Monitoring Report (AMR) for 2017-2018, it is considered that its housing related policies are not out of date. The published AMR, provides an assessment of how the Greater Norwich area performed for 2017/18 against the objectives set out in the Joint Core Strategy for Broadland, Norwich and South Norfolk. The AMR follows the publication of the

Council's Interim Greater Norwich area housing land supply statement for the position at 1st April 2018, and demonstrates a current housing land supply of 6.54 years using the Housing Delivery Test and standard methodology for the calculation of Local Housing Need.

- 5.7 With regard to criterion 2 (c) of Policy DM1.3 of the SNLP, the current proposal is not considered to meet the requirements of this criterion as the scheme does not meet the requirements of any other specific policy designed to permit residential development in the countryside e.g. workers dwelling, barn conversion etc nor does it comply with those of Policy, DM3.2 which can permit an "exceptions site" outside the settlement boundary provided relevant the criteria are met which is not considered to be the case here, given that the proposals are for 60% market dwellings.
- 5.8 In terms of 2 (d) of Policy DM1.3, establishing whether the affordable housing proposed, and any other benefits could be termed "overriding benefits" will be dealt with in the final sections of this report.
- 5.9 It should be noted that in making such a judgement this is guided by the reasoned justification which accompanies Policy DM1.3 of the SNLP. This confirms at paragraph 1.23 that:

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

- 5.10 It also states at paragraph 1.28 that:

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

- 5.11 It is clear from the supporting text that development limits have been drawn on the basis of focusing development in locations that are close to facilities and amenities and so as to limit environmental/landscape impacts and these have been scrutinised by a Planning Inspector through a public examination and consequently should not be set aside lightly, namely when one of the two aforementioned criteria are met.
- 5.12 It is useful to note the Inspectors recent decision at St Mary Road, Long Stratton where they stressed at paragraph 45 that:
- To present overriding benefits is to present benefits that are more important than anything else, and as a result, the proposed development would have to be exceptional.*
- 5.13 The following sections of my report seek to assess the key planning issues of the scheme in the context of the relevant development plan policies.

Access and highway impacts

- 5.14 Policy DM3.11 of the South Norfolk Local Plan states that planning permission will not be granted for development which would endanger highway safety or the satisfactory functioning of the highway network.
- 5.15 Access into the site is proposed via Norwich Common (B1172) from the Elm Farm primary access consented through application reference 2014/0799.
- 5.16 The scheme comprises a roundabout access to the development from the B1172, which is a modified form of the previously conditioned access junction for the above consented Elm Farm application 2014/0799, which the highway authority considers appropriate.
- 5.17 With regards to the wider impacts of the development on the surrounding highway network, the applicant has proposed capacity improvements to the roundabout at Tuttles Lane/B1172. The Highway Authority have confirmed that subject to the implementation of the proposed improvements, which will be confirmed at the detailed design stage, they have no objection.
- 5.18 In terms of connectivity, the masterplan shows connections to the adjacent development including to the south of the rugby club site from Elm Farm (application ref 2014/0799). The detail of what form this access will take and how it will connect to the rugby club access road, would be provided at the reserved matters stage. The developer delivering the Elm Farm scheme has an obligation to provide unfettered access from Norwich Common to the Site allowing this proposal to come forward.
- 5.19 Car parking provision would be determined at the reserved matters stage in accordance with current guidance contained in Norfolk County Council's Parking Standards for Norfolk.
- 5.20 In light of the above it is considered that, subject to conditions, the proposals accord with Policy DM3.11 of the South Norfolk Local Plan.

Pedestrian/Cyclist Accessibility

- 5.21 The site is connected to surrounding development and the wider facilities and services of Wymondham by existing footpaths and cycle paths.
- 5.22 Public footpath FP26, which crosses through the development site along the western boundary, is proposed to be incorporated into the site along its original line. The application proposes to enhance this route and incorporate it within a green corridor, including the provision of a new access road (including pedestrian and cycle facilities) linking the consented Elm Farm residential development to the south of the new Wymondham Rugby Club site to the west.
- 5.23 The County Council's Green Infrastructure Officer has made some suggestions regarding the detailed design of the scheme to ensure that the path remains open and available for use and is signposted where the path enters and exists the development site. These details could be provided as part of any forthcoming reserved matters application.
- 5.24 In addition, there are a number of permissive footpaths that surround the development site, which provide further connectivity to the surrounding countryside. However, there is no guarantee that the network of paths will be open to public use indefinitely, and therefore cannot be relied upon as a material consideration or as offering an additional layer of connectivity.
- 5.25 Overall it is considered that the development proposals provide an acceptable level of connectivity. The enhancement of FP26 is neutral in the planning balance, given the footpath already exists.

Impact on landscape and form and character of the area

- 5.26 Paragraph 170 of the National Planning Policy Framework requires that planning decisions recognise the intrinsic character and beauty of the countryside, which is reflected in Policy DM1.3 of the Development Management Policies document. Planning Practice Guidance clarifies that conservation and enhancement of the landscape, not only designated landscapes, contributes to upholding this principle. Policy DM4.5 requires all development to respect, conserve and where possible enhance the landscape character of its immediate and wider environment. Policy DM4.9 looks for a high quality of landscape design, implementation and management as an integral part of new development. Policy DM4.8 promotes the retention and conservation of trees and hedgerows and advises that the Council will promote the retention and conservation of significant trees, woodlands and traditional orchards.
- 5.27 The site lies within the D1 Wymondham Settled Plateau Farmland Landscape Character Area. Development proposals, such as this, must have regard to protecting the distinctive characteristics, special qualities and geographical extents of the identified character area. These include reference to the following development considerations, as defined by the South Norfolk Landscape Assessment:
- respect the distinctive settlement pattern comprising concentrations of development at plateau edge locations and smaller nucleated village settlements and dispersed buildings across the plateau;
 - maintain the nucleated clustered character of the settlements and limit edge sprawl out into the adjacent landscape; well planned infill and edge development may be acceptable;
 - consider (cumulative) impact of all tall structures such as masts, energy developments, farm buildings on skyline views and sense of 'openness' and particularly on views to the plateau skyline from the surrounding lower tributary farmland;
 - maintain key views from the plateau edge to/from the City of Norwich;
 - maintain strategic gaps between settlements, and in particular prevent further growth of Wymondham and/or Hethersett which would lead to coalescence of settlement along the A11 leading to the merger of Wymondham/Hethersett or Hethersett/Norwich.
- 5.28 The application is supported by a Landscape and Visual Appraisal (LVA). The Council's Landscape Architect has assessed the proposals and has raised concerns regarding the landscape and visual effects of the proposals when considered from the Melton Road and footpath FP26 aspects. Of particular relevance is the published Development Considerations for the D1 Wymondham Settled Farmland Plateau as noted above is to *"maintain the nucleated clustered character of the settlements and limit edge sprawl out into the adjacent landscape; well planned infill and edge development may be acceptable"* From the Melton Road and FP26 approach, the Landscape Architect's own judgement is that the proposal is likely to result in the harm of a sprawl out into the landscape.
- 5.29 Furthermore, he has questioned the conclusion of the LVA (in para 7.31) that the visual effect for the users of FP26 as it passes through the site would cause a Moderate adverse effect. His own judgement is that the effect will be a significant harm (Major Adverse).
- 5.30 The Council's Landscape Architect has further responded to additional comments received from the applicant's landscape consultant and concluded that the increased likelihood of viewing similar developments will result in sprawl as cautioned against in the published landscape character assessment. This is further reinforced by the applicant's response that confirms 'any views of the proposals would be very similar to those of Becket's Grove'.
- 5.31 With regard to the assertion that an existing section of FP26 passes through, or immediately adjacent to, residential development, whilst this is the case, it is considered that there are many situations where a footpath begins or ends in a settlement. The fact

here is that the existing situation passes through the site, which has a clear rural character due to its contained nature.

- 5.32 In para 7.5 of the LVA it is argued that the site is subjected to a 'strong influence' from adjacent land uses to give an 'edge of settlement character that the proposed development would sit within' (paragraph 7.8 also refers to it 'being heavily influenced'). At present only a lesser proportion of the site's boundary has residential use beyond it (Becket's Grove) and with a greater proportion of development being the much more open rugby club. Whilst it is accepted that the approved reserved matters development of 300 dwellings on land off Norwich Common (ref 2019/0536) will influence the site, it is noted that the proposed site extends no further than the northern extent of the rugby club, and that the club's facilities are primarily open rugby club pitches that are not comparable developments.
- 5.33 As such it is concluded that the scheme will not be achievable without landscape harm, and in some instances this will be significant (Major Adverse), most notably from Melton Road and users of the public footpath (FT26) for whom the experience of walking through attractive undeveloped countryside with little sense of built development other than potential glimpse of the rugby club through dense vegetation will change to that of one of walking beside a modern estate development. For these reasons the proposals would fail to respect, conserve and where possible, enhance the landscape character of its immediate and wider environment and would result in a significant adverse impact and are therefore considered contrary to Policy DM4.5 of the Local Plan.
- 5.34 With regards to Policy DM4.8, which seeks to protect trees and hedgerows, regard has been had for the need to respect the existing pattern of development in the surrounding area and the retention and enhancement of key existing landscape features. The scheme proposes to retain these along the site boundaries, which includes existing trees and hedges. The Arboricultural Impact Assessment (AIA) has identified that the existing trees' Root Protection Areas (RPAs) are influenced by the existing ditches and this is reflected on the constraint's drawings. The most notable tree on site is a veteran oak tree which is considered in the AIA. Whilst the proposed site layout is illustrative, it appears that the quantum of development is achievable without significant detriment to the existing trees.
- 5.35 With regards to existing hedgerows, additional information has been submitted by the applicant in response to the Council's Landscape Architect's comments which noted that no assessment of the existing hedgerows against the criteria of the Hedgerows Regulations had been undertaken. The proposals have subsequently been amended to remove any requirement for hedgerow removal along the western boundary of the site. However, a section of approximately 15m of hedgerow (H4) is still proposed for removal along the southern boundary of the site to provide access from Norwich Common through the adjoining Elm Farm development.
- 5.36 The additional information (Ecology Technical Note TN2: Consideration of Effects on Important Hedgerows) confirms that H4 is likely to qualify as 'important' if tested against the ecological criteria set by the Hedgerows Regulations. The note argues that the removal of a section of hedge H4 would be permitted under Regulation 6 – (1)(c). The Council's Landscape Architect has assessed the additional information and disagrees that the removal of the section of hedge would be permitted under the hedgerow regulations and considers that the exception relates to the current use of the land, and not for a proposed future development upon it.
- 5.37 The Note also argues that it is acceptable to create a new gap provided that it does not exceed 20 metres as the Hedgerows Regulations include gaps less than 20 metres as being part of an overall hedgerow. Again, the Council's Landscape Architect has considered this and has commented that "this is not the same as agreeing that such gaps are acceptable. Indeed, if (independent of this application) a party were to propose notification to remove the same 15-metre section of hedge in order to create a

supplementary access, it would be reasonable to assume that such a request would be denied, as gaps by their very nature result in a decreased quality of the feature.”

- 5.38 From an ecology perspective, whilst it may be the case that wildlife may be able to traverse a 15-metre wide gap within a hedge, it is considered that no gap at all is more conducive to wildlife connectivity. Furthermore, crossing a gap hosted by a road is likely to be less successful than if left in its ‘natural’ state.
- 5.39 With regards to the landscape characteristics of the site one of the identified Sensitivities and Vulnerabilities for the D1 Wymondham Settled plateau Farmland Landscape Character Area, is further “opening-up” of the landscape through loss of woodland, hedgerows or hedgerow trees, while the Landscape Strategy for the LCA is restoration of hedgerows and field boundaries, particularly at settlement edges where vegetation could help integrate settlement into the landscape.
- 5.40 As such, in recognising that a not insignificant section of hedgerow, that is likely to be ‘important’, will need to be removed to facilitate access to the site, the proposals are considered contrary to Policy DM4.5 and DM4.8 of the Local Plan.
- 5.41 In addition, as set out in Paragraphs 8.4 of the LVA, the applicant mentions potential landscape benefits of the proposals, which could include the protection and enhancement of hedgerows and hedgerow trees, combining with adjacent vegetation to create a network of Green Infrastructure, and a stronger landscape structure on the edge of Wymondham, in line with the Landscape Strategy for the Wymondham Settled Farmland Plateau. Having considered this point, it is noted that this is not dependant on the development and that the Landscape Strategy for the Wymondham Settled Farmland Plateau can be implemented regardless of whether there is a residential scheme here. As such no weight is given to this as a potential benefit.

Indicative Layout and Open Space

- 5.42 Policy 2 of the JCS and Policy DM3.8 of the Local Plan require new development to be of a high standard of design.
- 5.43 The indicative layout has been designed to integrate with the site and its context. The key principles of the development being: to relate sensitively to the surrounding countryside; connect to the adjacent development; retain vegetation along the internal edges; and create a legible and permeable routes network.
- 5.44 Two areas of open space along the north and eastern edges of the site are proposed to help manage the transition to the countryside and provide recreation space. Vegetation along the western and southern boundaries of the site is proposed to be retained and enhanced, to create a landscape corridor including the existing public footpath running along the western boundary. The proposals envisage that the landscape and open spaces will be overlooked by dwellings facing onto them.
- 5.45 In terms of density, the scheme has an average net density of 19 dwellings per hectare. The parameter plans propose building heights of up to 1.5 storeys along the northern boundary, increasing in height up to potentially 3 storeys along the primary road in the centre of the site and up to 2.5 storeys elsewhere. Whilst this is relatively high this is the maximum building height and would be influenced by the detailed layout of the site and landscaping proposals at a later stage. As such it is considered that subject to the detailed design, the indicative building heights parameter plan is acceptable.
- 5.46 In summary, the resultant indicative layout is considered to be an acceptable approach to developing the site and in principle complies with Policy DM3.8 and the South Norfolk Place Making Guide SPD.

- 5.47 In terms of the amount of public open space, Policy DM3.15 requires new housing development to provide adequate outdoor play facilities and recreational open space commensurate with the level of development proposed in order to meet the need of occupants. The Council's adopted Open Space SPD provides the standards for open space provision as well as the minimum amounts of recreational open space and play facilities to be provided.
- 5.48 The proposal includes 1.91 hectares of recreational open space against an approximate overall requirement of 1.74 hectares based on the proposed indicative mix of homes when calculated using the Council's adopted Open Space SPD. This represents a modest overprovision of 0.17 hectares of recreational open space, the majority of which is proposed to be delivered as informal recreation space, intended to compliment the rural edge of the development and character of the site. Further open space also forms part of the consented development at Elm Farm, to the south of the site which is directly linked to this site. The general provision of open space on the site will be secured through the submitted Land Use Parameters Plan.
- 5.49 With regards to formal open space, no older children's or adult recreation space is proposed as part of the development, which represents an under provision of 0.67 hectares of formal recreation space as defined by the Open Space SPD. However, it is noted that this space is included as part of the total recreational open space provision and that the site is located directly adjacent the Wymondham Rugby Club complex, which provides for formal sports provision. The applicant has confirmed that facilities are open daily, and membership to the club is not required to use the facilities. As such given the proximity of these facilities to the site, it is considered that there is adequate overall provision to meet the requirements of the Council's Recreational Open Space Standards for Residential Areas and DM3.15 of the Local Plan.

Affordable housing

- 5.50 With regards to affordable housing, the Council currently requires major housing developments to provide at least 28% affordable housing. This reflects the findings of the 2017 Strategic Housing Market Assessment (SHMA) and is a reduction from the 33% identified at the time the 2014 Joint Core Strategy was prepared.
- 5.51 The 28% affordable housing requirement derives from Fig. 83 in the 2017 SHMA; 11,030 affordable units out of a total of 39,486 dwellings for Greater Norwich. The figures are for the 21 year period 2015 to 2036, so equate to 525 affordable units per year.
- 5.52 The applicants have noted that there is a long term affordable housing shortfall against the Joint Core Strategy requirements. Whilst this is the case, the 2017 SHMA provides 'the most up to date needs assessment for the plan area' as required under JCS Policy 4, and resets the affordable housing requirement, taking account of backlog, to 2015. Affordable housing delivery across Greater Norwich for the four years 2015/16 to 2018/19 has been: 2015/16 – 222; 2016/17 – 456; 2017/18 – 531; 2018/19 – 724. This is an average of 483/year and equates to a shortfall of 167 units over 4 years, with the most recent two years having been in excess of the SHMA requirements of 525 units per year. Consequently, the shortfall is not of the magnitude suggested by the applicants and has recently been reducing.
- 5.53 To assist in addressing this shortfall, the application proposes to offer 60 affordable homes (40%), of which 10 could be delivered as affordable private rent. This represents an over-provision of 18 affordable homes above policy requirements, which follows an amendment to the originally submitted application to increase the number of affordable homes from 52 (34.7%) affordable homes to 60. This follows an updated Economic Viability Analysis provided by the applicant to demonstrate that the development is capable of supporting an increased provision of affordable housing.

- 5.54 As noted above, 10 of the affordable units are proposed to be delivered as Build to Rent as Affordable Private Rent dwellings. The definition in the NPPF, confirms that these are affordable dwellings to be offered at 20% below market rents. The applicant is proposing to secure this by way of provisions set out in a S106 Agreement.
- 5.55 In addition, the scheme proposes to provide an element of bungalows for affordable rent on the site, secured by way of the Building Heights Parameters Plan which fixes a maximum height of up to 1.5 storeys in the norther part of the site.
- 5.56 The Council's Housing Enabling and Strategy Officer has assessed the proposals and considers that the package of affordable homes offered would provide an acceptable mix of types and tenures to meet a range of housing needs.
- 5.57 Having regard to the above and whether the delivery of more than policy compliant levels of affordable dwellings, could potentially constitute an overriding benefit is assessed in the final sections of this report 'Overriding benefits and policy DM1.3 (2)(d)'.

Surface and foul water drainage

- 5.58 A Flood Risk Assessment (FRA) and Drainage Strategy have been submitted with the application based on detailed site investigations carried out by the applicant. Further detailed information has also been provided regarding investigation into surface water infiltration.
- 5.59 The Lead Local Flood Authority (LLFA) has carried out a detailed assessment of the information submitted and has subsequently confirmed that following amendments, the drainage strategy addresses the concerns raised in their previous responses and will result in an acceptable rate and volume of run-off to the local ditch system and surrounding water network.
- 5.60 Subsequently the drainage strategy follows the drainage hierarchy as set out in the Building Regulations and NPPF and proposes surface water attenuation within the site with discharge at a restricted rate into the wider watercourse network.
- 5.61 Calculations have been supplied for the pipe network and attenuation features to demonstrate that there will be no above ground flooding and attenuation in the form of oversized pipes and tanked permeable paving has been specified to meet the required standards.
- 5.62 An outline management and maintenance plan is included in the Flood Risk Assessment for the internal drainage network, which confirms that all attenuation basins are proposed to be built at the start of the construction period such that the SUDS system is operational for the connection of impermeable areas. A full maintenance and management plan is recommended to be conditioned and provided at the detailed design stage.
- 5.63 In summary, it is noted that the LLFA considers that the above strategy provides a sustainable approach to surface water management, that will limit surface water run-off in accordance with the requirements of the NPPF and also result in an acceptable rate and volume of run-off to the local ditch system and surrounding water network.
- 5.64 Subject to conditions recommended by the LLFA, to implement the surface water drainage scheme in accordance with the agreed details, and to provide details of the maintenance and management regime for all aspects of the drainage scheme, the surface water drainage strategy is considered acceptable and accords with the NPPF and JCS Policy 1.

- 5.65 With regards to foul water drainage the development is in the catchment of Wymondham Water Recycling Centre. A Statements and Conditions Report has been prepared by Anglian Water which confirms that the water recycling centre at present has available capacity for the proposed flows. If the applicant wishes to connect to the sewerage network they should serve notice under Section 106 of the Water Industry Act 1991. Subject to entering into such an agreement, the impacts on the foul water are considered acceptable and accords with Policy 1 of the JCS.

Ecology and Protected Species

- 5.66 This application is supported by a Ecological Appraisal. The proposed site consists of arable fields and as such, has limited ecological value. Following comments from the County Ecologist indicating that the previous Great Crested Newt survey data is out of date, additional surveys have been carried out. The survey results confirm that it is considered highly unlikely that Great Crested Newts would be present within the site, and no mitigation or licensing is required in relation to this species.
- 5.67 It is noted that there are some features which should be retained and / or enhanced as part of the development, and that the areas of public open space and existing trees and hedgerows offer an opportunity for biodiversity enhancement. The County Ecologist has recommended that a Biodiversity Method Statement is conditioned providing details of enhancements for biodiversity, based on the mitigation and enhancement measures set out in the Ecological Appraisal and also that a Lighting Design Strategy for biodiversity is prepared.
- 5.68 The aforementioned Ecological Appraisal is also supported by surveys for bats, badgers and birds, which sets out mitigation measures to minimise the risk of harm to protected species, such as installing bird and bat boxes and providing details of enhancements for biodiversity for the areas of open space and existing boundary features. Subject to the imposition of the above conditions it is considered that the proposals would not result in significant harm to biodiversity.

Heritage assets

- 5.69 A Cultural Heritage Desk-Based Assessment has been submitted with the application. The proposed development site lies on the boundary of Wymondham parish and may formerly have been part of Norwich Common, although the earliest map included suggest that it had been separately enclosed by the late eighteenth century.
- 5.70 Consequently, the Historic Environment Service has commented that there are potential heritage assets with archaeological interest (buried archaeological remains) that could be present at the site and that their significance could be affected by the proposed development.
- 5.71 As such the Historic Environment Service has recommended that this be subject to a programme of archaeological mitigatory work in accordance with National Planning Policy Framework. Subject to an appropriately worded condition, which requires details of a site investigation and post investigation assessment to be completed, it is considered that the proposals are acceptable.
- 5.72 There are no listed buildings located within the application site that will be affected by the proposals and the site is not within a Conservation Area.

Other issues**Contamination**

- 5.73 Policy DM3.14 has regard to development and contamination. The Council's Environmental Quality Team has confirmed that they have no objections to this planning application and has recommend that any approval includes a condition or informative note that in the event contamination that was not previously identified is found, it must be reported in writing immediately to the Local Planning Authority and a report submitted that includes results of an investigation and a risk assessment along with a remediation scheme to be agreed and carried out. Subject to the imposition of a condition or an informative note to have regard to contamination, it is considered that the proposal is acceptable and in accordance with policies DM3.14 of the South Norfolk Local Plan.

Education

- 5.74 In terms of the future capacity of educational facilities within the catchment area of the development, which include primary and secondary schools, it has been confirmed by NCC Education that taking into account the permitted developments in the area, that there will be no spare capacity within the school sectors for this development. However, it is noted that the County Council are already in discussion with the education providers to identify options for future expansion of school provision in the area.
- 5.75 As such, in terms of the future long term planned growth it is expected that the funding for additional places if necessary would be through CIL as this is covered on the District Council's Regulation 123 list. Therefore there is no objection in terms of school capacity.

Healthcare

- 5.76 Members should note that Healthcare is not currently contained on the District Council's Regulation 123 list, and as such mitigation cannot be obtained for primary healthcare. NHS England understands that this matter is being considered through the Greater Norwich Local Plan and that contributions cannot be sought directly from development in conjunction with this or other planning applications. On this basis NHS England have confirmed that they do not wish to raise an objection.
- 5.77 Whilst the concerns of NHS England are noted, GPs are independent contractors of the NHS and so are essentially private businesses and new surgeries are funded/instigated through the relevant primary health care body and are not provided by S106/CIL. As such there is no policy basis for seeking contributions by S106 or provision in the CIL Regulation 123 list, for primary healthcare facilities and it would not be possible to secure any contribution towards primary healthcare and could not be substantiated as a reason for refusal.

Sustainable construction/renewable energy

- 5.78 Policy 1 and 3 of the JCS require the sustainable construction of buildings and water conservation in addition to requiring 10% of the predicted energy requirements to be delivered by on site decentralised and renewable or low carbon energy. Precise details and compliance with the policy could be secured by condition.

Secured by design

- 5.79 The Committee will note that the Police Architectural Liaison Officer has indicated that should the developer wish to achieve a Secured by Design (SBD) award, which is a voluntary award aimed at designing out crime in new developments, then the principles contained in the SBD guidance should be incorporated into the scheme.

- 5.80 With regards to detailed comments regarding the proposed public open space and footpaths, it is considered that these matters can be adequately dealt with as part of the detailed designs of the scheme to be agreed at a later stage. As such it is considered that the scheme is acceptable in this regard.
- 5.81 It is noted that Norfolk Constabulary have requested a sum of money per dwelling to cover the operational impacts of the development. Members should note that police costs are not currently contained on the District Council's Regulation 123 list, and as such mitigation cannot be obtained. Whilst this request is noted, there is no policy basis for seeking contributions by S106 or provision in the CIL Regulation 123 list. As such this cannot be substantiated as a reason for refusal.

Other considerations

- 5.82 A Screening Opinion has been carried out for the proposed development, which concluded that no Environmental Impact Statement was required.
- 5.83 The application is liable for CIL and a liability notice would be issued with any subsequent reserved matters consent. Should consent be granted the S106 would need to be entered into to cover Affordable Housing and open space.
- 5.84 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.

Overriding benefits and policy DM1.3(2)(d)

- 5.85 Returning to the issue of whether the scheme provides overriding benefits required to comply with the requirements of 2d) of Policy DM1.3, which are guided by supporting text to this policy.
- 5.86 It is noted that there is a current undersupply of affordable dwellings in the wider housing market area as set out above. However, this is not of the magnitude suggested by the applicant, and with the most recent two years having been in excess of the SHMA requirements and in reality equates to only 60 affordable dwellings in total, and only 18 more than Policy 4 of the JCS requires in any event (28%) Consequently, whilst positive weight is attached to the overprovision of affordable housing in this scheme, it is considered that the benefits of additional affordable housing in this case does not provide "overriding benefits", when viewed in the context of the fundamental policy harm in allowing un-planned development in what should be a genuinely plan led system, along with the significant harm in the substantial amount of new housing extending beyond the limits established in the development plan and encroaching into open countryside, resulting in significant adverse harm as identified in my assessment which in its own right is significant enough to justify refusal under Policy DM4.5.
- 5.87 With regard to market housing, given that a 5-year housing land supply can be demonstrated this is considered to be a benefit of little weight.
- 5.88 As such, within the context described above, the provision of 18 additional affordable units above policy requirements and provision of market housing is not considered to constitute an overriding social benefit in the context of Policy DM1.3(2)(d).
- 5.89 With regards to the over provision of informal recreation open space and proximity of the site to the Wymondham Rugby Club facilities, this is considered neutral in the planning balance given the modest amount of additional recreation space proposed and especially when taking into account the fact that there is an under provision of on-site informal open space.

- 5.90 With regards to the enhancement of footpath FP26 this is considered neutral in the planning balance, as the footpath already exists.
- 5.91 From an economic perspective, there would be moderate local economic benefits gained from the construction of the development as well as increased local spending, but this would not be a greater benefit than the benefit to be gained by a housing development that takes place within the settlement boundaries and is therefore not considered to be overriding.
- 5.92 Members should also note that the application is submitted by United Business and Leisure (Properties) Ltd and Landstock Estates Ltd, on behalf of the landowner the Wymondham Fuel Allotments Charity, which is a registered charity. The applicants have confirmed that the income generated from the increased land value could enable the Charity to expand the annual distribution both in terms of coverage and annual value, all of which could be spent in the local economy. This is considered a neutral in the planning balance given it is tempered by the fact that there are no guarantees regarding how this additional income could be spent.
- 5.93 On balance, it is considered that the cumulative benefits outlined above would not be exceptional or overriding such as to make the proposal comply with policy DM1.3.
- 5.94 In respect of the environment dimensions there would be disbenefits as described earlier in this report.

Conclusion

- 5.95 As set out above, the cumulative benefits of the proposal, most notably the over-provision of affordable housing, do not amount to overriding benefits. Thus, the proposal is not in accordance with Policy DM1.3 2(d) and the scheme does not comply with any other specific policy of the South Norfolk Local Plan which permits residential development in the countryside and therefore does not comply with 2 (c) of DM1.3.
- 5.96 The proposal is also contrary to policy DM4.5 because of the harm caused by the substantial amount of new housing extending beyond the settlement limits established in the development plan and encroaching into open countryside, resulting in adverse visual impact on the landscape characteristics of the area and the loss of a not insignificant section of likely 'important' hedgerow, which is contrary to DM4.8 of the South Norfolk Local Plan and Policy 2 of the Joint Core Strategy.
- 5.97 Finally, mindful of the requirements of S38(6) of the Planning and Compulsory Purchase Act 2004 it is not considered that there are any material considerations that indicate that the application should be approved contrary to the provisions of the Local Plan and bearing in mind the fundamental policy harm in allowing un-planned development in what should be a genuinely plan led system it is my view that the application should be refused.

Recommendation: Refusal

1. Harm to rural character of landscape contrary to DM4.5
2. Loss of likely 'important' section of hedgerow contrary to DM4.5 and DM4.8
3. No overriding benefit contrary to DM1.3 and DM1.1

Reasons for refusal

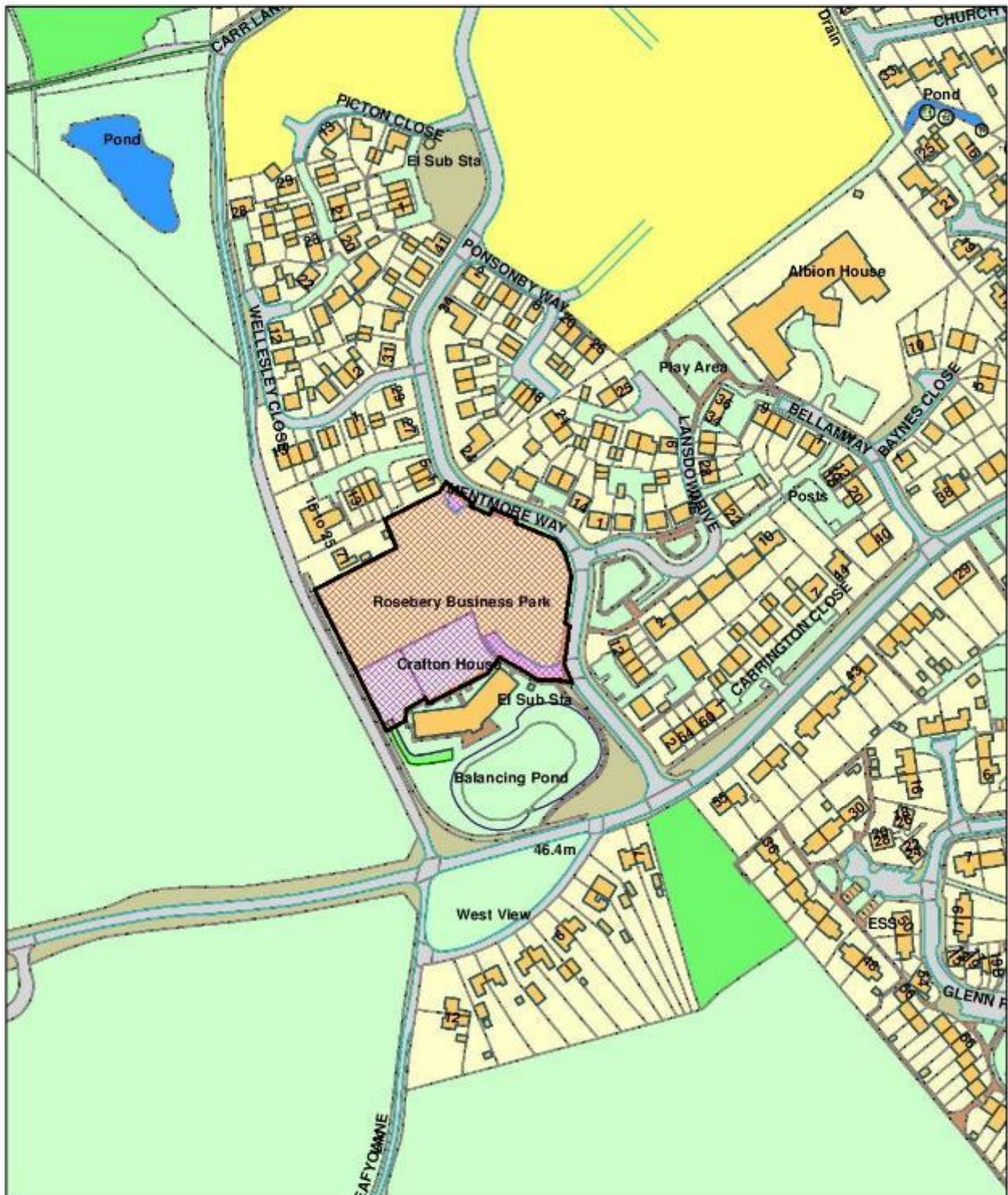
1. The development would result in a significant harm to the rural character of the landscape including views from the public footpath to the west of the site (FP26), thereby conflicting with Policy 2 of the Joint Core Strategy and Policy DM4.5 of the South Norfolk Local Plan 2015. In particular, the development, would be apparent to users of public footpaths to the west of the site where there are currently limited views or perception of development, thereby leading to a loss of the landscape's rural character.
2. The development would result in the loss of a significant section of hedgerow that is likely to be 'important'. This loss would not be outweighed by the benefits of the proposal and therefore would be contrary to Policy DM4.5 and DM4.8 of the South Norfolk Local Plan 2015.
3. The proposed development is not supported by any specific Development Management policy which allows for development outside of the development boundary including Policy DM 3.2. Furthermore the benefits of the scheme in providing new housing, including the over provision of affordable housing do not present overriding benefits when having regard to the harm identified in respect of the landscape and the policy harm in allowing unplanned development in a plan led system. Consequently the proposal fails to comply with either criteria 2 (c) or 2 (d) of Policy DM1.3 and DM1.1 of the South Norfolk Local Plan 2015 and is fundamentally inconsistent with the Council's Vision and Objectives for the area.

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Major and Applications submitted by South Norfolk Council

Application 3

2019/2209



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

3. Application No : 2019/2209/F
Parish : PORINGLAND

Applicant's Name: Mr Spencer Burrell
 Site Address Phase 3, Land North of Shotesham Road Poringland Norfolk
 Proposal Erection of 15no. dwellings and office accommodation, with associated access, parking and play space provision

Reason for reporting to committee

The applicant is Big Sky Developments Ltd in which South Norfolk Council has an Interest.

Recommendation summary: Authorise the Director of Place to Approve with Conditions subject to the satisfactory clarifications / amendments in respect of highways and a S106 agreement to secure the provision of affordable housing and open space.

1 Proposal and site context

- 1.1 The application site is located north of Shotesham Road, Poringland and is bounded on three sides by recently completed housing and office development. The application site and its immediate surroundings to the north, south and east fall inside Local Plan allocation POR 6. This allocation is for "housing and associated infrastructure". The site has mature hedgerow to the west with open countryside on the far side of Carr Lane.
- 1.2 Within POR 6, the application site falls within the boundary of previously approved proposals under applications 2011/0476 (outline for commercial and residential development) and subsequently reserved matters application 2014/0393 (for 57 dwellings and 3539m² GIA of commercial office accommodation). This represented a departure from the allocation by way of the introduction of a mixed-use development.
- 1.3 Of the proposals within 2014/0393, the residential element and 1232m² of the office accommodation (blocks 3 and 4 of the original plan; now called Crafton House) have been completed.
- 1.4 This proposal is a new full application for the area where the remaining office accommodation was proposed. The application includes 798m² of office space and 15 residential dwellings. This represents an overall reduction across the site of 1509m² of office space and an increase of 15 dwellings compared to the previously approved applications 2011/0476 and 2014/0393.
- 1.5 The proposal includes associated access, parking, open space and services for both the dwellings and office accommodation.

2. Relevant planning history

- | | | | |
|-----|-----------|--|----------|
| 2.1 | 2014/0393 | Reserved Matters application for 57 dwellings and 3539m ² (GIA) office accommodation, associated parking and green spaces | Approved |
| 2.2 | 2014/0498 | Variation of conditions 2 and 3 of planning permission 2011/0661/F- (Construction of Spine Road (Carr Lane to Shotesham Road), surface water lagoon and associated works) - construction in accordance with submitted drawings and construction of drainage lagoon | Approved |

2.3	2014/0714	Discharge of conditions 9 and 10 of planning permission 2011/0476/O- detailed schemes for speed limits, foot/cycleway and works to Carr Lane	Approved
2.4	2014/1107	Discharge of conditions 3, 4, 7, 8, 13, 15, 16 & 17 of planning permission 2011/0476/O - Drainage, Highways, traffic management, wheel cleaning, foul and surface water, landscaping, tree protection and boundary treatment	Approved
2.5	2014/1772	Discharge of conditions 5, 7 & 11 of planning permission 2014/0393/D - Provision of bat and bird boxes, root protection areas and existing ground/proposed floor levels & boundary treatments	Approved
2.6	2014/1856	Discharge of condition 3 of planning permission 2014/0319/D - Hard and soft landscaping details	Approved
2.7	2014/1967	Non material amendment to planning permission 2014/0393/D - Reposition of the electricity sub station, amendments to commercial units 3 & 4 elevations with the introduction of plant room extractor grilles and amendments to the residential facing bricks schedule.	Approved
2.8	2014/2150	Discharge of condition 11 of planning permission 2011/0476/O - Travel Plan	Approved
2.9	2015/0631	Variation of Condition 2 following planning application 2014/0393/D - Material change to windows and doors for the residential units and external changes to the materials for the commercial units	Approved
2.10	2016/0043	Variation of Condition 2 of permission 2014/0393/D - Revisions to plot house types, parking and materials	Approved
2.11	2016/0704	Non material amendment to permission 2011/0476 (O/L) and 2014/0393 (RM)(Residential & Commercial (office) Development) - Revision to elevations and internal space to provide individual entrances to flats for numbers 15-24 Mentmore Way	
2.12	2016/0771	Variation of condition 2 of permission 2014/0393/D - various material changes	Approved
2.13	2016/1064	Non-material amendment to planning consent 2016/0043 (57 dwellings and office accommodation) - Removal of Utility window from plot 22 changes to House type H Plot 22 - removal of Utility window	Approved

2.14	2016/1205	Discharge of Condition 15 of permission 2011/0476 - landscaping (Change of surface of pathway)	Approved
2.15	2016/1911	Discharge of condition 8 following 2014/0393/D - hard and soft landscaping	
2.16	2017/1708	Discharge of condition 6 following 2014/0319/D - drainage layout	Approved
2.17	2018/0828	Discharge of condition 15 - hard and soft landscaping of permission 2011/0476	Approved
2.18	2011/0661	Construction of Spine Road (Carr Lane to Shotesham Road), surface water lagoon and associated works	Approved
2.19	2011/0476	Residential & Commercial (office) Development	Approved

3 Planning Policies

- 3.1 National Planning Policy Framework (NPPF)
 NPPF 02: Achieving sustainable development
 NPPF 04: Decision-making
 NPPF 05: Delivering a sufficient supply of homes
 NPPF 06: Building a strong, competitive economy
 NPPF 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
- 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 7: Supporting Communities
 Policy 9: Strategy for growth in the Norwich Policy Area
 Policy 14: Key Service Centres
- 3.3 South Norfolk Local Plan Development Management Policies
 DM1.1: Ensuring Development Management contributes to achieving sustainable development in South Norfolk
 DM1.3: The sustainable location of new development
 DM2.1: Employment and Business Development
 DM2.2: protection of Employment Sites
 DM3.1: Meeting Housing Requirements and Needs
 DM3.8: Design Principles
 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 and Quality of Life
 DM3.14: pollution Health and Safety

DM3.15 Outdoor Play and Recreational Facilities
DM4.2: Sustainable Drainage and Water Management
DM4.8: Protection of Trees and Hedgerows

Poringland Neighbourhood Plan

Note: The Neighbourhood Plan has passed through the Regulation 16 Consultation stage and is currently being considered by an Examiner. At the time of writing, no comments have been received from the Examiner and the Plan has not been subject to a local referendum. Consequently, it does not yet form part of the adopted development plan and is considered to be of limited weight at this time.

- 3.4 Site Specific Allocations and Policies
Policy POR 6: Land North of Shotesham Road and East of Carr Lane
- 3.5 Supplementary Planning Documents (SPD)
Guidelines for recreation provision in new residential developments – SPD

4. Consultations

4.1 Poringland Parish Council

Objects on the following grounds:

- Parking Provision for the commercial Building
- Insufficient elevation drawings to see interaction between the office building and the residential properties
- Insufficient Drainage Information

4.2 District Councillor

Cllr. Lisa Neal

To be Reported if appropriate

Cllr. John Overton

To be Reported if appropriate

Cllr. Trevor Spruce

To be Reported if appropriate

4.3 SNC Landscape Architect

Verbal comment: Whilst it appears there is scope to improve the indicated scheme through detail, this can be addressed through condition.

4.4 NCC Planning Obligations Co Ordinator

- This is below the county's threshold for making comments on education, library and GI, therefore no comments to make

4.5 Play and Amenities Officer

No comments

4.6 Norfolk Fire Service

No objections subject to conditions:

- Provision of a fire hydrant

4.7 NCC Lead Local Flood Authority

First Consultation:

- No objection subject to conditions being attached to any consent if this application is approved and the Applicant is in agreement with pre-commencement conditions. If not, we would request the following information prior to your determination. We recognise that the Local Planning Authority is the determining authority, however to assist, we suggest the following wording: Detailed Design of Surface Water Drainage Scheme to be submitted prior to the start of development

Second Consultation:

- Confirm that the applicant has met what is required for these conditions to be discharged. Confirm no objection.

4.8 NCC Ecologist

- The Preliminary Ecological Survey report is broadly fit for purpose
- Given habitats present onsite and use for storage and car parking, a Construction Ecology Management Plan should be conditioned.
- Therefore, no objections subject to conditions

4.9 Economic Development Officer

No objection

4.10 Anglian Water Services Ltd

- No objections subject to conditions relating to surface and foul water drainage

4.11 SNC Conservation and Design

- No objection to proposed scheme in principle.
- Design of dwellings and office acceptable
- Comments regarding parking arrangement for plot 7 and visitors

4.12 SNC Community Services - Environmental Quality Team

- No objections subject to conditions

4.13 NCC Highways

First Consultation:

- No objection in principle, however requests clarifications and additional information is submitted

Second Consultation

- No comments received at the time of writing the report

4.14 SNC Housing Enabling & Strategy Manager

- No objection to percentage (policy compliant achieved) and tenure split is appropriate.

4.15 Police Architectural Liaison

- Comments regarding layout of both residential and commercial relating to security and safety considerations.

4.16 Heathgate Surgery

No comments received

4.17 Norfolk And Waveney Local Medical Council

No comments received

4.18 South Norfolk Clinical Commissioning Group

No comments received

4.19 NHS England

No comments received

4.20 NHSCCG

No comments received

4.21 Other Representations

6 Objections and 1 Comment:

Objections:

- Should be further addition to business park, no further housing
- The site will create more traffic towards Norwich
- The road has safety Concerns
- The schools are full and are struggling to accommodate the children already in the village
- Loss of Privacy and sunlight to neighbouring gardens
- There will be noise impacts from additional gardens / residential uses
- Entrance road already started on corner adjacent to 1 Mentmore way, repositioning would be dangerous due to traffic issues on Mentmore Way
- Inappropriate to build another office block closer to homes
- Objection to cutting down the remaining trees on site that house wildlife and birds
- The office will dominate the area and spoil the view and character
- There will be additional light pollution from the offices and car park
- There is inadequate parking for the offices and will result in parking on Mentmore way - causing hazard for all residents
- It would be more appropriate to site the office building facing Carr Lane
- In December 2018 there was a Great Crested Newt in a nearby residential garden.

Comments:

- Pleased to see bungalows proposed near property in the north concern regarding timing of building work - wish to be kept informed to adapt working hours

5 Assessment

Key considerations

- 5.1 The key consideration of this proposal is the interaction between the provision of housing in accordance with the site allocation and employment in line with previous permissions 2011/0476 and 2014/0393. Within the site, considerations include the interaction between the commercial and residential elements, and the interaction with their surroundings. Within the site design, parking, access and residential amenity are all key considerations.

Principle

- 5.3 The principle of residential development is established through allocation POR 6 of which the application site forms part. The site is also within the development limit. The principle of commercial development is established through outline application 2011/0476 and reserved matters 2014/0393. As such either residential, commercial or mixed-use development on this site can be considered acceptable in principle subject to assessment of the key considerations outlined above.

Site Layout / Design

- 5.4 Planning policy promotes a high standard of design at all levels. In particular Policy 2 of the Joint Core Strategy and DM3.8 of the Development Management Policies Document set out the design principles promoted by the Council. Good design is considered to be a key component of sustainable development and is therefore integral to successful development.
- 5.5 The site has been set out with the commercial element in the south east and the residential element in the north. This allows the new office accommodation to be served by an expansion of the existing parking area currently used by Crafton House and maintains the office accommodation adjacent to the existing.
- 5.6 Concerns have been raised with regard to the positioning of the office building on the east of the site and its proximity to housing. Office use falls within the B1 use class category which is defined as being suitable within residential areas in the Town and Country Planning (Use Classes) Order 1987 (as amended). This location minimises the impact to landscape, and ecology through positioning the building closer to Mentmore way from which it will be accessed, and the previously approved scheme included a much larger office building in this location. With the above considered, on balance the proposed location is considered suitable, however it is considered reasonable to restrict the use to B1 through condition to protect the amenity of nearby dwellings.
- 5.7 The design of the office and use of brick as the primary material enables it to relate to the existing and proposed residential adjacent to it while maintaining distinct design features and detailing of its own. This includes brick detailing to the northern and southern elevations and a curved roof design. The entrance faces west towards the car park and the building itself it is set back from the road to the east with an area of greenspace in between.
- 5.8 The entrance to the residential cul-de-sac is formed by an area of open space / play space on the south side and a pair of semi-detached dwellings on the north side. This enables the residential element of this proposal to sit adjacent to existing residential uses. The primary material type is brick, with design features enhancing significant elevations and frontages. There is a good mix of parking arrangements creating a varying street scene and there are design elements on the dwellings themselves creating a distinctive character of its own within the wider residential area. The open

space is overlooked by dwellings, allowing it to form an active part of the streetscape while enabling its safe use according to secure by design standards.

- 5.9 The built form remains separated from the open countryside by the mature vegetation on either side of Carr Lane and therefore has minimal landscape impact.
- 5.10 The scheme is considered acceptable in terms of its design, scale, layout and relationship to the surrounding area. On this basis, it is considered that the scheme would accord with Policy 2 of JCS, Section 12 of NPPF, DM1.4, DM3.8 and DM4.3 of the Development Management Policies document

Residential Amenity

- 5.11 Policy DM3.13 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.
- 5.12 The site is bounded by residential development to the north and west. To the north, residential dwellings, including a bungalow sit adjacent to the boundary while to the west the dwellings are separated from the site by Mentmore Way. Concern has been raised with regard to the proximity of new dwellings to the existing properties in the northern corner of the application site. Whilst these are relatively close, officers consider there is sufficient distance achieved and this coupled with the positioning and orientation of the dwellings to minimise the level of overshadowing and overlooking that this would not result in a significant detrimental impact. Rear windows facing existing dwellings are separated by garden areas, which in combination with the topography change (the new dwellings are lower than the existing) will result in an impact that is not great enough to warrant reason for refusal of the application in this instance.
- 5.13 Concerns relating to noise impacts from new residential dwellings have been considered in the context of the local area and, considering the number of additional dwellings proposed, and the location within an existing residential development, will not be significant enough to warrant reason to refuse this application. Also, in this regard, the open space and play area is situated away from immediate residential boundaries to mitigate noise impacts from its use.
- 5.14 The site layout includes single storey dwellings backing on to the bungalow which minimises the potential for overlooking and overshadowing on the neighbouring dwelling. The adjacent two storey dwellings have no first-floor side window which again minimises the potential for overlooking.
- 5.15 As stated above it is considered that office development (B1) is appropriate in a residential area and that the location of the office block within the proposal is acceptable. Some concern has been raised with regard to the dwellings that back on to the office car park. These have been mitigated through appropriate boundary treatment and a condition requiring a noise mitigation strategy to promote neighbourly operation of the office building. Furthermore, conditions are suggested to control external lighting on the building and in the car park, together with restriction on plant and machinery unless first approved by the Council.
- 5.16 With regard to the proposed residential dwellings, the plot sizes and positioning enables acceptable levels of private amenity space for each dwelling without significant overlooking or overshadowing.
- 5.17 Therefore, whilst the concerns raised by local residents in respect of the impact of the proposal in respect of disturbance, pollution and overshadowing for example are fully appreciated, it is not considered that the proposed development would result in such a significant harm to the amenities of existing or consented properties as to warrant

refusal on the grounds raised and therefore the proposal accords with policies DM3.13 and DM3.14 of the Development Management Policies document.

Highway Safety and Parking

Parking

- 5.18 With regard to parking, the proposal has been assessed in accordance with Local Plan Policy DM3.12 in consultation with the Local Highways Authority.
- 5.19 A number of concerns have been raised by neighbours in the consultation relating to parking, both currently in the area and with regard to the new development. The new office building will be served by the same car park as Crafton house which will be expanded to accommodate the increase in floorspace.
- 5.20 Compared to the existing context, the application represents a 65% increase in office space (1232m² increasing to 2030m²) and a 114% increase in parking provision (43 spaces increasing to 89 spaces). Overall therefore, the proportion of parking to office space will increase, reducing the necessity for vehicles to spill out onto Mentmore Way and the surroundings during busy periods. As such it is considered that the proposal will have a positive impact on the parking provision within the commercial element of the site and accords with the aims of policy DM3.12 of the Local Plan.

Highway Safety:

- 5.21 With regard to highway safety the proposal has been assessed in accordance with Local Plan policy DM3.11 in consultation with the Local Highways Authority.
- 5.22 The development includes two access points onto Mentmore Way, one serving the commercial development (using the same access as Crafton House) and one serving the residential development. Further, one unit is also to have direct access on to the road. The local Highways Authority has raised minor queries relating to cycle parking, visibility splays and service vehicle turning; the applicant is in the process of addressing these and NCC highways have not raised any objections to the application. In this respect the recommendation seeks approval subject to satisfactory resolution of these outstanding matters.
- 5.23 Whilst the concerns of the Parish Council and local residents regarding the existing highway issues; highway safety; nature of the existing road network etc. as set above are noted, I do not consider the application should be refused on the grounds raised, particularly in the absence of an objection from NCC Highways, and in having due regard to paragraph 109 of the NPPF which states development should only be prevented or refused on highway grounds if there would be an unacceptable impact or the residual cumulative impacts on the road network would be severe.
- 5.24 In view of the above, the proposal therefore accords with Policy DM3.11 and DM3.12 of the Development Management Policies document.

Flooding and Surface Water Drainage

- 5.25 Policy 1 of JCS and Policy DM4.2 require development to minimise the possibilities of flooding and pollution.

Surface Water Drainage and Flood Risk

- 5.26 Concerns have been raised as set out above regarding drainage, and it is fully appreciated that there are known drainage problems and flooding in the village. The site is located within Flood Risk Zone 1 and therefore is not at risk from flooding from nearby water courses. A Flood Risk Assessment (FRA) has been submitted with the application.

- 5.27 The application has been accompanied by a Surface Water Drainage Strategy and Flood Risk Assessment. This is viewed with the context that, Crafter house, as the first element of the previously approved scheme was constructed along with a large proportion of the surface water drainage infrastructure associated with the full site as previously approved, including the main attenuation basin adjacent to Shotesham Road.
- 5.28 The Lead Local Flood Authority (LLFA) has assessed the sustainable drainage strategy for the site in context with the existing features and considers it acceptable subject to the appropriate conditions requiring its implementation.

Foul Water drainage

- 5.29 In respect of the foul water drainage Anglian Water has raised no objections and confirmed that the foul drainage from this development is in the catchment of Poringland Water Recycling Centre that will have available capacity for these flows.
- 5.30 Whilst the concerns raised in respect of the flood risk and surface water drainage are fully appreciated it is considered that in view of the above with suitable compliance conditions, that the development accords with Policy 1 of the JCS and Policy DM4.2 of the SNLP.

Ecology

- 5.31 Policy 1 of the JCS requires the development to both have regard to and protect the biodiversity and ecological interests of the site and contribute to providing a multi-functional green infrastructure network. Policy DM4.4 looks for new development sites to safeguard the ecological interests of the site and to contribute to ecological and Biodiversity enhancements and Policy DM4.8 promotes the protection of trees and hedgerows.
- 5.32 An Ecological Assessment has been provided and assessed by the NCC Ecologist who is of the view that due to the distances involved between the site and designated sites and the scale of the proposed development there are unlikely to be impacts on designated sites; although it is noted that the potential for protected species on the site has been raised by the applicant's ecological assessment and neighbour comments. Appropriate measures to mitigate and protect ecology have taken into account works that the applicant could already undertake under the extant permission.
- 5.33 As such the NCC ecologist has requested a Construction Ecology Management Plan to be conditioned for the site and has also agreed that the landscape management plan incorporates the previously approved ecology mitigation onto the newly proposed layout and land uses, including planning, bird and bat boxes, tree protection and replanting and other landscape features. As such the proposal accords with DM4.4 of the Development Management Policies document and Section 15 of the NPPF.

Other Issues

- 5.34 Concerns have been raised with regard to additional residents and schools' places. The County Council planning obligations team have been consulted and have not objected in this regard.
- 5.35 The proposal includes policy compliant affordable housing in respect of the number of units, and a tenure split that is supported by the Housing Enabling Officer.
- 5.36 Policy compliant open space is proposed although precise details of the layout and position of the equipped play area is to be secured together with management arrangements through a S106

5.37 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.

5.38 **This application is liable for Community Infrastructure Levy (CIL)**

Conclusion

5.39 The proposed development proposes a mixed use of both residential and office development in an area where both uses are acceptable in principle. On balance, the proposed mix is acceptable when considering the background of the site. The proposal has been assessed with regard to other relevant development management policies above and is considered acceptable with regard to its design and layout, highways and parking and its impacts on residential amenity, ecology and drainage.

5.40 In view of the above I recommend delegated authority to approve subject to highways agreement on the clarifications and a S106 agreement to secure the affordable housing and open space.

Recommendation:	Approval with Conditions
	1 Time Limit - Full Permission
	2 In accordance with submitted drawings
	3 External materials to be agreed
	4 Fire Hydrant
	5 Ecology Construction Method
	6 Ecology Mitigation Enhancement to accord with submitted details
	7 Landscape Scheme to be Submitted
	8 In accordance with Drainage Strategy
	9 Restricted use for Commercial Building
	10 Tree Protection
	11 Contamination Assessment
	12 Unexpected Contamination
	13 Existing Ground Levels
	14 Resident Disturbance Management Plan
	15 No external plant etc.
	16 No trees / hedges to be removed
	17 Energy Efficiency
	18 New Water Efficiency
	19 No External Lighting

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

Other Applications

Application 4

2019/2169

Not Set



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

Other Applications

- 4. Application No: 2019/2169/F**
Parish: DEOPHAM AND HACKFORD

Applicant's Name: Mrs Sara Armitage
 Site Address Nick's Diner, Church Road, Deopham, NR18 9DT
 Proposal Change of use from (A3) restaurant to (C3) residential

Reason for reporting to Committee

The proposal would result in the loss of employment.

Recommendation summary:

Approval with Conditions

1 Proposal and site context

- 1.1 This application seeks full planning permission to change the use of a closed restaurant into a dwelling. The unit was previously known as Nick's Diner and has a dwelling attached to its southern end that the applicants reside in. The intention is to incorporate the floor space of the restaurant into the dwelling to provide a three-bed property as opposed to creating an additional dwelling.
- 1.2 The building has the appearance of a former agricultural building and is single-storey in size. External materials include red brick, black stained horizontal timber cladding and clay pantiles. The site is accessed from the north and shares its car parking area with the former Victoria Inn to the north. The garden area for the dwelling that the applicants reside in is at the southern end of the site.
- 1.3 Neighbouring properties include detached red brick 1.5 storey dwellings to the south, agricultural land to the west on the opposite side of Church Road, a car parking to the west and the two-storey former Victoria Inn to the northeast.

2. Relevant planning history

- | | | | |
|-----|-----------|--|----------|
| 2.1 | 2012/1180 | Extension to provide enlarged living accommodation for owner | Approved |
|-----|-----------|--|----------|

3 Planning Policies

- 3.1 National Planning Policy Framework (NPPF)
 NPPF 02 : Achieving sustainable development
 NPPF 04 : Decision-making
 NPPF 06 : Building a strong, competitive economy
 NPPF 12 : Achieving well-designed places
- 3.2 Joint Core Strategy (JCS)
 Policy 1 : Addressing climate change and protecting environmental assets
 Policy 2 : Promoting good design
 Policy 5 : The Economy
 Policy 17 : Small rural communities and the countryside
- 3.3 South Norfolk Local Plan (SNLP) Development Management Policies Document
 DM1.3 : The sustainable location of new development
 DM2.2 : Protection of employment sites

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

4 Consultations

4.1 Parish Council

No objections and support change of use.

4.2 District Councillor

No comments received

4.3 SNC Water Management Officer

No comments to make.

4.4 NCC Highways

I note that the red line for the conversion includes the building itself only.

No parking facilities for the residential units are shown within the red line. It is therefore not clear if any spaces are allocated for the proposed properties. I am aware that there was a covenant for the provision of parking spaces when the building was used as a Diner. I would therefore be grateful if the applicant can advise the future situation regarding the parking within the grounds of the former Victoria Inn.

Comments following the submission of additional information:

The information regarding parking arrangements is fine. Therefore, no objections are raised.

4.5 Other Representations

None received.

5 Assessment

Key considerations

- 5.1
 - Principle of development and loss of a business use
 - Impact on the appearance of the area
 - Impact on residential amenity
 - Impact on highway safety

Principle of development and loss of a business use

- 5.2 The site is located outside of any defined development boundary and is in a countryside location. However, inside and outside development boundaries, Policy DM2.2 (2) of the SNLP seeks to safeguard land and buildings that are currently in or were last used for an employment or business use. The loss of such sites or buildings is permitted where:

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

or

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

Subject to compliance with one of these criteria, the principle of development is therefore acceptable. In this case, the applicants have sought to demonstrate compliance with criterion (a).

- 5.3 In support of their application, the applicants explained that they purchased Nick's Diner in 2011 and in 2015, built a residence next to the diner so that they could better manage it. In March 2017, the property (the dwelling and restaurant) was placed on the market with Humberstones at £425,000 and also advertised on Gumtree, Businessesforsale.com and Rightbiz. Although the property was viewed and appeared as a featured property in December 2017, the price was reduced to £395,000. Despite being viewed 207 times across a number of websites and featured in Humberstones's Business Guide and as reduced in a February Stop Press publication, in July 2018, the price was reduced to £375,000 and the option to lease the diner or the diner with the dwelling. This reduction in price generated interest and in February 2019, the price was reduced to £360,000 and in March 2019, an advert placed in the business section of the Eastern Daily Press.
- 5.4 In respect of interest generated, between July 2018 and September 2018, the property was viewed on five occasions. Two viewings did not lead any further, one viewer was unable to borrow sufficient funds, one viewer needed to sell their property before being able to proceed and another view did not take their interest further due to the car park not being included within the sale and there being restrictions to the property that might affect the ability to upscale. Ultimately, no offers were received either for the freehold or leasehold arrangements. The business closed in August 2019.
- 5.5 Advice was sought from a different estate agent. His opinion was that Humberstones had priced the property fairly and he commented that the bigger issue is the location of site and the lack of passing trade. Officers have had sight of the email from this agent.
- 5.6 In summary, the business was advertised across a range of platforms for almost two years. Despite reducing the sale price on four occasions and offering a leasehold option, only five viewings took place and no offers were made.
- 5.7 As referenced above, criterion (2, a) of Policy DM2.2 requires it to be demonstrated that the possibility of re-using or redeveloping the site / premises for a range of alternative business purposes has been fully explored and for it to be demonstrated that the site or premises is no longer economically viable or practical to retain for an employment use. Although the site has only been advertised as a restaurant, it does not benefit from planning permission for any other use and so I accept the practicality of this approach. In addition, where there is interest in a commercial premises that is for sale, officers often receive calls from interested purchasers who wish to explore alternative uses. Neither I nor other colleagues in the Decisions and Enforcement Team recall receiving any such calls and no written enquiries were received either. Finally, my experience of buildings in locations such as these is that location and connectivity is often an important factor in determining whether a business will occupy a premises, concern at the location having been expressed by an estate agent as highlighted above. The site is in a relatively remote location and not on a busy through

route to Wymondham, Hingham, Watton or Attleborough for example and as a result of the covenant, there is a limit to how many cars on the car park.

- 5.8 Taking account of the above, I am satisfied that the applicants have explored the continued use of the site for business purposes and that it has been demonstrated that the site is no longer practical to retain for business use. The application therefore complies with Policy DM2.2 of the SNLP.

Impact on the appearance of the area

- 5.9 As part of the works associated with the change of use, the existing extraction equipment will be removed, a door in the north elevation replaced with a window, a new living room window provided in the west elevation that faces the road and the existing customer entrance, staff welfare facilities and washing up area to be demolished to create a new entrance porch and patio area for the dwelling on the east elevation that faces the car park. In all cases, these works are appropriate to the appearance of the building and will have a neutral impact on the appearance of the surrounding area. The undulating nature of the immediate environment and the alignment of the highway is such that the building is not visible from long distance views. The application will therefore have a neutral impact on the surrounding landscape character and it complies with Policies 1 and 2 of the JCS and Policies DM3.8 and DM4.5 of the SNLP.

Impact on residential amenity

- 5.10 Since the built envelope is not increasing and given the single-storey scale of the building, changing its use will not affect the residential amenity of the neighbours to the northeast and south and the applicants. The application complies with Policy DM3.13 of the SNLP.

Impact on highway safety

- 5.11 The applicant does not own the car park to the east but a covenant is in place that allows them to park a maximum of 20 cars on this parcel of land. Noting that, the Highway Authority has not objected to the application, which complies with Policies DM3.11 and DM3.12 of the SNLP.

Other matters

- 5.12 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.
- 5.13 **This application is not liable for the Community Infrastructure Levy.**

Conclusion

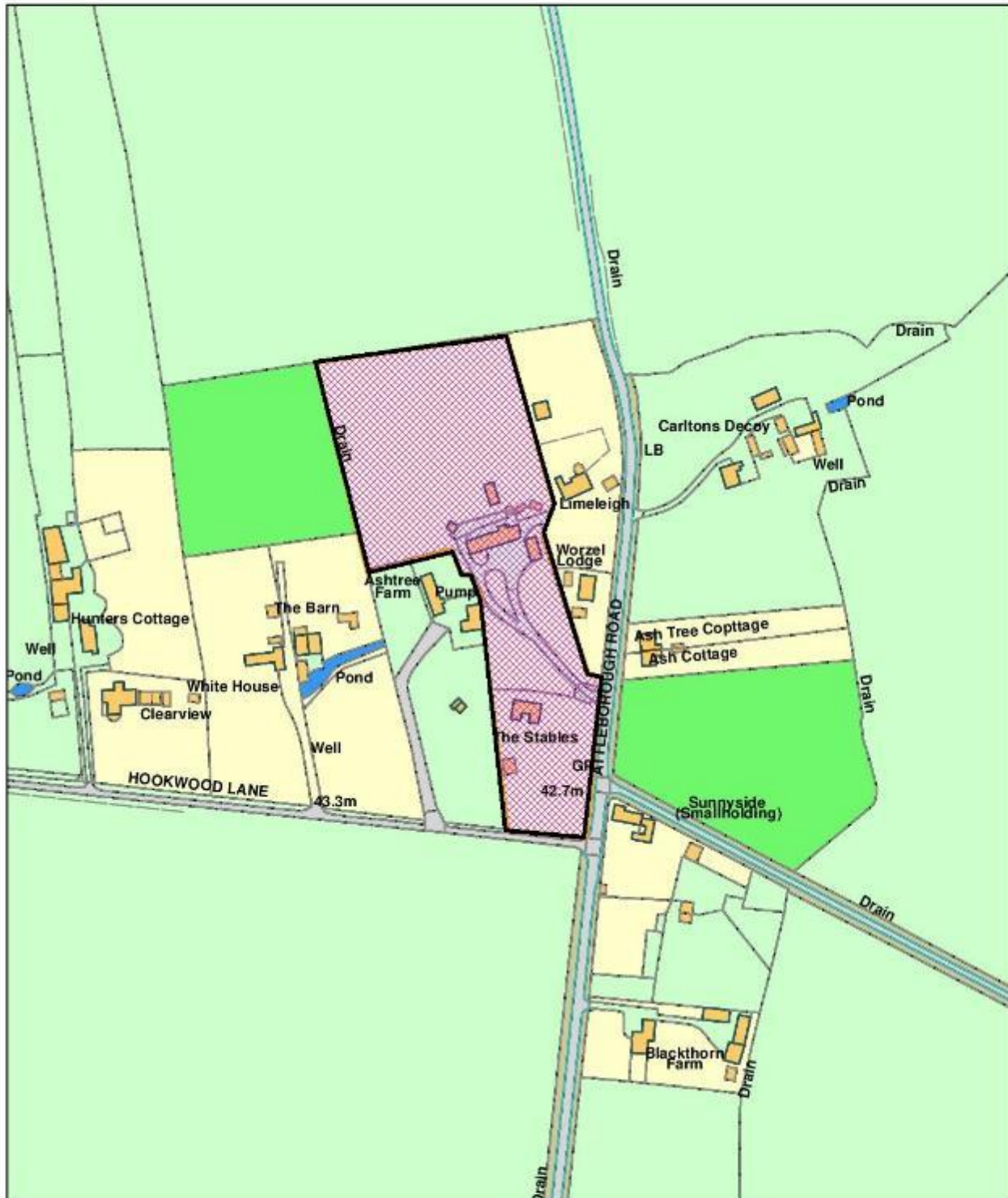
- 5.14 When having regard to those matters raised by this application, I am satisfied that the applicants have explored the continued use of the site for business purposes and that it has been demonstrated that the site is no longer practical to retain for business use. I am also satisfied that the alterations will have acceptable impacts on the character and appearance of the building and surrounding area, residential amenity and highway safety and that it complies with the relevant policies of the development plan. The application is therefore recommended for approval.

Recommendation: Approval with Conditions
 1 Time limit - full permission
 2 In accordance with submitted drawings
 3 Remove permitted development rights

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

Application 5

2019/2316



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

5. Application No.: 2019/2316/RVC
Parish: MORLEY

Applicant's Name: Mr Neil Clancy
 Site Address: Willow Tree Barn, Attleborough Road, Morley St. Peter, Norfolk
 NR18 9TU
 Proposal: Removal of condition 2 of 2016/0537 - To allow full time permanent occupancy of the holiday accommodation

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 planning permission to remove a holiday occupancy condition at a three-bed single-storey holiday unit to the south of Willow Tree Barn in Morley St. Peter. The property is in a countryside location and the building is predominantly in red brick with a large garden area to the south. Within the garden is a covered seating area and a games room that is largely clad in black stained horizontal boarding. The site is accessed from Attleborough Road to the east.
- 1.2 The applicant's dwelling is located to the north of the site and other dwellings of varying size and appearance are located along Hookwood Lane to the west. Agricultural land is located to the south. The eastern/front and southern boundaries to Attleborough Road and Hookwood Lane are demarcated by an established hedgerow with post and rail fencing on the inside.

2. Relevant planning history

- | | | | |
|-----|-----------|--|----------|
| 2.1 | 2016/0537 | Removal of condition 3 from permission
2013/0283/F - to use ancillary
accommodation as a holiday let | Approved |
| 2.2 | 2013/0283 | Conversion of stable block to residential
accommodation to be used in conjunction
with and ancillary to willow tree barn | Approved |
| 2.3 | 2002/0767 | Erection of new stable block | Approved |

3 Planning Policies

- 3.1 National Planning Policy Framework (NPPF)
 NPPF 02 : Achieving sustainable development
 NPPF 04 : Decision-making
 NPPF 05 : Delivering a sufficient supply of homes
 NPPF 06 : Building a strong, competitive economy
 NPPF 09: Promoting sustainable transport
- 3.2 Joint Core Strategy (JCS)
 Policy 1 : Addressing climate change and protecting environmental assets
 Policy 2 : Promoting good design
 Policy 5 : The economy

Policy 17 : Small rural communities and the countryside

3.3 South Norfolk Local Plan (SNLP) Development Management Policies Document

DM1.3 : The sustainable location of new development

DM2.2 : Protection of employment sites

DM3.8 : Design principles applying to all development

DM3.11 : Road safety and the free flow of traffic

DM3.12 : Provision of vehicle parking

DM3.13 : Amenity, noise, quality of life

DM4.5 : Landscape character areas and river valleys

4. Consultations

4.1 Parish Council

No comments received

4.2 District Councillor

Cllr R Elliott

The overriding reason for seeking the removal of condition 2 of 2016/0537 and change the use of this premises is driven by the inability of the applicant to continue with maintaining the holiday let accommodation due to health reasons. It has been stated that the application must be determined in accordance with planning policy and Planning Policy DM2.2, Protection of employment sites, has been cited as one of the more notable policies being used. Given the potential for a wide-ranging interpretation of this policy, I request that the determination of this application should be by the Development Management Committee.

4.3 NCC Highways

No comments received

4.4 Other Representations

None received.

5 Assessment**Key considerations**

- 5.1
- Principle of development and loss of a business use
 - The applicant's personal circumstances

Principle of development and loss of a business use

- 5.2 By way of background, Policy DM2.10 of the SNLP refers to holiday accommodation as an employment use. Inside and outside of development boundaries, Policy DM2.2 (2) of the SNLP seeks to safeguard land and buildings that are currently in or were last used for an employment or business use. The loss of such sites or buildings is permitted where:

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

or

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

- 5.3 In addition to the above, the supporting text to Policy DM2.2 states that in order to satisfy the requirements of criteria (a) and (b) above, the Council will require evidence of active professional marketing for at least six months at valuations agreed with the District Valuation Office and for a range of suitable alternative commercial uses.

Criterion (a): viability of unit and alternative uses

- 5.4 Starting with the first part of criterion (a), given the appearance and fitting out of the unit along with its location away from a significant centre of population and its shared access with the applicant's own dwelling, I accept that alternative commercial uses are unlikely to be viable in this instance and have not required the applicant to demonstrate this. Notwithstanding that, there is still a requirement for the unit to be actively marketed for the current lawful use as per the guidelines set out in the supporting text to Policy DM2.2 and this has not taken place. It should be noted that the unit sits within its own curtilage separate from the applicants property and consequently could be owned and ran as a holiday let by a third party without impinging upon the amenities of the applicant or any other local resident.
- 5.5 In respect of viability, I have had sight of a letter from the applicant's accountant which confirms that for the last three tax years from 2017 to 2019, the unit has turned over a steady and increasing profit. Despite that, the applicant and his accountant have confirmed that he and his wife do not draw a salary from the unit and that if a salary was drawn and cleaners, gardeners and the like were employed, the unit would not be viable.
- 5.6 When considering the viability of the unit, the applicant's attention has been drawn to a recent appeal decision at Tawny Farm in Forncett St. Peter (attached as Appendix A to this report). Although the proposal sought to demolish two holiday units and build three dwellings, regard still had to be given to the potential loss of the holiday units under Policy DM2.2. Paragraphs 10 to 15 of that decision are particularly relevant and set out the type of information that one might wish to see in order to contribute towards making an assessment on whether the unit is viable or not. This matters as there should be consistency in the approach that the Council takes to its decision making. For this application, beyond the confirmation provided on the amount of profit for the last three tax years, no other financial information has been submitted in support of the applicant's assertion that the unit is not viable. No information has also been submitted, for example, on detailed accounts, occupancy rates or bookings since the unit has been operating, pricing and the impact of alternative management arrangements and whether any of these items are of relevance to whether or not the unit is viable. As such, it has not been demonstrated that the unit is no longer economically viable or practical to retain and the application is contrary to Policy DM2.2 (2,a) of the SNLP.

Criterion (b): overriding benefits

- 5.7 As well as needing to undertake the marketing exercise outline above, criterion (b) requires there to be overriding economic, environmental or community benefits arising from the application that outweigh the benefits of the current use continuing. This is similar to Policy DM1.3 (2, d) of the SNLP which allows planning permission to be granted in the countryside if a development can demonstrate overriding benefits to the economic, social and environmental dimensions of sustainable development.

- 5.8 The holiday use of the unit provides economic benefits to the area as visitors will contribute to the local economy. The permanent, unrestricted occupation of the unit will also have economic benefits as residents will spend money in the local economy and have the opportunity to find employment too. On balance, in comparison with the holiday use of the unit, it is likely that there will be a net economic benefit but I judge that this will be modest as opposed to overriding.
- 5.9 I do not judge that there will be overriding environmental benefits arising from the application. The site is approximately 1.1km away from the nearest outpost of Besthorpe on the northern side of the A11, where there are very few services available. The centre of Attleborough is approximately 3.25km distant. Morley St. Boltoph is a somewhat spread out settlement but the main core of the village is approximately 2.6km away. Wymondham College is approximately 2km away. In view of these distances, the absence of footpath provision and the limitations of the road network, potential residents are not provided with an attractive or realistic option to walk to access a range of day to day services that could meet key needs and particularly so during hours of darkness and cold or poor weather conditions. Instead, most travel is likely to be by car. While holidaymakers will also use their vehicles, their stays are relatively short-lived and they are most unlikely to use key services in the same way as full-time residents. In having regard to these factors, the site is not in a sustainable location.
- 5.10 The use of the building is not unneighbourly in respect of noise, disturbance or traffic generated and therefore it is difficult to see that the removal of the occupancy condition will result in a community benefit. The effect of approving this application would be to create a dwelling with unrestricted occupancy. While this may be perceived as a social benefit (which could be construed as being similar to a community benefit), in view of the Council meeting its housing supply commitments, I ascribe limited weight to this element of the application.
- 5.11 When having regard to the three paragraphs above, I do not consider that removing the holiday occupancy condition will result in overriding economic, environmental, community or social benefits that outweigh the loss of the unit or the harm arising from an unrestricted dwelling being not sustainably located. The application is therefore contrary to Policy DM2.2 of the SNLP and also Policy 1 (bullet 7) of the JCS and Policy DM3.10 of the SNLP as the site is not sustainably located for access to facilities and services.

The applicant's personal circumstances

- 5.12 A key driver behind the applicant submitting this application is that his wife has Parkinson's disease. The applicant has provided further information on this and the impact of it and Members are able to view these in the [exempt papers](#).
- 5.13 Mrs Clancy previously managed the holiday unit but having Parkinson's Disease has impacted on her continued ability to do so and no further bookings are being taken. I acknowledge that this is a distressing situation for the applicant and his family and that he wishes to create as comfortable and positive an environment as possible for his wife. Ultimately though, I must base my assessment on whether the application complies with the relevant policies of the development plan and so I am unable to give significant weight the personal circumstances he has put forward.

Other matters

- 5.14 Although partly visible from Attleborough Road, the building already has a domestic appearance given its use as a holiday let. No changes are proposed to its appearance. The proposal will therefore have a neutral impact on the character and appearance of

the surrounding area and the application complies with Policies 1 and 2 of the JCS and Policies DM3.8 and DM4.5 of the SNLP.

- 5.15 There are no changes to the building and it is located such that the impact on neighbouring properties, including the applicant's own dwelling to the north, will be neutral. The application complies with Policy DM3.13 of the SNLP.
- 5.16 The access serving the site will remain the same and while its use will intensify as a result of the proposal, I consider that it will have a neutral impact on highway safety. Sufficient space is provided to allow vehicles to park and turn. The application therefore complies with Policies DM3.11 and DM3.12 of the SNLP.
- 5.17 Under Section 143 of the Localism Act, the Council is required to consider the impact on local finances. This can be a material consideration but in the instance of this application the other material planning considerations detailed above are of greater significance.
- 5.18 **This application is not liable for the Community Infrastructure Levy.**

Conclusion

- 5.19 The Council is required to determine applications in accordance with the Development Plan unless material consideration indicate otherwise. For the reasons set out above, I consider that insufficient information has been provided to demonstrate that the unit is unviable or impractical to retain as holiday accommodation. Further, although there may be modest economic and limited social benefits arising from the removal of the condition, these are not overriding and harm will arise from allowing an unrestricted dwelling in a location that does not enjoy good access to a range of day to day services and consequently the application is contrary to Policy 1 (bullet 7) of the JCS and Policies DM2.2 and DM3.10 of the SNLP and the recommendation is that planning permission is refused. Whilst having full regard to the applicant's personal circumstances these are not considered to be of such weight so as to justify approving a scheme that is contrary to the aforementioned policies of the adopted development plan and for this reason the application is recommended for refusal.

Recommendation: Refusal
1. Loss of holiday unit not adequately justified
2. Accessibility of site

Reasons for refusal

1. While regard has been given to the applicant's personal circumstances, it has not been adequately demonstrated that the holiday accommodation is not economically viable as holiday accommodation. The application does not comply with Policy DM2.2(a) of the South Norfolk Local Plan Development Management Policies Document 2015. It is also considered that there will not be an overriding economic, environmental or community benefit arising from the development which outweighs the benefit of the current use resulting the application failing to comply with criterion (b) of Policy DM2.2 of the South Norfolk Local Plan Development Management Policies Document 2015.
2. The site is approximately 1.1km away from the nearest outpost of Besthorpe on the northern side of the A11, where there are very few services available. The centre of Attleborough is approximately 3.25km distant. Morley St. Boltoph is a somewhat spread out settlement but the main core of the village is approximately 2.6km away. Wymondham College is approximately 2km away. In view of these distances, the absence of footpath provision and the limitations of the road network, potential residents are not provided with an attractive or realistic option to

walk to access a range of day to day services that could meet key needs and particularly so during hours of darkness and cold or poor weather conditions. Instead, most travel is likely to be by car. While holidaymakers will also use their vehicles, their stays are relatively short-lived and they are most unlikely to use key services in the same way as full-time residents. In having regard to these factors, the site is not in a sustainable location for a dwelling with unrestricted occupancy and the application is contrary to Policy 1 (bullet 7) of the Joint Core Strategy and Policy DM3.10 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

Appendix 1



Appeal Decision

Site visit made on 3 September 2019

by **D. Szymanski, BSc (Hons) MA, MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 17th December 2019



Appeal Ref: APP/L2630/W/19/3230910

Tawny Farm, Station Road, Fornsett St Peter, NR16 1HZ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Mr Harry Bowers against the decision of South Norfolk District Council.
 - The application Ref: 2018/1944 dated 23 August 2018, was refused by notice dated 17 April 2019.
 - The development proposed is erection of 3 no. two-storey dormer style dwellings with garages.
-

Decision

1. The appeal is dismissed.

Procedural Matters

2. The description of the development set out in the original planning application form is used in the banner heading above. However, during the determination of the application the number of dwellings was reduced from five to three, which is reflected in the appellant's appeal form and the decision notice issued by the Council. Therefore, I have determined the appeal on the basis it is for 'proposed erection of 3 no. detached two-storey dormer style dwellings with garages' as set out in the Council's decision notice.
3. The planning application is submitted in outline with all other detailed matters reserved for a subsequent reserved matters application. With the exception of the 'Location Plan' as shown on plan/drawing no. 18/1345/001C, I have therefore taken all the other submitted plans/drawings to be indicative only.

Main Issues

4. The main issues are:
 - whether the proposed development would be in a suitable location, having regard to the accessibility of services and facilities;
 - whether it is demonstrated that the holiday accommodation is not economically viable, and the site cannot be used for alternative business purposes; and,
 - whether the proposed development would result in any overriding benefits.

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

Reasons*Whether the proposed development would be in a suitable location*

5. The appeal site is in the countryside approximately 900 metres (m) from the nearest settlement boundaries of Fornsett St. Mary and Fornsett St. Peter (the Fornsetts). Policy DM1.3 of the South Norfolk Local Plan Development Management Policies Document (October 2015) (the Local Plan) sets out the limited circumstances in which development will be permitted in the countryside. The policy expects all development to be located to contribute to sustainable development, with development in the countryside only granted if specific development management policies allow such development, or there are overriding benefits to the economic, social or environmental dimensions of sustainable development. The proposed development is not one of the exceptions permitted in the countryside by specific development management policies.
6. The Fornsetts offer little in the way of services and facilities, offering a primary school, village hall and two churches. These would be accessed west from the appeal site along Station Road, which is an unlit largely national speed limit road of a relatively narrow width and few opportunities for pedestrians and cyclists to seek refuge on the road verges. Many services and facilities (including Infant, Junior and High Schools, a leisure centre, a doctor's surgery, numerous shops, professional services and some employment opportunities) are available in Long Stratton, approximately 2.5km east of the appeal site. Long Stratton would be accessed east from the appeal site along Station Road which is a largely unlit two-way national speed limit road, with some dips and bends. Only limited stretches of verge could provide refuges to pedestrians.
7. The appellant has suggested the journey to Long Stratton is 15 – 20 minutes by bicycle and listed several other journey times to other facilities by car. The nature of the routes and distances mean that the journeys to the facilities in the Fornsetts or Long Stratton would not be attractive or convenient cyclist or pedestrian routes for future occupiers that are physically able, particularly in the colder and wetter months.
8. There are bus stops either side of Station Road a short distance from the appeal site for a Norwich to Diss service (via Long Stratton). There are differing views about service frequency between the parties with the appellant suggesting an hourly service and the Council suggesting it operates 4 – 5 times per day each way. Even if I were to accept the appellant's suggestion of the more frequent bus service, future occupiers are much more likely to access local services and facilities, including those in Long Stratton, Norwich, or Diss, by private car. Many future car journeys could be short in duration but would add up to a high number of additional miles travelled and associated emissions.
9. Therefore, the development would not minimise the need to travel, encourage sustainable patterns of transport, and result in future occupants being likely to have a heavy reliance upon the private motor vehicle, such that the development would not be in a sustainable or accessible location. Therefore, the proposed development is not supported by paragraphs 8 and 78 of the National Planning Policy Framework (the Framework) (2019) which seeks sustainable development through (amongst other things) services that are accessible, using natural resources prudently and minimising pollution. The proposed development is also contrary to Policy 1 the Joint Core Strategy for

Broadland, South Norwich and South Norfolk (January 2014) (the JCS) and Policies DM1.3 and DM3.10 of the Local Plan. These policies in combination, seek to ensure that development is sustainably located, reduces and minimises the need to travel and maximises the use of sustainable forms of transport.

Economic viability and alternative uses

10. It is understood that the holiday lets were approved via a 2011 application (Ref: 2011/1797), with a single dwelling to the north approved subsequently which secured funding (through a legal agreement) towards completing the lets. Permission was granted for the games room via applications in 2015 and 2016. The appeal site includes a four bedroom let (The Stables), a two bedroom let (Owl Lodge) and the games room (available for use by the lets) housed within converted former commercial buildings. There are also areas for car parking, a grassed area and an outdoor dining table and chairs. Whilst the appellant's submissions refer to the need for some modernisation, the lets appeared in a generally good and lettable condition.
11. Policy DM2.2 of the Local Plan seeks to safeguard land and buildings currently or last used for an employment use, such as the holiday lettings business, to ensure good access to a broad and sufficient range of job opportunities. Policy DM2.2 only permits the loss where either (2,a) the possibility of reusing or developing for alternative business purposes has been fully explored and it can be demonstrated that the site is no longer economically viable or practical to retain an employment use; or there are other overriding benefits (considered later in this decision).
12. A variety of information was submitted to accompany the application, seeking to demonstrate the business falls within criteria 2,a) of Policy DM2.2. A record of occupancy/bookings dated 12 July 2018 was provided for January – October 2018, suggesting that at that point, Owl Lodge had an occupancy of 15% and The Stables a 44% occupancy rate. Although it is not clear what the occupancy was for the whole year/season, and the occupancy/bookings for previous years and the current year. The appellant suggests a £16,000 capital investment was required on the properties before 'year end', although it is not clear whether this has taken place.
13. I have had regard to the contents of the letter from The Martin Smith Partnership, correspondence from relatives of the appellant, a letter from the appellant's accountant, and the extract of Mrs Bowers (Deceased) in-progress tax return. I note the information submitted, however most of it is extracts, summaries and opinions, are simply not comprehensive enough in terms of coverage or timeframe to demonstrate a lack of viability. Additionally, it is not clear through any form of objective assessment, whether (amongst other things) any lack of profitability/viability (if it were identified) is related to for example, management or pricing. Furthermore, there is no evidence provided of attempts to market the premises based upon an informed valuation for a given period.
14. I have had regard to the letter from the Long Stratton Medical Partnership. I also acknowledge that Mrs Bowers used to manage many aspects of the business, and that the appellant's loss has enforced the current situation upon him. However, I must make a pragmatic and fair assessment of whether the requirements of the relevant planning policies have been met. From the

evidence before me I am unable to conclude that the circumstances, required by clause 2,a) of Policy DM2.2 of the Local Plan, are met.

15. For the reasons set out above the proposed development is contrary to clause 2,a) of Policy DM2.2 of the Local Plan as it would result in the loss of employment land, for which it has not been adequately demonstrated that either the site and premises are no longer economically viable, or, alternative business uses have been explored. Furthermore, the proposed development would also be contrary to paragraph 83 of the Framework, which expects planning decisions to support a prosperous rural economy by enabling sustainable rural tourism.

Overriding benefits

16. The loss of the lettings business could be allowed by clause 2,b) of Policy DM2.2 of the Local Plan if there would be an overriding economic, environmental or community benefit from redevelopment which outweighs the benefit of the current lawful use continuing. In a similar manner, clause 2,d) of Policy DM1.3 of the Local Plan allows permission to be granted for development in the countryside if it can demonstrate overriding benefits to the economic, social or environmental dimensions of sustainable development.
17. The appellant has included an appraisal of the current contribution of the holiday lets to the local economy. This uses a generalised reported (largely unqualified) weekly spend figure to suggest the lets generated around £36,000 for a 12 month period based upon the past occupancy. The appellant has also applied reported average figures for household monthly spend to the number of new dwellings to show the economic benefits of housing, concluding this is between around £37,000 - £47,000 per household per year. However, the validity of the generalised figures is not clear, neither are all the constituent parts, or how these would be distributed in the economy.
18. I am not convinced the figures suggested represent a robust calculation of the economic benefits of permitting the development. However, I acknowledge there will be limited temporary benefits from the construction of the dwellings and some on-going spend to local businesses once the dwellings are occupied. Although, economic benefits are only one strand of sustainable development.
19. The proposed development would result in the provision of three new dwellings providing a benefit from supporting strong, vibrant and healthy communities in the local area. The Council has referred to the Interim Greater Norwich area housing land supply statement was published on 12 April 2019, for the position at 1 April 2018. It shows the Council could demonstrate a housing land supply of 6.63 years. The appellant does not appear to dispute the Council's stated deliverable housing land supply and has not offered evidence to challenge the housing land supply position of the Council. Based on the information before me there is an adequate supply of dwellings to meet needs in the authority area.
20. There is some benefit to developing a modestly sized brownfield site however, the proposed development does not attract significant weight under paragraphs 117 and 118 of the Framework as it is a relatively low density development outside of a settlement. Although there is a suggestion in the appellant's submissions, I have not seen any detail in respect of the degree of energy efficiency of the dwellings to persuade me this represents an overriding benefit.

Furthermore, this does not outweigh the environmental harm I have found in respect of accessibility.

21. For the reasons set out above, the proposed development is contrary to clause 2,d) of Policy DM1.3 and clause 2,b) of Policy DM2.2 of the Local Plan. This is because it is not demonstrated that the proposed development would result in an overriding environmental, economic or social benefit to outweigh the harm from either the loss of the employment use or the harm from allowing development in the countryside that is not sustainably located for access to facilities and services.

Other Matters

22. In respect of matters such as odour, highways, land drainage and surface water management, contamination, and ecology it is likely that these could be addressed by suitably worded planning conditions were planning permission to be granted. Matters related to land ownership and private legal rights would be dealt with under that legislation, and any planning permission would not have negated these requirements. I note the alleged conflict in respect of a site advanced for an emerging development plan document, however, based upon the information before me, the nature of the proposal and the early stage of that plan would not have justified dismissal on those grounds.
23. The appellant has questioned the Council's decision on the current proposal, given a decision a short distance east on Station Road. The Council has provided additional details of that development, which is understood to relate to a 2011 permission for the replacement of a fuel depot with 17 dwellings. It was deemed to have benefits in terms of visual appearance, removing contamination, moving a potential safety hazard, and reducing traffic. I have not been provided with the full details or circumstances of that proposal and each application must be considered on its own merits. However, it would appear to have markedly different circumstances to the proposals under consideration, as well as pre-dating the Framework, JCS and Local Plan.
24. The appellant has cited an appeal allowed at Picton Road, Tharston for outline permission for three dwellings. I have not been provided with any further details of that scheme so cannot be certain that the circumstances are similar to this appeal. In any case I have considered this appeal on its own merits. In the same correspondence further appeals for sites outside of development boundaries have been mentioned, but no details provided. As I have such little information no comparisons can be made with the current proposal.
25. A supporting representation references the ease at which Norwich and its University are accessible from the appeal site, together with links to media articles on the University. I have also been supplied with a copy of a letter from the local Member of Parliament in general support of the proposal. The benefits of the proposal would not outweigh the harm arising.

Planning balance and conclusion

26. Section 38(6) of the Planning & Compulsory Purchase Act 1990 states that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. The relevant development plan policies are up-to-date and compliant with the Framework, and it is understood the Council can demonstrate a 5 year supply

Appeal Decision APP/L2630/W/19/3230910

of deliverable housing land. Consequently, the primacy of the development plan prevails.

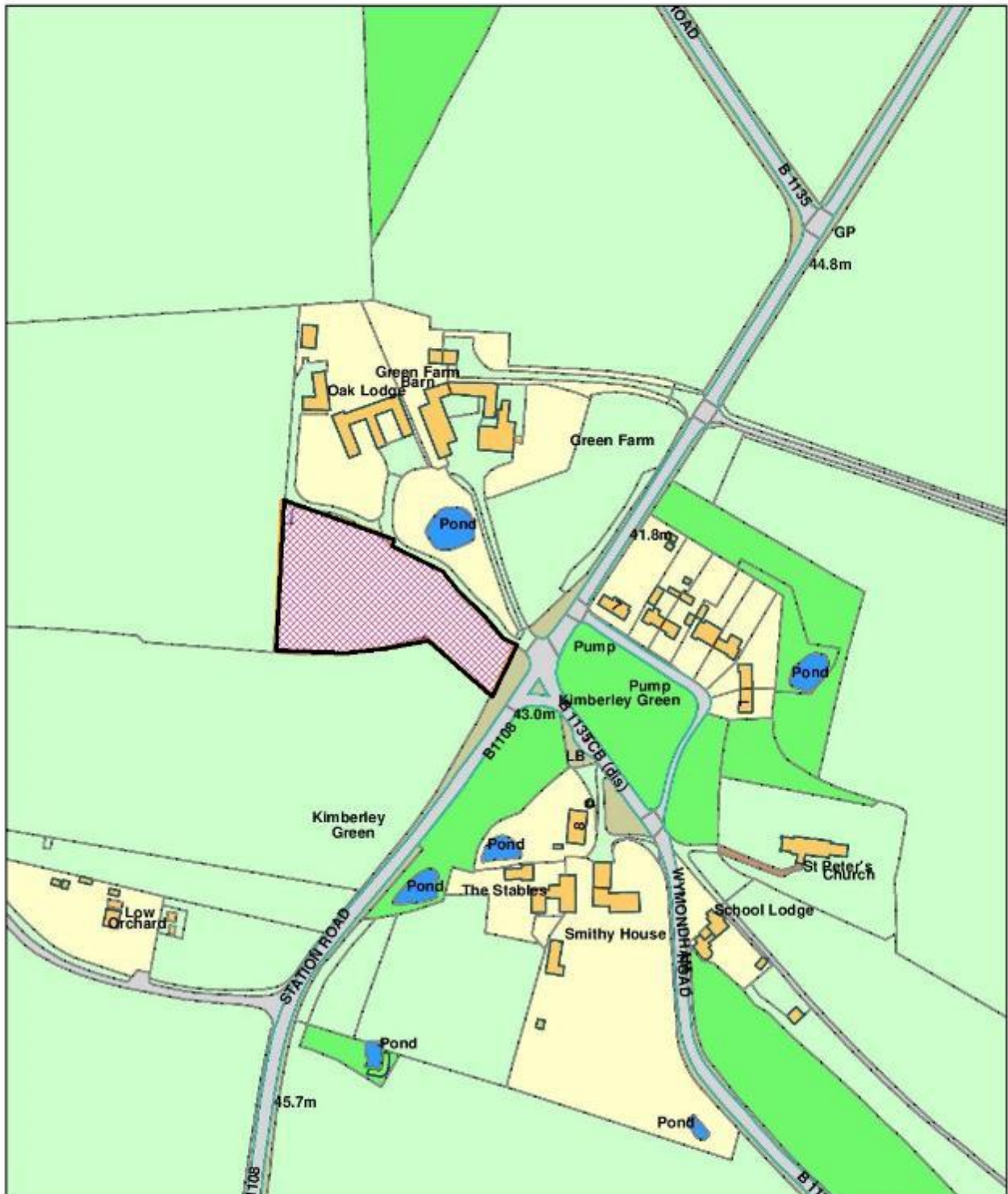
27. On-balance, the modest economic and social benefits that would result from the provision of the new dwellings, do not outweigh the harmful impacts in respect of accessibility and loss of employment land. There are no other considerations that would indicate a determination in accordance with the development plan. For the reasons given, the appeal should not succeed.

Dan Szymanski

INSPECTOR

2019/2486

Not Set



Not Set

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6. Application No: 2019/2486/F
Parish: KIMBERLEY AND CARLETON FOREHOE

Applicant's Name: Mr & Mrs C House
 Site Address Land northwest of Norwich Road, Kimberley, Norfolk
 Proposal Erection of 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:

Refuse

1 Proposal and site context

- 1.1 This application seeks full planning permission for a self-build over 55s dwelling on land to the south of Oak Lodge in Kimberley.
- 1.2 The applicants currently reside at Oak Lodge, a converted barn, and wish to downsize. The proposed dwelling will accommodate two to three bedrooms and while all accommodation is shown as being provided at ground floor level, stairs will lead to the roof space. It is generally L-shaped and will measure a maximum of 21.5m in width, 23m in depth and 6.5m in height. The dwelling will be accessed from the east via the existing access that serves Oak Lodge, Green Farm Barn and Green Farm House.
- 1.3 At present, the site is maintained as lawn with a number of trees dotted around and levels undulate gently. Agricultural land is located to the west/rear and south, the applicant's single-storey red brick converted barn to the north and the converted barn at Green Farm Barn and the Grade II listed Green Farm House also to the north. The junction of the B1108 and B1135 is located to the east.
- 1.4 The eastern half of the site is within the Kimberley conservation area and the position of the dwelling is such that most of it (apart from the rear most section) falls within it.

2. Relevant planning history

- 2.1 None relevant to this application

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 6 : Access and Transportation

Policy 17 : Small rural communities and the countryside

3.3 South Norfolk Local Plan (SNLP) Development Management Policies Document

DM1.3 : The sustainable location of new development

DM3.1 : Meeting Housing requirements and needs

DM3.10 : Promotion of sustainable transport

DM3.11 : Road safety and the free flow of traffic

DM3.12 : Provision of vehicle parking

DM3.13 : Amenity, noise, quality of life

DM4.2 : Sustainable drainage and water management

DM4.5 : Landscape Character Areas and River Valleys

DM4.8 : Protection of Trees and Hedgerows

DM4.10 : Heritage Assets

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

Section 66(1) of the 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 Planning (Listed Buildings and Conservation Areas) 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 Parish Council

No objections.

4.2 District Councillor

The local plan prioritises the delivery of downsizing development, green principle development and maintaining and managing the vitality of rural areas. It would seem to me that in this case the amount of weight that may be prescribed to the policies I have outlined above could be and would normally be unduly outweighed by other planning policies that would seek to prevent this development, for example development outside of a recognised development boundary.

In the ward I represent there are many small rural hamlets and villages, like Kimberley, and many elderly people, like the applicant, who now simply seek to downsize from their current large accommodation, yet stay in the area they have lived for most, if not all, of their lives, thereby creating suitable accommodation for other younger people to keep these decaying rural areas vibrant and sustainable. I would be astonished if this was not also the case for other elected Members representing largely rural areas.

I believe this is an important issue and a fine balance for many local people between allowing some flexibility for small scale suitable and environmentally responsible

development and preventing widescale or unsuitable development that would be harmful. Therefore, I would be grateful if this application could be determined by the Development Management Committee so that the full range of relevant policies may be considered.

Having spoken to the applicant and other local residents I have already taken a view about this particular application and I feel it would be inappropriate if I was to sit as a member of the Committee for this application.

4.3 Historic England

Do not wish to offer any comments.

4.4 Senior Heritage and Design Officer

The proposed new building has a deep plan, large roof, low eaves and hips, and glazed gable projections. It is not characteristic of Norfolk C19 vernacular farm buildings, and therefore does not sit well within the agricultural grouping of the farmhouse. Nor does it relate well to the existing cottages around the green. I therefore consider that the design is harmful to the setting of the listed farmhouse and the wider character of the estate village in terms of the conservation area. This should be taken into account in the planning balance.

4.5 SNC Water Management Officer

The location of the dwelling is at low risk from surface water flooding. Consideration should therefore be given to finished floor levels and surrounding ground levels to mitigate and reduce the risk of flooding in the future.

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

4.6 NCC Highways

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

4.7 Historic Environment Service

Planning condition recommended relating to a programme of archaeological mitigatory work.

4.8 Arboricultural Officer

Planning condition recommended to require the development to take place in accordance with the measures set out in the Arboricultural Impact Assessment and its associated appendices.

4.9 Other Representations

Support received from four residents on the following grounds:-

- The dwelling is well designed;
- The dwelling reflects the appearance of the existing conversion that the applicants live in now.
- The village badly needs more housing to make it a sustainable community.
- The environmental qualities of the dwelling will be an asset to the community;
- Some new build should be encouraged;

- The property is compact and commensurate with its intention for an over 55s self-build;
- The dwelling should not have an impact on neighbouring properties or the surrounding area.

Objections received from three residents on the following grounds:-

- The site is within the original five acre listed curtilage of Green Farm House;
- The dwelling will be a very sizeable property and will create substantial shadow of the adjacent garden at certain times of the year;
- It appears as a two-storey property;
- It will not be in keeping with the setting of the site and the immediate surroundings, including the conservation area;
- Do not accept that it should be classified as over 55s accommodation;
- Consideration should be given to the increase in vehicular movements at an accident hot spot.

5 Assessment

Key considerations

- 5.1
- Principle of development
 - Accessibility of site
 - Appearance of the dwelling and impact on heritage assets
 - Impact on the appearance of the surrounding area
 - Impact on trees and ecology
 - Self-build and over 55s dwelling

Principle of development

- 5.2 The application site is outside of any defined development boundary and thus is in a countryside location.
- 5.3 The published Annual Monitoring Report for 2017-2018 sets out that the Council can demonstrate a housing supply of 6.54 years meaning that full weight can be given to its planning policies for development proposals outside of development boundaries. Policy DM1.3 of the South Norfolk Local Plan Development Management Policies Document 2015 permits development outside of development boundaries where specific development management policies allow (criterion (c)) or where there are overriding benefits in terms of the economic, social and environmental dimensions of sustainable development (criterion (d)). In this case, criterion (c) is not considered to 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.

Accessibility of site

- 5.4 Kimberley does not have a defined development boundary. The nearest settlement with a development boundary is Wicklewood, approximately a mile away to the southeast. Those nearest settlements that are likely to offer wider range of services and facilities to meet key needs (e.g. medical services and grocery shopping) are Hingham and Wymondham, the centres of which are approximately 5.5km and 5km away respectively.
- 5.5 A bus stop is located nearby that links Kimberley to Norwich, Hingham and Watton. Kimberley train station to the south is part of the Mid-Norfolk Railway that runs between Wymondham and Dereham but this is a tourist/heritage line that operates periodically as opposed to being on a line that operates throughout the year. Realistically, in view of the distance and traffic that travels along both the B1108 and B1135, the likelihood of walking or cycling to these settlements is low.

- 5.6 While the bus service operates reasonably regularly, the strong likelihood is that in order to access a range of services and facilities that would meet day to day needs, future occupiers will rely on their private motor vehicles. Cumulatively, this will add up to a high number of miles and associated emissions. I do not consider therefore that the site is located to minimise the need to travel and is contrary to Policy 1 (bullet 7) of the JCS and Policy DM3.10 of the SNLP.

Appearance of the dwelling and impact on heritage assets

- 5.7 The site is approximately 65m from the Grade II listed dwelling at Green Farm House and is within the Kimberley conservation area. In exercising its duties, the Council must have regard to sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act.
- 5.8 The dwelling will be located on a good sized parcel of land and can be comfortably accommodated. The appearance of the dwelling seems to take its cue from the converted barns to the north but when reviewing the submitted drawings, the depth of the dwelling, the scale of the roof and the glazing to the side/south and rear give the dwelling a rather conventional appearance that does not relate well to the buildings to the north nor the row of dwelling on the eastern/opposite side of Norwich Road.
- 5.9 In commenting on the application, the Council's Senior Heritage and Design Officer commented that the dwelling is not characteristic of Norfolk 19th century vernacular farm buildings and that it does not sit well within the agricultural grouping of the farmhouse. Neither does it relate well to the existing cottages around The Green. He therefore considers that the design is harmful to the setting of the listed farmhouse and the wider character of the estate village in terms of the conservation area.
- 5.10 Taking account of these comments, the application does not preserve the setting of the listed farmhouse or the character and appearance of the conservation area and does not meet the high bar set by sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act and does not make a positive contribution to local character and distinctiveness. For the same reasons, the application does not comply with Policies 1 (insofar as it relates to the conservation of heritage assets and the historic environment) and 2 of the JCS and Policies DM1.4, DM3.8 (in respect of the design of the dwelling not integrating satisfactorily with its surroundings) and DM4.10 of the SNLP.
- 5.11 The site is within an area of potential archaeological interest associated with the changing layout of Kimberley from the Anglo-Saxon period. The County Council's Historic Environment Service has recommended an appropriately worded planning condition that includes site investigations to address this. This is acceptable.

Impact on the appearance of the surrounding area

- 5.12 By virtue of the mature planting along the outside boundaries of the site, the site is not particularly visible from longer distance views. While my concerns above remain, I am of the view that its impact on the wider landscape will be neutral and that the proposal complies with Policy 1 of the JCS (insofar as it relates to the appearance of the countryside) and Policy DM4.5 of the SNLP.

Impact on trees and ecology

- 5.13 The Arboricultural Impact Assessment submitted with the application notes that one tree will need to be removed and minor works carried out to others. These are acceptable and the application complies with Policy DM4.8 of the SNLP.

- 5.14 A Preliminary Ecological Appraisal was submitted with the application. This noted that the site is of low ecological value and no further surveys are required. Ecological enhancements were however suggested in the form of bat and bird boxes.

Self-build and over 55s dwelling

- 5.15 Paragraph 61 of the NPPF guides local planning authorities to cater for those people who wish to commission or build their own homes and the supporting text to Policy DM3.1 makes reference to catering for self-build. The policy itself sets out that all housing proposals should help contribute to a range of dwelling types to meet the requirements of different households.
- 5.16 Separately and together, that the application proposes a self-build dwelling aimed at the over 55s age-group weighs in its favour. However, it should be noted that the Council is granting sufficient planning permissions for plots that could be used for self and custom building dwellings and in respect of over-55s accommodation, I do not consider it necessary to make the development acceptable to use a planning condition or require a legal agreement to secure the dwelling as such a unit of accommodation.

Other matters

- 5.17 Although the dwelling will be visible from the dwellings to the north, in view of the level of separation, I do not consider that the impact on the living conditions including from any shadow cast will be significant. The application therefore complies with Policy DM3.13 of the SNLP.
- 5.18 Sufficient parking is shown as being provided and in its capacity as Highway Authority, Norfolk County Council has not objected to the application on the grounds of highway safety. The application complies with Policy DM3.11 and DM3.12 of the SNLP.
- 5.19 The desire to construct a dwelling that performs well in respect of its environmental impact is welcome. However, all dwellings should aim to achieve this and I do not see this desire as weighing significantly in favour of the application.
- 5.20 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. While material planning considerations, since the Council is able to demonstrate that it is meeting its housing supply commitments, including those for self-build, I do not consider that this is an overriding consideration in this instance.
- 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 **This application is liable for the Community Infrastructure Levy although in the event of the application being approved, it is open to the applicant to apply for self-build exemption.**

Conclusion

- 5.23 In having regard to those matters raised, the application proposes a self-build dwelling for the applicants aimed at over 55s occupiers that will have acceptable impacts on the appearance of the wider area, residential amenity, highway safety, trees and ecology and there will be modest economic benefits associated with the construction and subsequent occupation of the dwelling. However, the dwelling has not been located to minimise the need to travel by the private car, its design does not relate well to its surroundings and is harmful to the setting of the listed farmhouse and the character

and appearance of the conservation area. That the application does not preserve the setting of the listed farmhouse nor the character and appearance of the conservation area, it does not pass the high bar set by sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act and this weighs heavily against the proposal. When taking account of this and the other factors weighing against it and balancing them out against either the neutral impacts or modest benefits, overall, I do not consider that the application demonstrates overriding benefits in terms of the social, economic and environment dimensions of sustainable development. The application is therefore recommended for refusal.

Recommendation: Approval with Conditions
1 Design and harm to heritage assets
2 Accessibility of site
3 No overriding benefits

Reasons for Refusal

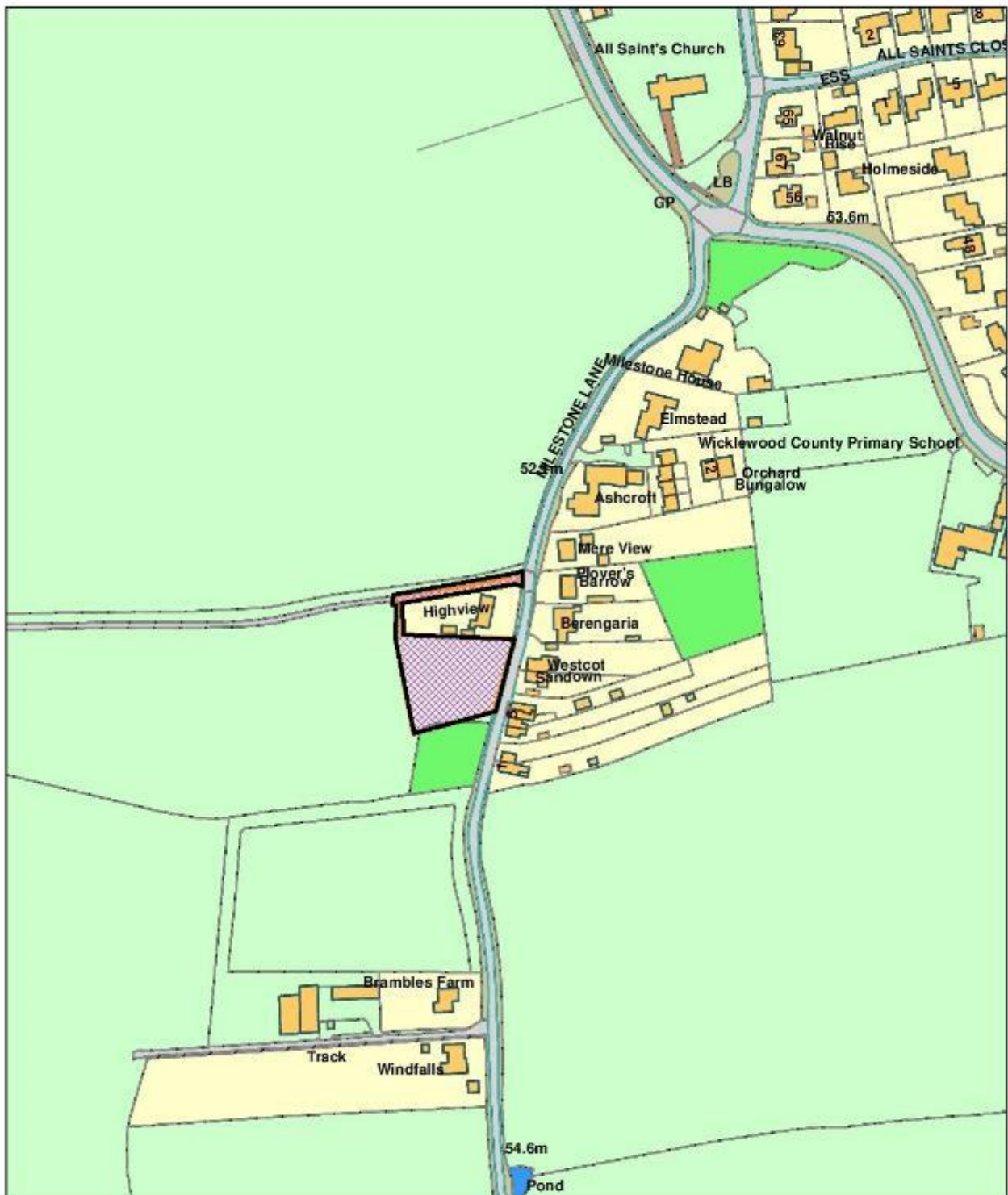
- 1 The depth of the dwelling, the scale of the roof and the glazing to the side/south and rear are not characteristic of 19th century Norfolk vernacular farm buildings and the building does not sit well within the agricultural grouping of the farmhouse, nor does it relate well to the row of dwellings on the eastern/opposite side of Norwich Road around The Green. Taking account of these factors, the appearance of the dwelling is harmful to the setting of the Grade II listed farmhouse to the north and the character of the conservation area and does not make a positive contribution to local character and distinctiveness. The application therefore does not meet the high bar set by sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act and does not comply with Policies 1 (insofar as it relates to the conservation of heritage assets and the historic environment) and 2 of the Joint Core Strategy S and Policies DM1.4, DM3.8 (in respect of the design of the dwelling not integrating satisfactorily with its surroundings) and DM4.10 of the South Norfolk Local Plan Development Management Policies Document.
- 2 The nearest settlement with a development boundary is Wicklewood, approximately a mile away to the southeast. Those nearest settlements that are likely to offer wider range of services and facilities to meet key needs (e.g. medical services and grocery shopping) are Hingham and Wymondham, the centres of which are approximately 5.5km and 5km away respectively. While the bus service operates reasonably regularly, the strong likelihood is that in order to access a range of services and facilities that would meet day to day needs, future occupiers rely on their private motor vehicles. The site is not located to minimise the need to travel and is contrary to Policy 1 (bullet 7) of the Joint Core Strategy and Policy DM3.10 of the South Norfolk Local Plan Development Management Policies Document.
- 3 The proposed development is not supported by any specific Development Management policy which allows for development outside of the development boundary and nor does it represent overriding benefits when having regard to the harm identified. As such, the application does not satisfy the requirements of either items 2 (c) or (d) of Policy DM1.3 of the South Norfolk Local Plan Development Management Policies Document 2015.

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Application 7

2019 2522

Not Set



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Not Set

7. Application No : 2019/2522/F
Parish : WICKLEWOOD

Applicant's Name: Mr D Coldham
 Site Address Land west of Milestone Lane, Wicklewood, Norfolk
 Proposal Erection of two single storey self-build dwellings and associated access

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 two self-build dwellings on land on the western side of Milestone Lane in Wicklewood. The site is outside of the development boundary that has been defined for Wicklewood and is part of a larger arable field where levels decline from front to back. Neighbouring properties include a detached bungalow to the north, semi-detached and terraced dwellings opposite (to the east) and agricultural land to the south and west.
- 1.2 The L-shaped dwellings are detached and will accommodate two bedrooms each. External materials proposed for use include brick and flint on the walls and pantiles on the roofs. The site is to be accessed via an existing track to the north that serves Mere Farm. The track loops around the bungalow to the north before entering the site at its northwest corner.
- 1.3 The application follows application ref. 2019/1401, which was refused planning permission on the grounds of highway safety, the impact on the character and appearance of the area and the proposal not demonstrating overriding benefits as required by Policy DM1.3 for new development in the countryside. This decision is attached as Appendix A to this report.

2. Relevant planning history

- | | | | |
|-----|-----------|--|---------|
| 2.1 | 2019/1401 | Two single storey dwellings and detached garages | Refused |
|-----|-----------|--|---------|

3 Planning Policies

- 3.1 National Planning Policy Framework (NPPF)
 NPPF 02 : Achieving sustainable development
 NPPF 04 : Decision-making
 NPPF 05 : Delivering a sufficient supply of homes
 NPPF 11 : Making effective use of land
 NPPF 12 : Achieving well-designed places
- 3.2 Joint Core Strategy (JCS)
 Policy 1 : Addressing climate change and protecting environmental assets
 Policy 2 : Promoting good design
 Policy 3: Energy and water
 Policy 4 : Housing delivery

Policy 17 : Small rural communities and the countryside

3.3 South Norfolk Local Plan (SNLP) Development Management Policies Document

- DM1.3 : The sustainable location of new development
- DM1.4 : Environmental Quality and local distinctiveness
- DM3.8 : Design Principles applying to all development
- DM3.10 : Promotion of sustainable transport
- DM3.11 : Road safety and the free flow of traffic
- DM3.12 : Provision of vehicle parking
- DM3.13 : Amenity, noise, quality of life
- DM4.2 : Sustainable drainage and water management
- DM4.5 : Landscape Character Areas and River Valleys

4. Consultations

4.1 Parish Council

Wicklewood Parish Council approves this application as this revised design has access being off the existing access which resolves the visibility issues. The area is already developed and the Council considers that infill would be appropriate despite it being outside the development boundary.

4.2 District Councillor

Cllr R Elliott

This proposal for two self-build modest sized dwellings are both for young people who wouldn't otherwise be able to buy their first home within the area and wish to stay within Wicklewood. It has been given the support of the local Parish Council, which I consider to be a factor that should not be ignored.

A previous application for this site in 2019 was refused as the proposal is outside the development boundary. It was also considered the proposal would cause unacceptable harm to the countryside and would be detrimental to highway safety. The applicant now considers that the current proposal adequately addresses these issues in so far as he considers the proposal would constitute a sustainable form of development; would provide two modest self-build properties; would not harm the character of the open countryside; and would be sensitively integrated into its surroundings, which amount to overriding environmental, social and economic benefits as required by Policy DM1.3 of South Norfolk's DMPD.

Given that there appears to be some interest by the local community I feel it would be beneficial for this application to be determined by the Development Management Committee to give due consideration as to whether the current application has indeed addressed the previous concerns and constitutes a sustainable form of development in accordance with the Council's planning policies.

4.3 SNC Water Management Officer

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

4.4 NCC Highways

I note that the proposed access arrangement to serve the two plots has been revised from the previous application with the two dwellings now proposed to be served from the track that also serves Mere Farm. Having visited the site I would consider that the revised access arrangement for the two plots is acceptable.

4.5 Other Representations

Objections received from 8 residents of Wicklewood raising the following matters:-

- Site is outside development boundary
- The previous reasons for refusal in relation to the impact on the character and appearance of the area and the site being outside of the development boundary remain applicable
- The proposal will obliterate views of the valley and will not enhance the character of the area
- There are no brick and flint properties along Milestone Lane and none in Wicklewood
- The dwellings cannot be viewed as modest, utilitarian former farm buildings. They are larger than the former farm workers' cottages on the opposite side of the road
- Milestone Lane is a narrow road in constant use. Increased use will add to this potentially dangerous situation
- The property opposite the access will be overlooked and suffer disturbance from additional vehicular movements
- The visibility splay to the right is not sufficient
- The Council is meeting its housing supply commitments. Two additional dwellings will not make a difference
- The village is unable to fully support the existing population
- The site floods during heavy rain
- The site is not part of any existing sewerage network.

5 Assessment

Key considerations

- 5.1
- Principle of development
 - Impact on character and appearance of area
 - Impact on residential amenity
 - Highway safety
 - Self-build

Principle of development

- 5.2 The application site is outside of the development boundary that has been defined for Wicklewood and thus is in a countryside location. The nearest part of the development boundary for the village is approximately m to the north.
- 5.3 The published Annual Monitoring Report for 2017-2018 sets out that the Council can demonstrate a housing supply of 6.54 years meaning that full weight can be given to its planning policies for development proposals outside of development boundaries. Policy DM1.3 of the South Norfolk Local Plan Development Management Policies Document 2015 permits development outside of development boundaries where specific development management policies allow (criterion (c)) or where there are overriding benefits in terms of the economic, social and environmental dimensions of sustainable development (criterion (d)). In this case, criterion (c) is not considered to 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.

Impact on character and appearance of area

- 5.4 The dwellings are L-shaped and their arrangement is such that they will be arranged in a loose horseshoe shape. Although the use of flint is not particularly common in Wicklewood and especially so in the immediate vicinity, if Members were minded to grant planning permission, an appropriately worded planning condition could be used to secure the submission of more suitable external materials.
- 5.5 Otherwise, the site is close to a cluster of development to the southwest of the main village of Wicklewood. Dwellings on the eastern side of Milestone Lane are laid out in a largely linear and close arrangement and appear to be typical of perhaps those that once accommodated farm workers. In the main, these dwellings have long back gardens that back onto the playing field for Wicklewood Primary School. On the other hand, development on the western side of Milestone Lane is more intermittent and sporadic with longer views across the valley to the west. This gives this side of Milestone Lane, which includes the application site, a different character to that on the opposite side of the road. Taking account of that, introducing two dwellings will lead to an unacceptable consolidation of built form in the countryside that will cause harm to and will not make a positive contribution to its appearance. The application is therefore contrary to Policies 1 and 2 of the JCS and Policies DM1.4(d), DM3.8 and DM4.5 of the SNLP.

Impact on residential amenity

- 5.6 The dwellings relate appropriately to each other and each will be provided with adequate outside garden space. Although visible from the neighbouring dwellings on the opposite side of Milestone Lane, the fall of the land and the scale of the dwellings will not lead to an oppressive form of development or direct mutual overlooking. The use of the existing access will intensify as a result of this application but I do not consider that it will be to such a degree that will be harmful to the dwellings on the opposite side of Milestone Lane. The application complies with Policy DM3.13 of the SNLP.

Highway safety

- 5.7 As part of the previous planning application, it was proposed that the site would be accessed from the front/eastern boundary. However, since adequate visibility splays could not be provided, the Highway Authority objected and the application was refused, in part, on these grounds. For the current application, the intention is for the site to be accessed via an existing track to the north. The Highway Authority has not objected to this arrangement and the application complies with Policy DM3.11 of the SNLP.
- 5.8 Sufficient parking is shown as being provided for each dwelling and in this respect the application complies with Policy DM3.12 of the SNLP.

Self-build

- 5.9 The applicant is proposing that the dwellings will be constructed as self-build properties for his children. Paragraph 61 of the NPPF guides local planning authorities to cater for those people who wish to commission or build their own homes and the supporting text to Policy DM3.1 of the SNLP makes reference to catering for self-build. While the provision of two self-build units weighs in favour of the application, since the Council is granting enough permissions for plots that could be used for self and custom-build dwellings, I do not consider that the weight that can be attributed to it is overriding.

Other matters

- 5.10 Occupants of neighbouring properties have raised concerns over potential flooding, the site not being connected to the sewerage network and the connectivity of the site to Wicklewood. The site is not at risk from fluvial or surface water flooding and the Water Management Officer has recommended the use of appropriate planning conditions relating to surface water and foul water drainage. In relation to the connectivity of the site to the main part of Wicklewood, the site is approximately 200m from the nearest footpath to the north on Hackford Road. During my site visits, I observed that Milestone Lane is used by walkers, dog walkers and cyclists travelling in both directions suggesting that in this location, the village is within reasonable and reasonable walking distance. Taking account of that and that vehicular speeds may in part be checked by the close presence of dwellings to the road, those services that are available to residents in Wicklewood are reasonably accessible and the application complies with Policy DM3.10 of the SNLP.
- 5.11 Paragraph 68 of the NPPF states that small and medium sized sites can make an important contribution to meeting the housing requirement of an area. While material planning considerations, since the Council is able to demonstrate that it is meeting its housing supply commitments, including those for self-build, I do not consider that this is an overriding consideration in this instance.
- 5.12 In her submission, the agent has referred to appeals at other sites across the district. The site specific circumstances in those cases are not directly comparable to this application.
- 5.13 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.
- 5.14 **This application is liable for the Community Infrastructure Levy although in the event of the application being approved, it is open to the applicant to apply for self-build exemption.**

Conclusion

- 5.15 The site is located outside of the development boundary that has been defined for Wicklewood. Given the scale of development, the economic benefits arising from the construction and subsequent occupation of the dwellings will be modest. There will be a social benefit arising from the fact that two units of self-build housing are being proposed but this benefit is reduced by the Council being able to demonstrate that it is meeting its self-build targets. For the reasons set out above, the development will result in harm to the character and appearance of the area and so it follows that this does not provide an environmental benefit. Policy DM1.3 (2, d) of the SNLP requires it to be demonstrated that there will be overriding economic, social and environmental benefits to warrant approving new development outside of development boundaries. In this case, any economic and social benefits will be modest as opposed to overriding and the application will result in environmental harm. Accordingly, the application does not comply with Policy DM1.3 and the application is refused as it is contrary to Policies 1 and 2 of the JCS and Policies DM1.3, DM1.4(d, i), DM3.8 and DM4.5 of the SNLP

Recommendation : Refusal
 1. Harm to character and appearance
 2. No overriding benefits

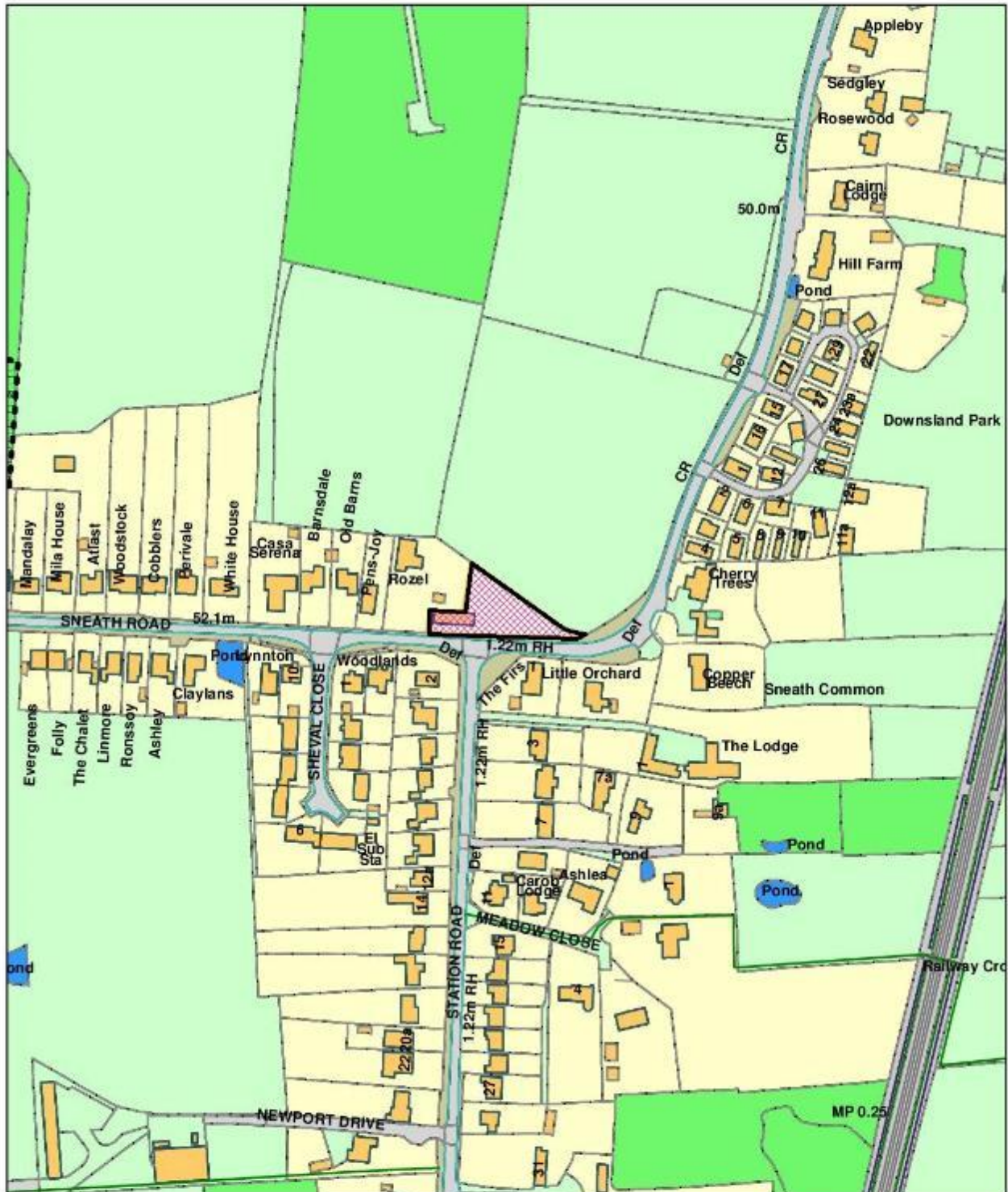
Reasons for Refusal

- 1 The site is close to a cluster of development to the southwest of the main village of Wicklewood. Dwellings on the eastern side of Milestone Lane are laid out in a largely linear and close arrangement and appear to be typical of perhaps those that once accommodated farm workers. On the other hand, development on the western side of Milestone Lane is more intermittent and sporadic with longer views across the valley to the west. This gives this side of Milestone Lane, which includes the application site, a different character to that on the opposite side of the road. Taking account of that, introducing two dwellings will lead to an unacceptable consolidation of built form in the countryside that will cause harm to and will not make a positive contribution to its appearance. The application is therefore contrary to Policies 1 and 2 of the Joint Core Strategy and Policies DM1.4(d), DM3.8 and DM4.5 of the South Norfolk Local Plan Development Management Policies Document.
- 2 The proposed development is not supported by any specific Development Management policy which allows for development outside of the development boundary and nor does it represent overriding benefits when having regard to the harm identified. As such, the application does not satisfy the requirements of either items 2 (c) or (d) of Policy DM1.3 of the South Norfolk Local Plan Development Management Policies Document 2015.

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Application 8

2019/2523



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

8. Application No : 2019/2523/D
Parish : ASLACTON

Applicant's Name: Wilkinson Builders Reepham Ltd
 Site Address Land north of Sneath Road Aslacton Norfolk
 Proposal Reserved Matters application for appearance, landscaping, layout and scale for the erection of a single dwelling following outline permission 2019/1631

Reason for reporting to committee

The applicant is known to be a member, employee, or close relative of a staff member of South Norfolk Council.

Recommendation summary:

Approval with Conditions

1 Proposal and site context

- 1.1 This application for reserved matters approval follows outline planning permission ref. 2019/1631, which established the principle of development for a single-storey dwelling at this site.
- 1.2 The application site was once part of the garden of the property known as Ashthorpe on Sneath Road in Sneath Common. The site is triangular shaped and currently accommodates a large outbuilding positioned towards the front. This building is to be demolished as part of the outline planning permission so that it may accommodate the new dwelling. The south/front and northeast boundaries comprise mature hedges while the western boundary to Ashthorpe is currently open. Neighbouring properties in the vicinity are mainly detached bungalows.
- 1.3 The proposed dwelling will be L-shaped and will accommodate three-bedrooms. It will measure 17.5m in width, a maximum of 10.3m in depth and 5m in height. External materials proposed for use include red bricks, timber boarding and dark coloured roof tiles.
- 1.4 The site is accessed via its southwest corner from Sneath Road. The access drive will bend round into the site and will lead to the dwelling, which will sit at an angle to the Sneath Road but parallel to the diagonal run of the rear boundary. A detached double garage will be positioned immediately to the west of the bungalow.

2. Relevant planning history

- | | | | |
|-----|-----------|---|----------|
| 2.1 | 2019/0504 | Outline application for a single dwelling (all matters reserved except for access). | Approved |
| 2.2 | 2019/1631 | Outline application for a single dwelling (all matters reserved except for access). | Approved |

3 Planning Policies

- 3.1 National Planning Policy Framework (NPPF)
 NPPF 12 : Achieving well-designed places
- 3.2 Joint Core Strategy (JCS)
 Policy 1 : Addressing climate change and protecting environmental assets
 Policy 2 : Promoting good design

- 3.3 South Norfolk Local Plan Development Management Policies
DM1.4 : Environmental Quality and local distinctiveness
DM3.8 : Design Principles applying to all development
DM3.12 : Provision of vehicle parking
DM3.13 : Amenity, noise, quality of life
DM4.5 : Landscape Character Areas and River Valleys

4. Consultations

4.1 Parish Council

No objection

4.2 District Councillor

No comments received

4.3 SNC Water Management Officer

We note that the drainage aspects of the development are not being considered at this time. As there remains an outstanding condition relating to surface water drainage, we have no comments to make regarding this application.

4.4 NCC Highways

No comments received

4.5 Other Representations

None received.

5 Assessment

Key considerations

5.1 Impact on the character and appearance of the area.

Impact on the character and appearance of the area

- 5.2 In the main, neighbouring dwellings in the vicinity of the site are bungalows. External materials used vary but include red brick, buff brick and render. The existing soft boundary treatments to the front and rear will be retained while a fence will be erected along the boundary with Ashthorpe. In this context and when taking account of its size, layout and external materials proposed for use, the bungalow proposed by this application will represent a form of development that is compatible with the appearance of the existing form of development in the area. The application therefore complies with Policies 1 and 2 of the JCS and Policies DM3.8 and DM4.5 of the SNLP.

Residential amenity

- 5.3 The single-storey size of the dwelling along with the position of it and the garage in relation to neighbouring properties is such that it will not lead to overlooking or represent an oppressive form of development. Sufficient amenity space is also shown as being provided for prospective residents. Taking account of these items, the application complies with Policy DM3.13 of the SNLP.

Other matters

- 5.4 Sufficient space is shown as being provided for parking vehicles to allow the application to comply with Policy DM3.12 of the SNLP.
- 5.5 The proposed access was approved at outline stage and subject to this being constructed in accordance with the approved details and planning conditions stipulated in the outline planning permission, no new issues arise in this regard. The same permission also requires details to be submitted in due course on details of surface water drainage, for the dwelling to be single-storey only with no habitable floor space or windows in the roof and removes permitted development rights for extensions, enlargements and the erection of outbuildings. In the event of this application being approved, these conditions will continue to apply to the development.
- 5.6 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.
- 5.7 **The dwelling is liable for the Community Infrastructure Levy.**

Conclusion

- 5.8 Overall, the scale, appearance, layout and landscaping of the development are acceptable and result in a development that complies with the relevant policies of the adopted development plan. It is therefore recommended that reserved matters approval is granted.

Recommendation : Approval with Conditions
 1 Relate back to outline PP
 2 In accordance with submitted drawings

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Application 9

2019/1551



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

9. Application No : 2019/1551/F
Parish : NEWTON FLOTMAN

Applicant's Name: Mr Karl Lake
 Site Address Land at Brick Kiln Lane Newton Flotman Norfolk
 Proposal Retention of use of land for storage and crushing of materials and display of finished work in connection with a domestic brick weave and drive.

Reason for reporting to committee

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

Recommendation summary :

Approval with Conditions

1 Proposal and site context

- 1.1 The application site is located on the south side of Brick Kiln Lane and set 200 metres to the west of the main A140. It shares a single access from Brick Kiln Lane with an adjacent business. The site is bounded by residential properties to the west, across the lane to the north and by commercial premises to the east.
- 1.2 Together with the application site, this lane also serves a mushroom farm on the north side, a poultry unit at its western end and residential properties.
- 1.3 Full planning permission is sought for the retention of the use of the land for storage and crushing of materials and display of finished work in connection with a domestic brick weave and drive.
- 1.4 Temporary planning permission was granted for the storage and crushing of materials and display of finished work in connection with domestic brick weave and driveway replacement business under 2017/2528 with this expiring on 25th July 2019. This having been granted temporary permission to allow the Council 12 months of operation/use of the site to assess the impact of the use on residential amenity.

2. Relevant planning history

- | | | | |
|-----|-----------|--|----------|
| 2.1 | 2017/2528 | Retention of use of land for storage and crushing of materials and display of finished work in connection with a domestic brick weave and drive replacement business | Approved |
| 2.2 | 2018/1483 | Discharge of Conditions 3 and 6 from planning consent 2017/2528 - Environmental Management Plan and Boundary Treatment. | Approved |

3 Planning Policies

- 3.1 National Planning Policy Framework (NPPF)
 NPPF 02 : Achieving sustainable development
 NPPF 04 : Decision-making
 NPPF 06 : Building a strong, competitive economy
 NPPF 09: Promoting sustainable transport
 NPPF 15 : Conserving and enhancing the natural environment

- 3.2 Joint Core Strategy (JCS)
Policy 1 : Addressing climate change and protecting environmental assets
Policy 5 : The Economy

- 3.3 South Norfolk Local Plan Development Management Policies
DM1.3 : The sustainable location of new development
DM2.1 : Employment and business development
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

4. Consultations

4.1 Newton Flotman Parish Council

neither objecting to or supporting the Planning Application. The Parish Council recommend that:

- the site is not allowed to further expand
- the hours of work be restricted to 8am - 5pm, Monday - Friday
- permission be granted for a further 12 months
- the use of the site to be continued to be monitored

4.2 District Councillor

Councillor Ellis

This application should only be determined by the Committee because of possible impact on neighbours.

4.3 NCC Highways

Additional information

With reference to the additional traffic information supplied for this application. The Agent comments that the business is essentially unchanged from that described in the documents submitted in support of the previous application, 17/2528 The vehicle movements that are stated are low, with only one HGV used for the business, with 3 smaller vehicles. It currently employs 4 people. I am aware that the site has a valid HGV operators Licence.

Based on that information supplied, it is not considered that a highway objection could be sustained to the specific development that is being applied for The local residents however appear to be claiming that movements of vehicles including HGV are more frequent than indicated.

The Agent comments that within the commercial yard and buildings there are a number of businesses that generate traffic and that the complaints could actually be about traffic generated by those businesses, including the Resin business established by the applicant.

Original submission

I would be grateful if the applicant can provide a breakdown of the traffic movements that will result from this specific development, if approved, and the size of vehicles involved.

4.4 SNC Community Services - Environmental Quality Team

No objection subject to conditions

4.5 Other Representations

8 neighbour objections have been received, a summary of these is as follows:

- traffic information is misleading. It is a fact that many more vehicles are using the site which have either KT Lake or Resinsrus on them, including 20 tonne lorries.
- there are not more commercial businesses than residential properties as implied
- excessive traffic
- shouldn't be more traffic on country lane
- if Resinsrus are creating more lorries and deliveries to the yard why is this not included in the application?
- Road is only suitable for 7.5 tonne vehicles and agricultural vehicles.
- Historically road has not been suitable for larger vehicles
- KT Lake is becoming bigger and bigger, why is this allowed?
- CCTV overlooks neighbours properties, this is an invasion of privacy.
- excessive noise both from associated traffic, on-site generator and operations/activities on-site)
- dust from concrete crushing is unacceptable (air pollution and causes dust on properties and cars)
- detrimental to value of property
- business ran in breach of planning control
- landslides and debris on driveway
- child safety
- trees on-site have been removed
- footpaths and streetlighting are required

5 Assessment

Key considerations

Principle

- 5.1 In granting temporary planning permission for the storage and crushing of materials and display of finished work in connection with domestic brick weave and driveway replacement business under 2017/2528 the principle of development was considered acceptable using the same Local Plan policies as those that are relevant at present and as such it is considered that the principle remains acceptable.
- 5.2 On this basis the key issue for consideration is the impact of the use upon the amenities of the locality.
- Residential amenity
- 5.3 The applicant operates a hard landscaping and paving business from the site and occupies part of a wider commercial site.
- 5.4 They do not propose to revise any of the terms agreed under the previous temporary approval.
- 5.5 There has been local concern expressed at the impact of the scheme on residential amenity.

- 5.6 The last 18 months has allowed the officers to understand the impacts of the site on local residents, in doing so they have also had to take account of the fact that not all impacts caused to local residents are from this use but other commercial operations too. It is essential to look only at the impacts from the scheme that are being considered under this application. In having regard to this environmental protection officers are satisfied that subject to conditions neighbour amenity would be safeguarded. The conditions are based upon those previously attached and those in the previously agreed environmental management plan. These covered the following:
- Restriction on use to storage and crushing of materials and display of finished work in connection with domestic brick weave and driveway replacement business only
 - Installation of CCTV to monitor site operations
 - 2m earth banks on-site
 - Crusher specification
 - 2.5m earth bank around the concrete crusher
 - All materials stored on-site in high sided bays or under cover
 - Mobile spraying to use to keep product damp
 - Restriction on hours) 07:00 to 18:30 Monday to Friday, 07:00 to 13:30 on Saturdays with company lorries permitted to return up until 17:00 and no working on Sundays or Public/Bank Holidays
 - Delivery and tipping of material for crushing 08:30 to 18:00 Monday to Friday (excluding company lorries leaving the site in the morning that have been loaded before)
 - Noise restriction
 - Boundary treatments to be retained hedging and 2m fencing

- 5.7 In addition, having seen the current condition/arrangement of the application site it is also considered necessary to agree a specific area within the site where products can be stored and a maximum height of these (at present the current plan and previous environmental management plan is silent on this). That there is no more than one crusher and that it can only be in the location shown

- 5.8 The scheme is therefore considered to comply with Policy DM3.13 of the SNLP.

Highways

- 5.9 Concern has been expressed at the suitability of the local highway network to cope with the traffic associated with the development.
- 5.10 The Highway Authority sought a breakdown of traffic movements and information was subsequently provided. This has been reviewed and the Highway Authority has no objection based upon what has been provided. It should be pointed out that the figures have been disputed by local residents. It is necessary to have regard to the fact that vehicle movements associated with the other commercial activities on the wider site result in the use of the local highway network and site too. On balance, it is considered that restricting the use to a specific one, limiting the intensity of operations (only one crusher) and hours of operation it is considered that highway safety impacts would not be so significant as to justify a refusal on highway safety grounds. The scheme is therefore considered to comply with Policies DM3.11 and DM3.12 of the SNLP.

Visual Impact

- 5.11 The site is well contained with mature and robust boundary treatments and as such it is not considered that any adverse visual impacts would occur. The scheme therefore meets the requirements of Policy Dm4.5 of the SNLP.

- 5.12 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.

5.13 **This application is not liable for Community Infrastructure Levy (CIL)**

Conclusion

- 5.14 It is considered that since the granting of temporary planning permission for the site, the Council consider that the likely impacts from the operations, most pertinently in terms of traffic and nuisance (noise, dust, etc), are not so significant so as to justify granting a permanent planning permission subject to the imposition of conditions that reflect the previous temporary planning permission and previously agreed Environmental Management Plan and additional ones relating to the storage of materials the scheme is considered acceptable in planning terms.

Recommendation :	Approval with Conditions
	1 Approved plan
	2 Used only for storage and crushing of materials and display of finished work in connection with a domestic brick weave and drive
	3 CCTV to be retained and operational
	4 Earth banks to north and west perimeter to be retained
	5 Earth bank around crusher to be retained
	6 Only one agreed crusher on-site
	7 Restriction on hours of operation
	8 Bowser and spray available for damping material available at all times
	9 Agree areas for storage of material
	10 Parking as in plan
	11 Boundary treatments as in plan and previously agreed discharge of condition approval

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2019/1666



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10. Application 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 demolition of existing dwelling. Erection of 9 no. dwellings including access only

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 site consists of No40a Newmarket Road, which is a large detached dwelling with an annexe, and its curtilage. The property has a large garden containing a number of protected trees. The site is surrounded by the Roundhouse Park development and is accessed by a long narrow drive from Newmarket Road.
- 1.2 The application is an outline application with all matters reserved other than access. The application is for nine dwellings. Two of the dwellings would utilise the existing access from Newmarket Road and seven from a new access off Willowcroft Way.
- 1.3 There have been a number of previous applications relating to this site. In 2016, an application (2016/2482) for 15 houses on the site that is the subject of this application and a further six flats on a site adjacent to the access off Newmarket Road was refused due to concerns over the impact on protected trees, the suitability of the access to serve the number of dwellings proposed and insufficient information. This was followed by an application for nine houses on the same site as the current application (2017/1852) which was refused on similar grounds and was then the subject of an appeal.
- 1.4 This appeal was dismissed by the Inspector but only in regard to some aspects of the impact on the protected trees. In considering the access arrangements, the Inspector did conclude that access from Newmarket Road was acceptable for two dwellings.

2. Relevant planning history

- | | | | |
|-----|-----------|---|------------------------------|
| 2.1 | 2016/2482 | Outline with all matters reserved except access for 15 No. houses and 6 No. flats | Refused |
| 2.2 | 2017/1852 | Outline planning permission for 9 No. houses including Access only | Refused and appeal dismissed |

3 Planning Policies

- 3.1 National Planning Policy Framework (NPPF)
 NPPF 02: Achieving sustainable development
 NPPF 04: Decision-making
 NPPF 05: Delivering a sufficient supply of homes
 NPPF 11: Making effective use of land
 NPPF 12: Achieving well-designed places
 NPPF 14: Meeting the challenge of climate change, flooding and coastal change
 NPPF 15: Conserving and enhancing the natural environment

- 3.2 Joint Core Strategy (JCS)
 Policy 1: Addressing climate change and protecting environmental assets
 Policy 2: Promoting good design
 Policy 3: Energy and water
 Policy 4: Housing delivery
 Policy 12: The remainder of the Norwich Urban area, including the fringe parishes
 Policy 20: Implementation
- 3.3 South Norfolk Local Plan Development Management Policies
 DM1.1: Ensuring Development Management contributes to achieving sustainable development in South Norfolk
 DM1.3: The sustainable location of new development
 DM3.1: Meeting Housing requirements and needs
 DM3.5: Replacement dwellings and additional dwellings on sub-divided plots within Development Boundaries
 DM3.8: Design Principles applying to all development
 DM3.11: Road safety and the free flow of traffic
 DM3.12: Provision of vehicle parking
 DM3.13: Amenity, noise, quality of life
 DM4.2: Sustainable drainage and water management
 DM4.8: Protection of Trees and Hedgerows
 DM4.9: Incorporating landscape into design
- 3.4 Cringleford Neighbourhood Plan
 ENV7 : Sub division of gardens
- 3.5 Supplementary Planning Documents (SPD)
 South Norfolk Place Making Guide 2012

4. Consultations

4.1 Parish Council

Refuse

- the site has been deemed in previous applications to be unsuitable for the number of dwellings proposed for reasons including limited access and damage to root protection zones
- the current application has rearranged the dwellings to provide more space for each dwelling and overcome some of the uses previously raised. However, it is now heavily dependent on a new access point onto Willowcroft Way across green open space
- the applicant states that these houses are of benefit because there is a housing shortfall. There is no housing shortfall in Cringleford as more than 1200 houses are being developed currently with land available for more
- the applicant states they own all the land which is not true as the land through which the access onto Willowcroft Way is located is not owned by the applicant and is under the jurisdiction of the parish council for the use of the community
- furthermore any such house and road arrangement would cause harm to the character and amenity of the immediate area
- contrary to NPPF as the proposal is unviable in its current arrangement because seven of the properties rely on an access that there is no reasonable prospect of being available whilst the remaining access from Newmarket Road has been deemed unsuitable for this number of dwellings in previous applications

4.2 District Councillor

To be considered by Development Management Committee

- to consider the impact of the access arrangements on existing community green open space and proposed mitigation to consider the impact on the appearance and amenity of the area (a factor cited in the earlier appeal refusal for this site) and to consider if the site meets the definition of deliverable contained within the NPPF.

4.3 Highways England

No objection

4.4 NCC Highways

Conditional Support

Based on the discussions that took place for the previous submission including the information that was supplied by the highway consultants in respect of the access arrangement and visibility spays for this development, no highway objections are raised

4.5 SNC Senior Conservation and Design Officer

No objections on design grounds at the outline stage

4.6 SNC Water Management Officer

Conditional support

4.7 SNC Housing Enabling & Strategy Manager

No objection subject to commuted sum for affordable housing

4.8 SNC Community Services - Environmental Quality Team

Conditional support

4.9 SNC Landscape Architect

Conditional support following submission of further information

4.10 Other Representations

4 letters of objection

- narrow single lane is insufficient for two dwellings and would create road safety issues, threaten protected trees and cause disturbance
- visibility of vehicles entering and exiting Newmarket Road will be poor given the insufficient splays
- impact on neighbours as proposed dwellings would cause significant loss of light, overbearing and overcrowding of neighbouring dwellings
- object to the line of conifers being removed between the site and Tulip Gardens and insist the double boundary is retained
- loss of privacy if conifer trees are removed
- impact on wildlife from loss of trees

5 Assessment

Key considerations

- 5.1 The key considerations in the determination of this application is the principle of the development, access, the impact on protected trees on the site, whether an acceptable

layout can be achieved, residential amenity, affordable housing requirements, ecology and drainage.

Principle

- 5.2 Whilst it is noted that the applicant has stated that they do not consider that the Council can demonstrate a 5-year housing land supply, this is disputed by the Council which does contend that it can demonstrate a 5-year housing land supply as set out in the Annual Monitoring Report for 2017-2018. As such, it is considered that its housing related policies are not out of date.
- 5.3 DM1.3 requires that all new development should be sustainably located and directs new development to be within identified development boundaries. This site is within the development boundary identified in the Cringleford Neighbourhood Plan and therefore the proposal accords with Policy DM1.3.
- 5.4 Policy DM3.5 sets criteria as to when additional dwellings on sub-divided plots such as this will be acceptable. It states that such development should incorporate good quality design which maintains or enhances the character and appearance of existing buildings, street scene and surroundings and does not have an unacceptable impact on the amenities of neighbouring occupiers, and provides adequate private amenity and utility space, adequate access and parking, and adequate levels of amenity.
- 5.5 In addition, Policy ENV7 of the Cringleford Neighbourhood Plan states that the sub-division of existing large gardens in the village will be permitted only where it can be demonstrated that there is no unacceptable impacts on flora and fauna and it can be demonstrated that the character of the surrounding neighbourhood (in terms of the appearance and massing of the development) is maintained.

Access

- 5.6 A number of comments have been raised about the use of the existing access from Newmarket Road being unsuitable due to its length, width and proximity to other dwellings along its length. As noted above, this was a reason for refusal on previous planning applications and as a consequence was considered by the Inspector in the appeal against one of those refusals. In the Inspector's decision, they noted that the use by one additional dwelling to that already permitted would be modest and would not intensify the use of the driveway by a significant degree. They noted that the chance of meeting another vehicle would be slim and that even if it did occur it would only require one vehicle to spend a small time waiting in a passing bay. As such, they concluded that the proposal would be unlikely to intensify the use of the existing driveway to such a degree that it would create an unacceptable level of noise and disturbance for the occupiers of neighbouring dwellings.
- 5.7 In light of the Inspector's findings it is considered that the access arrangement for the two dwellings using the existing private driveway from Newmarket Road is acceptable, subject to it not having an unacceptable impact on the protected trees.
- 5.8 In regard to the access of Willowcroft Way, this was previously accepted as an appropriate means of accessing the site when considering the previous applications and the Inspector did not raise any concerns with this access arrangement either. However, in consideration of this application the parish council have objected to the development, partly due to this access arrangement which they say cannot be delivered as it crosses land under their control.
- 5.9 In response to these concerns, the applicant has provided the covenant that demonstrates that they have a right to access the site for the existing dwelling and six other dwellings from estate roads within Roundhouse Park. We are therefore satisfied

that the applicant can deliver the access, although even if further doubt were to be cast on this it does not affect the other considerations as to the acceptability of development on the site. In regard to whether it would compromise community green open space, the access would run through a grassed area to connect to Willowcroft Way. It is not considered that it will compromise any of the community public open space associated with the Willow Centre on the opposite side of Willowcroft Way. It should also be noted that in terms of the visual amenity this land provides, this will be enhanced by open space and planting to the front of the dwellings when viewed from Willowcroft Way.

- 5.10 No objections are raised by the Highway Authority subject to a number of conditions and as such it is considered that the proposed access arrangements and accord with policies DM3.8, DM3.11 and DM3.13 of the Local Plan.

Impact on Trees

- 5.11 A key issue is whether the development can be accommodated on the site in respect of the protected trees on the site. The Inspector's concerns related specifically to the means of accessing the two dwellings from the existing access from Newmarket Road. The Landscape Architect notes that in the appeal decision the Inspector questioned why the established part of the existing driveway could not be utilised. The scheme has now been amended to make better use of the existing access. A no-dig solution is proposed for improvements to this section of the access to ensure there is no harm to the trees. A condition is proposed to secure a satisfactory no-dig solution to ensure there is no harm to the adjoining trees.
- 5.12 An issue that was previously raised as a concern was the anticipated shading pattern and any expected growth of the trees. However, the Inspector in their decision on the appeal against the previous refusal did not uphold this as a key issue. Notwithstanding this, the Landscape Architect has used the shading information to compare with the current proposals and the indicative layout offers an improvement in regard to shading. Therefore given the Inspector's comments it is considered that the indicative layout is respectable in this respect.
- 5.13 The proposal is therefore now considered to be acceptable in regard to the protected trees. A condition is requiring to ensure suitable tree protection measures are in place throughout the construction process. With such measures the proposal is considered to accord with policy DM4.8 of the Local Plan.

Design and Layout

- 5.14 An indicative layout plan has been submitted. Although only indicative, given the constraints of the site it is important to ensure that an acceptable layout can be achieved on the site. The Senior Conservation and Design Officer has considered the scheme and his comments are incorporated into this assessment.
- 5.15 A concern raised on the previous application was the long access and driveway to the west side. This is now more clearly separated from the other properties, whilst as noted above the Inspector concluded that two dwellings accessed in this manner was acceptable. Given that a solution has been found to adequately retain the trees on the site there is no objection to this part of the layout.
- 5.16 The layout of the eastern part of the site is now more coherently organised with houses fronting towards Willowcroft Way in a more traditional street pattern and settlement grain, but set back from the open space with trees being planted to the front to complement the existing open space area. Properties are better organised with a better relationship to rear gardens and overall there is a spatial arrangement for the properties. A condition for a landscaping scheme is proposed which will include how

the boundary of the site with the open space on Willowcroft Way is treated which will be an important in achieving a successful scheme.

- 5.17 The Senior Conservation and Design Officer therefore raises no objections on design grounds at the outline stage and the proposal is considered to accord with Policy 2 of the Joint Core Strategy and policy DM3.8 of the Local Plan, as well as policy ENV7 of the Neighbourhood Plan.

Residential Amenity

- 5.18 In addition to the concerns relating to use of the access to Newmarket Road addressed above, concerns have been raised about the impact of new dwellings on the site and the proposed boundary treatment of the site resulting in loss of light and privacy.
- 5.19 The majority of the proposed new dwellings are located well away from the boundary with any existing dwelling and therefore will have no impact. Plots 6, 7 and 8 share a boundary with existing properties on Tulip Gardens, however the indicative layout shows acceptable spacing between the buildings and the boundary which allows for them to be accommodated without being overbearing on the existing properties. Whilst it is noted that there is some concern about conifer trees to be removed on this boundary with possible consequent loss of privacy, appropriate boundary treatment can be provided to protect their amenities.
- 5.20 The other two plots to bound existing properties are plots 1 and 9. In the case of plot 1, the indicative layout shows the dwelling itself located adjacent to a communal parking area where it will have little impact. Plot 9 is in a more unusual part of the site as it is in a portion of the site that projects out from the remainder of the site with three boundaries adjoining neighbouring plots. However, the size of this portion of land is sufficient to accommodate a dwelling and it is not so close to another dwelling as to cause concern that a dwelling cannot be designed for this plot without having an unacceptable impact on the neighbouring dwellings.
- 5.21 Whilst the final siting and design, which would include ensuring the placing of first floor windows do not result in any unacceptable overlooking, would be agreed at the reserved matters stage the indicative layout is considered sufficient to demonstrate that nine dwellings can be accommodated on the site without resulting in an unacceptable impact on neighbouring properties and therefore the proposal is considered to accord with policy DM3.13 of the Local Plan.

Affordable Housing

- 5.22 Although only nine dwellings are proposed, the site is 0.7 hectares in size and therefore triggers a requirement for affordable housing. Applying Policy 4 of the Joint Core Strategy, the affordable housing requirement on sites over 0.6 hectares is 33% resulting in an affordable housing obligation of three dwellings on this site. Due to the site constraints this is to be provided through an off-site contribution rather than on-site, which the Council's Housing Enabling and Strategy Officer supports. A legal agreement will be required to secure this.

Ecology

- 5.23 An Ecological Survey was submitted which surveyed the site for protected species, of which there was some evidence of bats requiring further surveys which have since been carried out. These further surveys concluded that given the lack of any bat roosts in the buildings and the potential to incorporate mitigation within the development for bats, it is considered that are reasonable and realistic opportunities to maintain the favourable conservation status of the local bat populations despite the proposed

building demolition. Mitigation and enhancement measures are suggested including the provision of suitable bat boxes and a condition is proposed to secure this.

Drainage

- 5.24 The site is within Flood Risk Zone 1 and therefore is not at risk from fluvial flooding. Drainage is to be provided by a sustainable drainage strategy which offers an improvement over the current situation by reducing flooding risk through the management of run-off and on-site water storage. The Council's Water Management Officer and Anglian Water have raised no objection to the proposal, subject to the imposition of a condition on any permission requiring full details of the means of sustainable water drainage including percolation tests if appropriate. It is therefore considered that adequate drainage can be provided for the development in accordance with the NPPF and Policy DM4.2.

Other Issues

- 5.25 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.
- 5.26 **This application will be liable for Community Infrastructure Levy (CIL) but this would be calculated at the reserved matters stage.**

Conclusion

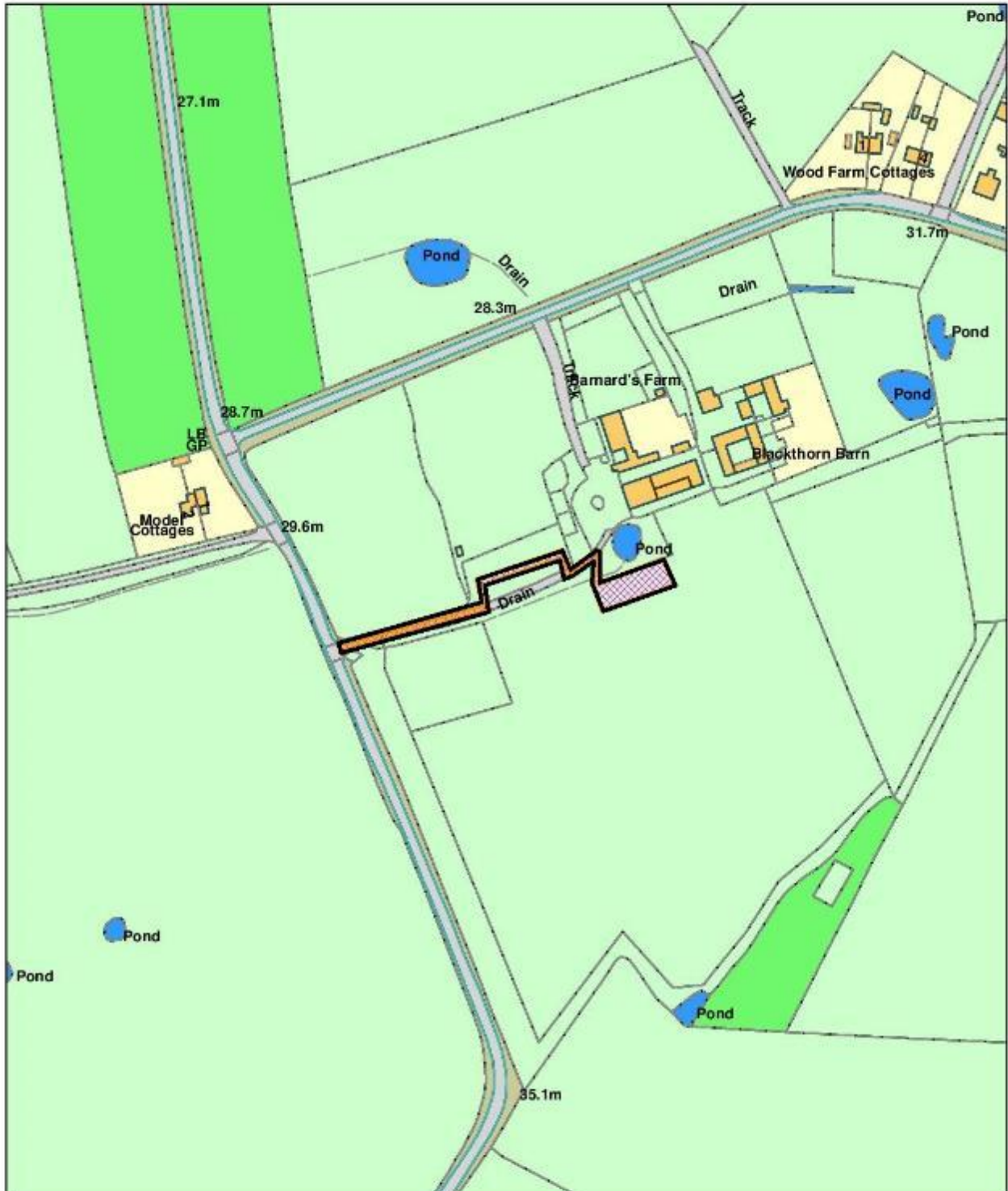
- 5.27 The proposed development is acceptable as it is within the development boundary for Cringleford, and can be accommodated without having an adverse impact on the form and character of the area, neighbouring properties, protected trees on the site or the local highway network. The development is therefore considered to accord with policies DM3.5, DM3.8, DM3.11, DM3.12, DM3.13 and DM4.8 of the Local Plan and policy ENV7 of the Neighbourhood Plan.

Recommendation :	Approval with Conditions
	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
	S106 agreement to secure affordable housing contribution

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Application 11

2019/1751



11. Application No : 2019/1751/F
Parish : WYMONDHAM

Applicant's Name: Miss Clare Black
 Site Address: Centre Paws at Barnards Farm Youngmans Road Wymondham Norfolk
 Proposal: Temporary Canine swimming pool, purpose built docking platform with steps, fencing and gated access, small caravan within enclosure used for shelter/changing facilities.

Reason for reporting to committee

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

Recommendation summary :

Approval with Conditions

1 Proposal and site context

- 1.1 The site lies in a rural location and consists of a residential dwelling known as Barnards Farm which has dog related businesses trading from outbuildings and on the associated land (café, dog grooming, dog agility/training area). The site is accessed via Barnham Broom Road which lies to the west of the site. There are neighbouring residential dwellings to the rear (east) of the site.
- 1.2 The application seeks temporary planning permission for a canine swimming pool, purpose built docking platform with steps, fencing and gated access, small caravan within enclosure used for shelter/changing facilities. The enclosure would consist of 6 soundproof wooden fence panels and posts to the East making a solid barrier. Stock fencing would be used to enclose the rest of the area (wooden posts and wire stock fence), the same as the existing fencing around the field.

2. Relevant planning history

2.1	2019/2296	Retention of car park	Under consideration
2.2	2019/2016	Change of use including the erection of log cabin to provide a canine and small animal massage business.	Under consideration
2.3	2019/0438	Discharge of condition 7 - landscaping scheme of planning permission 2017/0823	Under consideration
2.4	2019/0053	Variation of condition 8 of planning permission 2016/2483/F - to allow for varying of opening hours (Conversion of Existing Barns from a farm shop and a duck rearing shed to a cafe and a dog grooming parlour, with associated external works and driveway improvement	Refused
2.5	2018/1929	Retrospective application for retention of two soil bunds created to form an instant sound	Approved

		and privacy barrier between Centre Paws Norfolk at Barnards Farm and Blackthorn Barn.	
2.6	2018/1380	Discharge of condition 6-Ecology and 9-Fume extraction of planning consent 2016/2483	Approved
2.7	2018/0835	Variation of condition 6 of permission 2017/0823 (Change of use to from agriculture to dog agility and seasonal use for recreation) - amendment of opening hours to 09:00 - 20:00 Monday to Friday and 09:00 to 18:00 on Saturdays.	Approved
2.8	2018/0833	Discharge of condition 7 from planning consent 2017/0823 - Details of hedging and trees along the north section of the site.	Refused
2.9	2018/0624	Dog day care centre to include a secure fenced area and small building	Refused
2.10	2017/1884	Variation of condition 2 of permission 2016/2483 (Conversion of Existing Barns from a farm shop and a duck rearing shed to a cafe and a dog grooming parlour, with associated external works and driveway improvement) - rearrangement of internal layout with minor revisions to elevations	Approved
2.11	2017/0823	Change of use to dog agility training area and seasonal use of land for seating area/small play area for customers of dog friendly cafe Discharge of condition 7 - landscaping scheme of planning permission 2017/0823.	Approved
2.12	2016/2483	Conversion of Existing Barns from a farm shop and a duck rearing shed to a cafe and a dog grooming parlour, with associated external works and driveway improvement	Approved
2.13	2016/1993	Change of use from agricultural to dog exercise field	Approved

3 Planning Policies

- 3.1 National Planning Policy Framework (NPPF)
NPPF 02 : Achieving sustainable development
NPPF 04 : Decision-making
NPPF 06 : Building a strong, competitive economy
- 3.2 Joint Core Strategy (JCS)
Policy 1 : Addressing climate change and protecting environmental assets
- 3.3 South Norfolk Local Plan Development Management Policies
DM1.3 : The sustainable location of new development

DM2.1 : Employment and business development
DM3.8 : Design Principles applying to all development
DM3.11 : Road safety and the free flow of traffic
DM3.12 : Provision of vehicle parking
DM3.13 : Amenity, noise, quality of life
DM4.5 : Landscape Character Areas and River Valleys

3.4 Site Specific Allocations and Policies
Wymondham Area Action Plan

There are no specific policies within the Wymondham Area Action Plan that are engaged as a consequence of this development.

4. Consultations

4.1 Wymondham Town Council

Approve

4.2 District Councillor
Councillor Holden

I am concerned about planning applications (2019/1751, 2019/2016 & 2019/2296) and the affect that their approval would have on the neighbouring property. Although individually these applications may be deemed to be acceptable taken as a whole their cumulative impact is significant and the potential for noise nuisance should be taken into account. I also note from the application for the canine pool that no provision seems to have been made for the proper disposal of foul water, and I feel that this needs further investigation prior to any approval being granted. I would therefore like these applications to be taken to the DMC committee for consideration.

4.3 SNC Community Services - Environmental Quality Team

No comments received

4.4 NCC Highways

There are no highway objections to the retention of the canine swimming pool etc. However, I note that the access improvements that were required for previous approvals has not to date been carried out.

4.5 Other Representations

1 objection has been received on the following grounds:

conditions from previous planning applications at Centre Paws have not been complied with and the effect this has had on neighbours

7 letters of support have been received

5 Assessment

Key considerations

Principle

5.1 Policy DM2.1 of the SNLP is applicable to employment and business development and makes provision for the expansion of existing businesses located in the countryside.

Therefore, the principle of the scheme is considered acceptable. This part of the policy states that:

- 5.2 Proposals for the expansion of existing businesses located in the Countryside should not have a significant adverse impact on the local and natural environment and character of the Countryside and should protect the amenities of neighbouring occupiers.

Other Issues

- 5.3 With regard to the impact of the proposal on the local and natural environment and the character of the countryside it is evident that the pool and associated changing facilities and fencing are of relatively modest scale and height when seen in the context of what is already on-site and sited in close proximity to the other buildings on-site thus avoiding any significant encroachment outwards into the countryside. On this basis it is not considered that there is any significant adverse visual or landscape impact caused by the proposal and therefore the scheme complies with the part of Policy DM2.1 relating to visual impact and also the requirements of Policies DM3.8 and DM4.5 of the SNLP which also consider visual and landscape impact.
- 5.4 With regard to neighbour amenity, is sufficiently distanced from any neighbouring property so as not to result in any significant harm in terms of privacy, light or outlook. Given the commercial nature of the scheme, it is also necessary to consider how this may impact upon neighbours ie noise from the use, including vehicle movements, hours of operation etc. In this case the hours of operation are to be restricted as follows:
- 5.5 The pool would only be in use from the 1st April until the 31st October only and outside of these periods the pool will be dismantled and put in storage (docking station will remain in situ).
- 5.6 The pool would be open between 10am and 6pm inclusively in April, May, June, September and October and between 10am and 8pm in July and August. The pool will be closed on Sundays and Bank/Public Holidays.
- 5.7 It is envisaged that it would be available for private or group bookings of 30min sessions each which includes entering and leaving the enclosure. A maximum of 5 dogs would be allowed in the group sessions and the owners are required to stay for the duration of the session and are fully responsible for the supervision and welfare of their dog(s).
- 5.8 The above hours of operation are not considered to be unneighbourly, and the number of dogs using the pool when considering the relationship with the neighbouring properties and when seen in the context of the activities on the existing site are not considered to be likely to result in significant adverse impacts so as to justify refusal. The location of the proposed parking area relative to neighbours would also mean that neighbours would not be likely to be significantly impacted upon by vehicle movements associated with the scheme. Nevertheless, given that the Council has no prior experience of the use of dog swimming pools elsewhere it is considered appropriate to grant temporary planning permission for the development so as to be able to review whether the anticipated impacts from the development are accurate and not significantly harmful. With this in mind it is proposed to grant temporary permission until the end of 2021. On this basis it is not considered that there is any significant adverse impact on neighbour amenity would occur and therefore the scheme complies with the part of Policy DM2.1 relating to neighbour amenity and also the requirements of Policy DM3.13 of SNLP.

- 5.9 The Highway Authority has been consulted and they have no objection to the proposal in terms of highway safety or parking provision. The scheme is therefore considered to comply with Policies DM3.11 and DM3.12 of the SNLP.
- 5.10 A neighbour has raised concern at the lack of compliance with conditions attached to the site to date. The Council is aware that there are outstanding discharge of condition matters that are still being considered however these are being dealt with separately by officers and would not justify the refusal of this application in planning terms.
- 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 **This application is not liable for Community Infrastructure Levy (CIL)**

Conclusion

- 5.13 The scheme is considered to comply with the requirements of the relevant planning policies as referred to above and as such is therefore recommended for approval subject to conditions.

Recommendation : Approval with Conditions
 1 Temporary
 2 Hours of operation
 3 Boundary treatments to be erected

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Application 12

2019/2016



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

12. Application No : 2019/2016/F
Parish : WYMONDHAM

Applicant's Name: The Occupier
 Site Address Barnards Farm, Youngmans Road Wymondham NR18 0RR
 Proposal Change of use including the erection of log cabin to provide a canine and small animal massage business

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 site lies in a rural location and consists of a residential dwelling known as Barnards Farm which has dog related businesses trading from outbuildings and on the associated land (café, dog grooming, dog agility/training area). The site is accessed via Barnham Broom Road which lies to the west of the site. There are neighbouring residential dwellings to the rear (east) of the site.
- 1.2 The application seeks planning permission for the change of use land including the erection of log cabin to provide a canine and small animal massage business.

2. Relevant planning history

2.1	2019/2296	Retention of car park	Under consideration
2.2	2019/1751	Temporary Canine swimming pool, purpose built docking platform with steps, fencing and gated access, small caravan within enclosure used for shelter/changing facilities.	Under consideration
2.3	2019/0438	Discharge of condition 7 - landscaping scheme of planning permission 2017/0823	Under consideration
2.4	2019/0053	Variation of condition 8 of planning permission 2016/2483/F - to allow for varying of opening hours (Conversion of Existing Barns from a farm shop and a duck rearing shed to a cafe and a dog grooming parlour, with associated external works and driveway improvement	Refused
2.5	2018/1929	Retrospective application for retention of two soil bunds created to form an instant sound and privacy barrier between Centre Paws Norfolk at Barnards Farm and Blackthorn Barn.	Approved

2.6	2018/1380	Discharge of condition 6-Ecology and 9-Fume extraction of planning consent 2016/2483	Approved
2.7	2018/0835	Variation of condition 6 of permission 2017/0823 (Change of use to from agriculture to dog agility and seasonal use for recreation) - amendment of opening hours to 09:00 - 20:00 Monday to Friday and 09:00 to 18:00 on Saturdays.	Approved
2.8	2018/0833	Discharge of condition 7 from planning consent 2017/0823 - Details of hedging and trees along the north section of the site.	Refused
2.9	2018/0624	Dog day care centre to include a secure fenced area and small building	Refused
2.10	2017/1884	Variation of condition 2 of permission 2016/2483 (Conversion of Existing Barns from a farm shop and a duck rearing shed to a cafe and a dog grooming parlour, with associated external works and driveway improvement) - rearrangement of internal layout with minor revisions to elevations	Approved
2.11	2017/0823	Change of use to dog agility training area and seasonal use of land for seating area/small play area for customers of dog friendly cafe Discharge of condition 7 - landscaping scheme of planning permission 2017/0823.	Approved
2.12	2016/2483	Conversion of Existing Barns from a farm shop and a duck rearing shed to a cafe and a dog grooming parlour, with associated external works and driveway improvement	Approved
2.13	2016/1993	Change of use from agricultural to dog exercise field	Approved

3 Planning Policies

- 3.1 National Planning Policy Framework (NPPF)
 NPPF 02 : Achieving sustainable development
 NPPF 04 : Decision-making
 NPPF 06 : Building a strong, competitive economy
 NPPF 12 : Achieving well-designed places
 NPPF 15 : Conserving and enhancing the natural environment
- 3.2 Joint Core Strategy (JCS)
 Policy 2 : Promoting good design
 Policy 5 : The Economy
- 3.3 South Norfolk Local Plan Development Management Policies
 DM1.3 : The sustainable location of new development
 DM2.1 : Employment and business development

DM3.8 : Design Principles applying to all development
DM3.11 : Road safety and the free flow of traffic
DM3.12 : Provision of vehicle parking
DM3.13 : Amenity, noise, quality of life
DM4.5 : Landscape Character Areas and River Valleys

3.4 Site Specific Allocations and Policies
Wymondham Area Action Plan

There are no specific policies within the Wymondham Area Action Plan that are engaged as a consequence of this development.

4. Consultations

4.1 Wymondham Town Council

Approve

4.2 District Councillor

Councillor Holden

I am concerned about planning applications (2019/1751, 2019/2016 & 2019/2296) and the affect that their approval would have on the neighbouring property. Although individually these applications may be deemed to be acceptable taken as a whole their cumulative impact is significant and the potential for noise nuisance should be taken into account. I also note from the application for the canine pool that no provision seems to have been made for the proper disposal of foul water, and I feel that this needs further investigation prior to any approval being granted. I would therefore like these applications to be taken to the DMC committee for consideration.

4.3 NCC Highways

No objection

4.4 Other Representations

1 objection has been received which raises the following issue:

Could the exact location please be clarified? The photograph of proposed area is at the front of Barnards Farm (west) which would not be an issue, whereas the location plan shows the log cabin being close to our boundary (northside). In which case would dogs be there only for the period of the massage and how many dogs would be in the cabin at one time, because there is already considerable noise at times. It seems to be quite large for the proposed activity.

5 Assessment

Key considerations

Principle

- 5.1 Policy DM2.1 of the SNLP is applicable to employment and business development and makes provision for the expansion of existing businesses located in the countryside. Therefore, the principle of the scheme is considered acceptable. This part of the policy states that:

- 5.2 Proposals for the expansion of existing businesses located in the countryside should not have a significant adverse impact on the local and natural environment and character of the countryside and should protect the amenities of neighbouring occupiers.

Other Issues

Visual impact

- 5.3 With regard to the impact of the proposal on the local and natural environment and the character in the countryside it is evident that the log cabin is modest in size and sited in close proximity to the existing buildings on-site thus creating a tight grouping of buildings and thereby avoiding any significant encroachment outwards into the countryside. On this basis it is not considered that there is any significant adverse visual or landscape impact caused by the proposal and therefore the scheme complies with the part of Policy DM2.1 relating to visual impact and also the requirements of Policies DM3.8 and DM4.5 of the SNLP which also consider visual and landscape impact.

Neighbour amenity

- 5.4 With regard to neighbour amenity, is sufficiently distanced from any neighbouring property, with intervening buildings, so as not to result in any significant harm in terms of privacy, light or outlook. Given the commercial nature of the scheme, it is also necessary to consider how this may impact upon neighbours ie noise from the use, including vehicle movements, hours of operation etc. In this case the hours of operation are to be restricted as follows:
- 5.5 The cabin would be open between 9am and 5pm inclusively Monday to Friday and 9am to 4pm on Saturday and closed on Sundays and Bank/Public Holidays.
- 5.6 The above hours of operation are not considered to be unneighbourly. The applicant has confirmed that it will only be them performing massages within the log cabin. It is not considered that the nature of the use (massage) and intensity of the use would lead to any significant disturbance to neighbours. Likewise, the relatively modest level of vehicle movements associated with this development would also not lead to significant impacts upon the neighbours.
- 5.7 On this basis it is not considered that there is any significant adverse impact on neighbour amenity would occur and therefore the scheme complies with the part of Policy DM2.1 relating to neighbour amenity and also the requirements of Policy DM3.13 of SNLP.

Highway safety

- 5.8 The Highway Authority has been consulted and they have no objection to the proposal in terms of highway safety or parking provision. The scheme is therefore considered to comply with Policies DM3.11 and DM3.12 of the SNLP.
- 5.9 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.

- 5.10 **This application is not liable for Community Infrastructure Levy (CIL)**

Conclusion

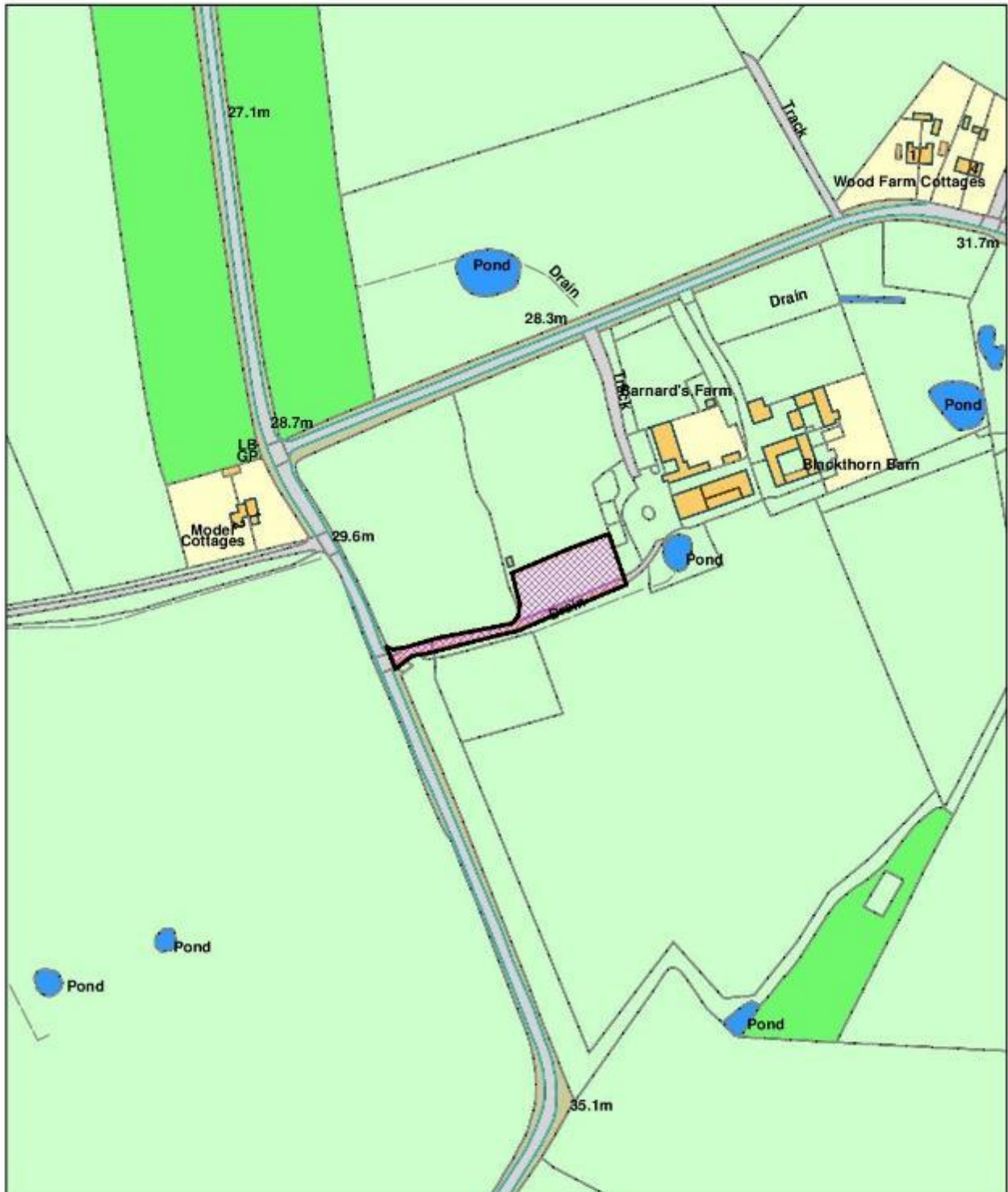
- 5.11 The scheme is considered to comply with the requirements of the relevant planning policies as referred to above and as such is therefore recommended for approval subject to conditions.

Recommendation : Approval with Conditions
 1 Full time limit
 2 Hours of operation
 3 No more than one person working

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Application 13

2019/2296



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

13. Application No : 2019/2296/F
Parish : WYMONDHAM

Applicant's Name: Mrs Kathryn Cross
 Site Address Barnards Farm, Youngmans Road Wymondham NR18 0RR
 Proposal retention of car park

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 no conditions

1 Proposal and site context

- 1.1 The site lies in a rural location and consists of a residential dwelling known as Barnards Farm which has dog related businesses trading from outbuildings and on the associated land (café, dog grooming, dog agility/training area). The site is accessed via Barnham Broom Road which lies to the west of the site. There are neighbouring residential dwellings to the rear (east) of the site.
- 1.2 The application seeks retrospective planning permission for an additional car park for customers.

2. Relevant planning history

- | | | | |
|-----|-----------|--|---------------------|
| 2.1 | 2019/2016 | Change of use including the erection of log cabin to provide a canine and small animal massage business | Under consideration |
| 2.2 | 2019/1751 | Temporary Canine swimming pool, purpose built docking platform with steps, fencing and gated access, small caravan within enclosure used for shelter/changing facilities. | Under consideration |
| 2.3 | 2019/0438 | Discharge of condition 7 - landscaping scheme of planning permission 2017/0823 | Under consideration |
| 2.4 | 2019/0053 | Variation of condition 8 of planning permission 2016/2483/F - to allow for varying of opening hours (Conversion of Existing Barns from a farm shop and a duck rearing shed to a cafe and a dog grooming parlour, with associated external works and driveway improvement | Refused |
| 2.5 | 2018/1929 | Retrospective application for retention of two soil bunds created to form an instant sound and privacy barrier between Centre Paws Norfolk at Barnards Farm and Blackthorn Barn. | Approved |

2.6	2018/1380	Discharge of condition 6-Ecology and 9-Fume extraction of planning consent 2016/2483	Approved
2.7	2018/0835	Variation of condition 6 of permission 2017/0823 (Change of use to from agriculture to dog agility and seasonal use for recreation) - amendment of opening hours to 09:00 - 20:00 Monday to Friday and 09:00 to 18:00 on Saturdays.	Approved
2.8	2018/0833	Discharge of condition 7 from planning consent 2017/0823 - Details of hedging and trees along the north section of the site.	Refused
2.9	2018/0624	Dog day care centre to include a secure fenced area and small building	Refused
2.10	2017/1884	Variation of condition 2 of permission 2016/2483 (Conversion of Existing Barns from a farm shop and a duck rearing shed to a cafe and a dog grooming parlour, with associated external works and driveway improvement) - rearrangement of internal layout with minor revisions to elevations	Approved
2.11	2017/0823	Change of use to dog agility training area and seasonal use of land for seating area/small play area for customers of dog friendly cafe Discharge of condition 7 - landscaping scheme of planning permission 2017/0823.	Approved
2.12	2016/2483	Conversion of Existing Barns from a farm shop and a duck rearing shed to a cafe and a dog grooming parlour, with associated external works and driveway improvement	Approved
2.13	2016/1993	Change of use from agricultural to dog exercise field	Approved

3 Planning Policies

- 3.1 National Planning Policy Framework (NPPF)
NPPF 02 : Achieving sustainable development
NPPF 04 : Decision-making
- 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
DM1.3 : The sustainable location of new development
DM3.8 : Design Principles applying to all development
DM3.11 : Road safety and the free flow of traffic
DM3.12 : Provision of vehicle parking
DM3.13 : Amenity, noise, quality of life

DM4.5 : Landscape Character Areas and River Valleys

3.4 Site Specific Allocations and Policies
Wymondham Area Action Plan

There are no specific policies within the Wymondham Area Action Plan that are engaged as a consequence of this development.

4. Consultations

4.1 Wymondham Town Council

Approve

4.2 Councillor Holden

I am concerned about planning applications (2019/1751, 2019/2016 & 2019/2296) and the affect that their approval would have on the neighbouring property. Although individually these applications may be deemed to be acceptable taken as a whole their cumulative impact is significant and the potential for noise nuisance should be taken into account. I also note from the application for the canine pool that no provision seems to have been made for the proper disposal of foul water, and I feel that this needs further investigation prior to any approval being granted. I would therefore like these applications to be taken to the DMC committee for consideration.

4.3 NCC Highways

There are no highway objections to the retention of the car park. However, I note that the access improvements that were required for previous approvals has not to date been carried out.

4.4 Other Representations

None received.

5 Assessment**Key considerations****Principle**

- 5.1 In planning terms there is no objection in principle to an additional car park at commercial premises, the key planning issues are assessed as follows:

Other Issues

Neighbour amenity

- 5.2 The position of the car park relative to neighbouring properties means that no significant noise disturbance would occur and the scheme would comply with the requirements of Policy DM3,13 of the SNLP.

Visual impact

- 5.3 The area is a gravel car park contained by a post and rail fence which is not out of character with the adjacent dwelling and buildings and not out of character within the rural landscape and the scheme would comply with the requirements of Policies DM3.8 and DM4.5 of the SNLP.

Highway matters

- 5.4 The Highway Authority has no objection to the scheme and as such the scheme is considered to comply with the requirements of Policies DM3.11 and DM3.12 of the SNLP.
- 5.5 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.
- 5.6 **This application is not liable for Community Infrastructure Levy (CIL)**

Conclusion

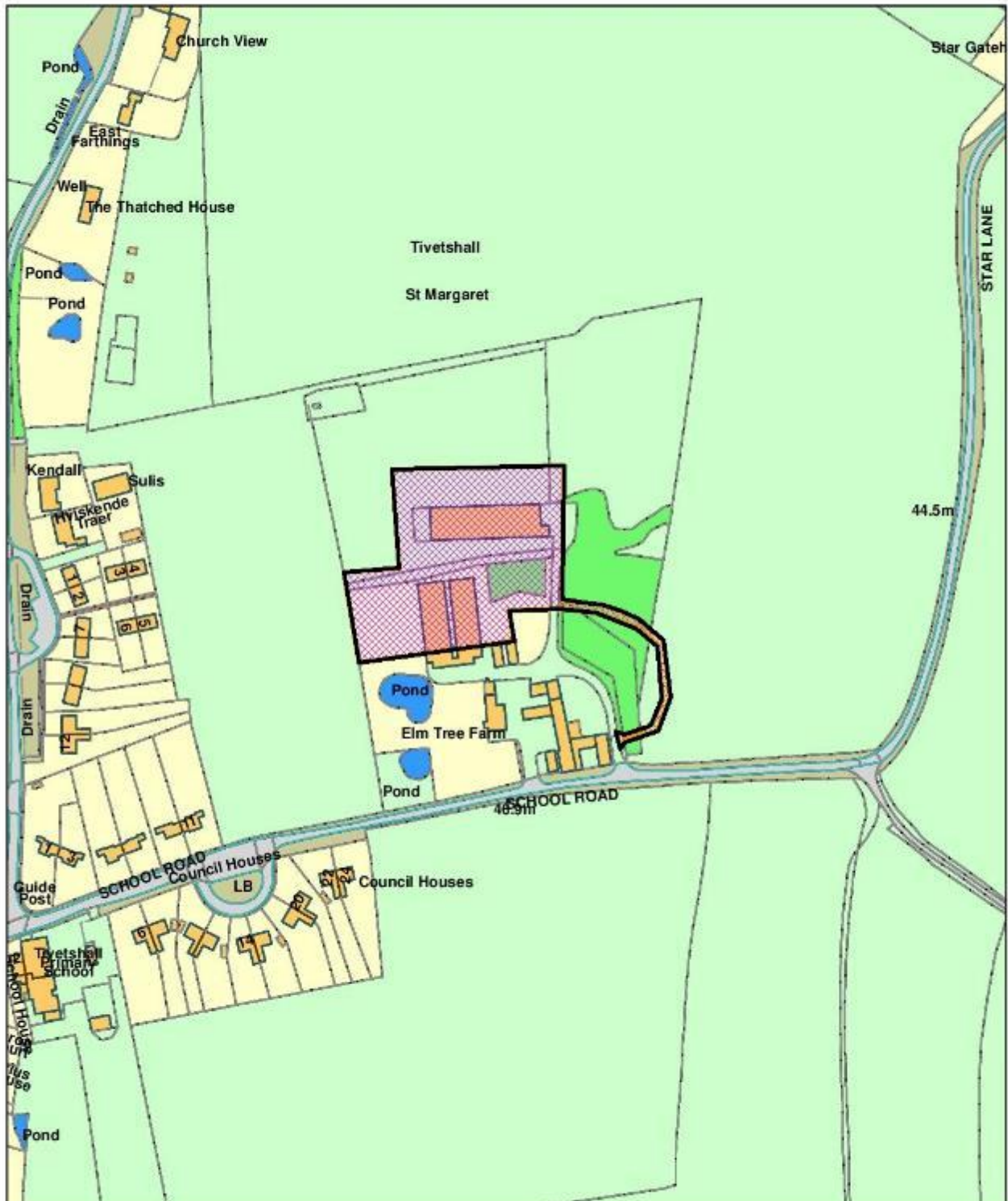
- 5.7 The scheme is considered to comply with the requirements of the relevant planning policies and is therefore recommended for approval.

Recommendation : Approval with no conditions

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Application 14

2019/2053



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

14. Application No : 2019/2053/F
Parish : TIVETSHALLS

Applicant's Name: Mr Robert Burton
 Site Address: Former Poultry Buildings at Elm Tree Farm School Road Tivetshall
 St Margaret Norfolk
 Proposal: Conversion of existing poultry buildings to 3 x residential dwellings
 to include demolition. (Revised application)

Reason for reporting to committee

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

Recommendation summary : Refusal

1. Proposal and site context

- 1.1 The proposal seeks to convert the poultry units to 3 dwellings. The units are located to the rear (north) of the main farm house which is a grade II listed building. A further range of barns including a timber barn and a single storey range of brick and tile barns are located to the east of the site which benefit from an extant permission for conversion to 3 dwellings. The site is just outside of the main settlement located to the west of the site.

2. Relevant planning history

- | | | | |
|-----|-----------|--|---------|
| 2.1 | 2019/0200 | Conversion of existing poultry buildings to 3 x residential dwellings to include demolition. | Refused |
|-----|-----------|--|---------|

3 Planning Policies

- 3.1 National Planning Policy Framework (NPPF)
 NPPF 02 : Achieving sustainable development
 NPPF 04 : Decision-making
 NPPF 05 : Delivering a sufficient supply of homes
 NPPF 09: Promoting sustainable transport
 NPPF 12 : Achieving well-designed places
 NPPF 14 : Meeting the challenge of climate change, flooding and coastal change
 NPPF 15 : Conserving and enhancing the natural environment
 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
- 3.3 South Norfolk Local Plan Development Management Policies
 DM1.3 : The sustainable location of new development
 DM2.10 : Conversion and re-use of buildings in the Countryside for non-agricultural use
 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
 DM4.5 : Landscape Character Areas and River Valleys
 DM4.8 : Protection of Trees and Hedgerows
 DM4.10 : Heritage Assets

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

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

4. Consultations**4.1 Tivetshall Parish Council**

No comments to submit in relation to this planning application

4.2 District Councillor

Councillor M Wilby

I would like this planning application to go to committee and the reasons are: The applicant has explored the commercial avenue with no interest and the development will have no impact on the nearby farmhouse.

4.3 SNC Water Management Officer

Foul Drainage - We note from the Anglian Water asset maps that there is a foul sewer located approximately 60m to the north of the site. Building Regulations Approved Document H advises of the hierarchy for foul drainage disposal with connection to the main public sewer as the first option unless it can be demonstrated that it is not reasonably practicable.

The 'General Binding Rules for small sewage discharges' state that "New discharges must not be within 30metres of a public foul sewer". Where multiple dwellings are proposed the 30m rule is multiplied by the number of dwellings, therefore, in this case the distance where it would be considered feasible to connect to the foul sewer would be 90m.

The Environment Agency advise that the definition used for the 30m rule is "the shortest distance between any boundary of premises served by the sewage treatment facility and the nearest foul sewer and/or private sewer". If the property does not meet this, then the general binding rules do not apply, and the owner will need a permit."

We note that the land between the site and the foul sewer is in the ownership of the applicant, therefore it would appear achievable to consider connection to the foul sewer. If the applicant proposes not to connect to the foul sewer it will be necessary to demonstrate justification including evidence from Anglian Water as to whether connection to the foul sewer is acceptable.

Surface Water Drainage - The application form advises that surface water arising from the proposed development will discharge to soakaways. Whilst we have no objection to this approach we are aware that infiltration drainage is not always a viable option in this area. We would request water butts are incorporated into the design to encourage rain water re-use and water conservation.

4.4 NHSCCG

No comments received

4.5 NCC Highways

No objection subject to condition requiring the implementation of the access and on-site parking and turning areas

4.6 Other Representations

None received

5 Assessment

Key considerations

5.1 This application is a revised application from that refused under 2019/0200. This was refused on the grounds that:

- no evidence to demonstrate that the existing poultry units cannot be practically or viably converted into other commercial employment uses.
- The significant amount of works, including demolition, go beyond what constitutes conversion.
- The buildings are not considered to be of historic value or worthy of retention. Further, their conversion will create a development that is discordant in its context and will not preserve the setting of the adjacent listed building.

5.2 The following assessment will consider the previous reasons for refusal in turn and whether the current scheme has addressed these.

5.3 With regard to the lack of evidence of conversion into other employment uses, the agent has made reference to the extant planning permission to convert other buildings on the wider site (2010/1063) which required the demolition of these buildings by way of S106 agreement. This being deemed necessary in order to safeguard the amenities of future residents of the barns scheduled to be converted under 2010/1063. It is considered that this is a material consideration in the determination of this application insofar as given the barns can be demolished under planning permission 2010/1063 the need to demonstrate its suitability for other commercial uses at present can be set aside.

5.4 With regard to the level of works proposed, which includes significant demolition, new wall cladding and new roofing, it is considered that the amount of new build and replacement of original fabric for all units is excessive and goes beyond that which is deemed acceptable under Policy DM2.10 of the SNLP.

5.5 The agent is advancing an argument based upon the site having a "fallback" position for conversion under Class Q of the GPDO as a means to justify this scheme.

5.6 Firstly, having regard to the nature of the buildings on-site, the case officer does not consider that there is no realistic prospect that a consented scheme for class Q could be achieved from the buildings.

5.7 Secondly, even if it was accepted that a class Q was a reasonable prospect for the buildings. It is not considered that the ability to implement class Q is in any way comparable to what is proposed here as Class Q would only permit a maximum of 865m² floorspace on-site if a scheme of 5 dwellings were created, and a maximum of 665m² for 3 dwellings (3 dwellings are proposed here) whereas the scheme put

forward under this application total significantly more (1162m²). With this in mind it should be noted that two of the appeals put forward in support of the agents position on "fallback" state the following:

Appeal at Holywell Farm, Clipsham APP/E2530/W/17/317513) states at paragraph 8:

*The proposal subject to this appeal is to a **large extent indistinguishable from the GPDO approved scheme save for the addition of a small building** that would provide a hall to link the two existing buildings and provide for a larger kitchen.*

And paragraph 12 states:

*I must balance the scale of any harm to the setting of the barn as a heritage asset arising from the application subject to this appeal with the **appellant's fall-back position, which would achieve a similar juxtaposition between the buildings.***

Appeal at Traylesfield Farm, Ravensden APP/K0235/W/17/3189914 states at paragraph 10:

*Given that permission already exists for a dwelling on the appeal site, **given that dwelling is substantively the same as that proposed in the appeal scheme**, and given preparations have been made to relocate the storage functions of the existing barn, I consider there is a greater than theoretical possibility that the development already approved might take place. Given the similarity of the two schemes, and in light of the Mansell case, I consider the fallback position in this case a significant material consideration to justify a departure from the development plan policies identified above. I ascribe the fallback position significant weight and consider these are special circumstances because if the appeal proposal were not successful it is highly likely the permission already granted would be carried out. The permitted scheme would be no less sustainable in terms of its location than the appeal scheme.*

- 5.8 Both of these decisions indicate that in allowing the appeal the Inspector had regard to the fact that the resulting schemes were not significantly different in scale terms to those which could be secured under their respective fallback positions which is clearly not the case here.
- 5.9 On this basis the previous reasons advanced relating to the scale of works remains valid here.
- 5.10 With regard to this reason for refusal in the previous scheme which related to the buildings are not considered to be of historic value or worthy of retention and the adverse impact the scheme would have on the locality and the setting of the adjacent listed building. It is evident that the current scheme is not significantly different to that previously deemed unacceptable and as such this reason for refusal remains valid.
- 5.11 The buildings are located to the north of the Grade II listed farmhouse. The buildings re-use to other forms of commercial use could result in the surrounding land being improved, however, their retention and conversion does not enhance the listed building.
- 5.12 In addition, consideration is given to the setting of the listed building. The existing poultry units are functional buildings and it is not unusual to see agricultural buildings of varying appearance in close proximity to farmhouses. However, the result of the conversion will be to create a development that is discordant in this context and will not preserve the setting of the listed building and therefore fails to accord with Policy 1 of the JCS and Policies DM3.8 and DM4.10 of the SNLP 2015 and does not meet the test set by s66(1) Planning (Listed Buildings and Conservation Areas) Act 1990.

Other issues

- 5.13 The agent suggests the scheme has similarities with an approval at Mardle Farm, Tivetshall St Mary (2014/1873) to convert a garage/store into a dwelling. It is not considered that the schemes are so similar such that a precedent for the current application has been established, as a general point it is necessary to assess all applications on their own merits.
- 5.14 The agent has advanced a justification for the scheme on the basis that the scheme represents sustainable development having regard to the three strands of the NPPF (economic, social and environmental). It should be stressed that decisions should be made in accordance with the policies of the development plan, and any other material considerations of which the NPPF is one. It is not considered that the scheme can be justified under any specific part of the NPPF such that the Council should approve the scheme where it is considered contrary to a number of Local Plan Policies.
- 5.15 In terms of other relevant planning considerations, the case officer considers that the views previously expressed in relation to 2019/0200 remain applicable these are repeated as follows:
- 5.16 The site although outside the main settlement and located on a road where there is no pavement and no lighting, is a quiet road and within walking distance of the local primary school which is within half a mile to the west and also the village hall which is also in close proximity. Although located in the adjoining village there is access to a post office. Although limited there are some services and facilities within the village, and due to the proximity of the site to the main settlement the site is not considered isolated, benefits from reasonable connectivity and accords with policy DM3.10 of the SNLP 2015.
- 5.17 The Highway Authority has no objection to the scheme in safety terms or with regard to parking levels and as such complies with the requirements of Policies DM3.11 and DM3.12 of the SNLP.
- 5.18 The access has been reconfigured so as to address previously expressed concerns about the impact on an existing tree.
- 5.19 The scheme would not result in any significant harm to the amenities of any existing residential properties and the three proposed dwellings would have adequate regard for one another's amenities too. The scheme would thereby comply with the requirements of Policy Dm3.13 of the SNLP.
- 5.20 A protected species survey has been submitted and it is evident that this calls for a eDNA test to be carried out prior to works commencing to establish the presence/absence of great crested newts and formulate a mitigation strategy for the proposed works if they are found to be present. It is not appropriate in planning terms to have this matter dealt with via pre-commencement condition and this should be provided prior to a decision being made. Notwithstanding the fact this was omitted as a reason for refusal in the previous submission it is considered that the lack of the eDNA at this time should be put forward as a reason for refusal.
- 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*'. This is a material planning consideration. However,

this site is not considered suitable for the reasons already set out and therefore is considered contrary to paragraph 68, which is not overriding in this instance. The Council is already delivering a number of windfall sites/small sites to align with paragraph 68 and therefore the need for additional small sites is not considered overriding in terms determining this application and would not outweigh the harm previously identified.

- 5.22 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.

5.23 **This application is not liable for Community Infrastructure Levy (CIL)**

Conclusion

- 5.24 The buildings are not considered to be worthy of retention and scope of the works proposed goes beyond that which might be considered as a conversion. The appearance of the conversion will be discordant in its context and will not preserve the setting of the adjacent Grade II listed farmhouse. The application therefore does not comply Policies DM1.3, DM2.10, DM3.8 and DM4.10 of the SNLP and does not meet the test set by s66(1) of the Planning (Listed Buildings and Conservation Areas) Act.

Recommendation : Refusal

- 1 does not comply with DM1.3
- 2 works go beyond conversion
- 3 no historic value & adverse impact LB
- 4 inadequate protected species information

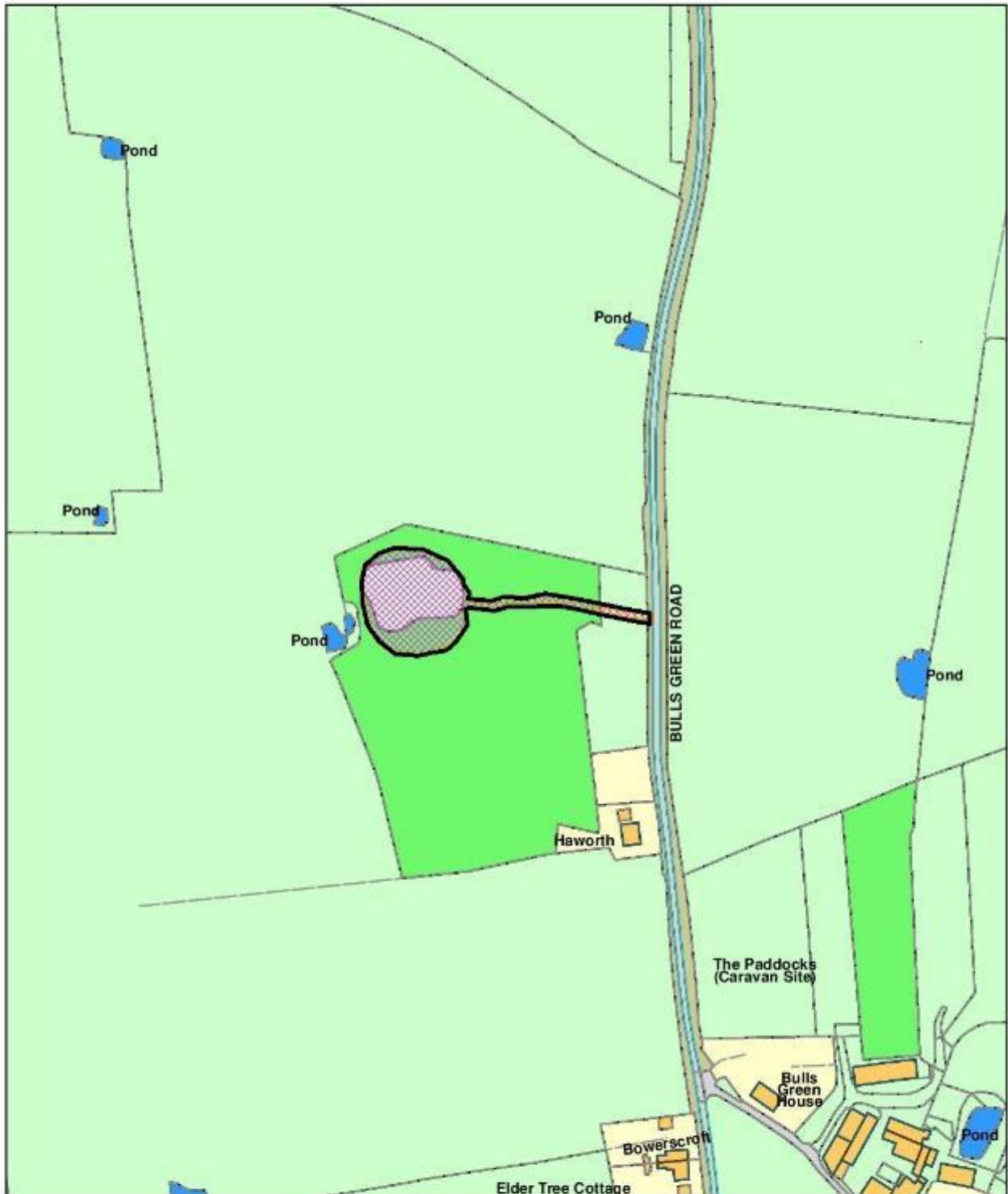
Reasons for Refusal

1. The scheme does not comply with any specific Development Management Policy which allows for development outside of the development boundary, and in particular the provisions of Policy DM2.10 and nor does it represent overriding benefits when having regard to the adverse visual impact the scheme would have, including on the setting of the adjacent listed building and as such does not satisfy the requirements of either 2c) or d) of Policy DM1.3 of the South Norfolk Local Plan Development Management Policies document 2015.
2. The development includes large amounts of demolition and reconstruction for the poultry units with changes to the cladding and roofs of the buildings. The scope of this works goes beyond that which is set out in Policy DM2.10(b) of the South Norfolk Local Plan Development Management Policies Document 2015 and the application is therefore contrary to that policy.
3. The buildings are not considered to be of historic value or worthy of retention. Further, their conversion will create a development that is discordant in its context and will not preserve the setting of the adjacent listed building. The application is therefore contrary to Policy 1 of the Joint Core Strategy and Policies DM2.10(f), DM3.8 and DM4.10 of the SNLP 2015 and does not meet the test set by s66(1) Planning (Listed Buildings and Conservation Areas) Act 1990.
4. The applicant has failed to adequately demonstrate that it has assessed all ecological impacts of the scheme by not providing an eDNA test and as such has failed to meet the requirements of Policy 1 of the Joint Core Strategy for Broadland, Norwich and South Norfolk and Section 15 of the NPPF.

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Application 15

2019/2081



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

15. Application No : 2019/2081/F
Parish : TOFT MONKS

Applicants' Name: Mr & Mrs Gavin Ellis
 Site Address Land west of Bulls Green Road, Toft Monks, Norfolk
 Proposal New near zero carbon, art and design live-in studio

Reason for reporting to committee

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

Recommendation summary:

Refusal

1 Proposal and site context

- 1.1 The site is located within an area of woodland under the applicant's ownership and is accessed from Bulls Green Road. The site of the proposed dwelling is a partially-vegetated clearing, and there are several small dilapidated timber structures and an abandoned caravan on the site or adjacent to the access route. The site does not benefit from any extant planning permission or certificate of lawful use, and it is considered that at present there is no particular use of the site.
- 1.2 The site is located in the open countryside, with the nearest development boundary being that of Toft Monks, at a straight-line distance of 1.1km to the east. Surrounding the woodland surrounding the site, the area is agricultural with no existing development except for one existing dwellinghouse and its curtilage at Haworth, located approximately 110 metres to the southeast of the site.
- 1.3 The proposed development is the erection a single-storey detached dwellinghouse, described as a "near-zero carbon, art and design live-in studio".

2. Relevant planning history

- 2.1 None.

3 Planning Policies

- 3.1 National Planning Policy Framework (NPPF)
 NPPF 02 : Achieving sustainable development
 NPPF 04 : Decision-making
 NPPF 05 : Delivering a sufficient supply of homes
 NPPF 09: Promoting sustainable transport
 NPPF 12 : Achieving well-designed places
 NPPF 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 6 : Access and Transportation
 Policy 17 : Small rural communities and the countryside

- 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
 - DM3.8 : 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
 - DM4.1 : Renewable Energy
 - DM4.2 : Sustainable drainage and water management
 - DM4.4 : Natural Environmental assets - designated and locally important open space
 - DM4.5 : Landscape Character Areas and River Valleys
 - DM4.8 : Protection of Trees and Hedgerows

4. Consultations

4.1 Toft Monks Parish Council

Support – the owners have worked closely with us and have considered the environment in their design and ensured that there is no impact on surrounding properties; they have planned their building around existing mature trees and have taken screening into consideration.

4.2 District Councillor

Cllr J Knight

The land has previously been developed and contains a number of derelict structures, and there is therefore merit to the argument that the proposal is not on a greenfield site and would represent a significant improvement to the status quo.

The principle of the applicant living and working in the same place has clear sustainability benefits.

The proposal may be of sufficient architectural and design merit that it can be considered under paragraph 79 of the NPPF.

Although I have no doubt that officers will take these matters into consideration when assessing the application, I suspect that the arguments will be finely balanced. In fairness to officers as well as the applicant, therefore, I think it would be useful for the Committee to be able to consider this application which demonstrates some innovative ideas which align closely with our Environmental Action Plan.

4.3 NCC Ecologist

Objection: in the absence of evidence to the contrary, and based on the evidence gathered to date, the application site and its immediate surroundings are more likely than not to be ancient woodland. Paragraph 175 of the NPPF states:

(c) development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons² and a suitable compensation strategy exists; and

d) development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity’.

The applicants’ intention to bring back the woodland into management is acknowledged, which will likely enhance the value of the site for biodiversity, however Natural England advise that the existing condition of the woodland must not be considered when determining the merits of a development proposal.

Ecology reports assessed and these are satisfactory, though may require updating should the development not commence within certain timeframes.

Measures to avoid artificial illumination will be required.

4.4 NCC Highways

The proposed development site is remote from schooling; town centre shopping; health provision and has restricted employment opportunities with limited scope for improving access by foot and public transport. The distance from service centre provision precludes any realistic opportunity of encouraging a modal shift away from the private car towards public transport.

It is the view of the Highway Authority that the proposed development is likely to conflict with the aims of sustainable development in terms of transport sustainability and you may wish to consider this point within your overall assessment of the site.

Request several conditions and informatives relating to highway safety, in the event the application is minded for approval.

4.5 SNC Water Management Officer

Recommend that any planning permission granted should include a condition that ensures that the recommendations of the Flood Risk Assessment are implemented at detailed design stage. Further, request conditions requiring foul and surface water drainage details are agreed to.

4.6 SNC Community Services - Environmental Quality Team

No objection; recommended several conditions and informatives relating to possible contamination and asbestos present on the site.

4.7 Forestry Commission

No comments received

4.8 Natural England

No objection; based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes.

4.9 Senior Conservation and Design Officer

Paragraph 79(e) of the NPPF requires that the design is of exceptional quality, in that it:

- is truly outstanding or innovative, reflecting the highest standards in architecture, and would help to raise standards of design more generally in rural areas; and
- would significantly enhance its immediate setting and be sensitive to the defining characteristics of the local area.

The design has some interesting features in terms of using recycled materials in its construction, for example the existing tires on the site for rammed earth foundations. It is also interesting that the building can be easily dismantled, removed from the site and erected elsewhere, as well as the concept of having a 'habitable' facade.

However, although the design concepts are of some merit, especially in terms of sustainable credentials, I do not consider that the design reaches the high bar of a paragraph 79 house of being 'truly outstanding', and I do not consider that it would raise standards of design more generally in rural areas.

Although I appreciate that the 'finger' design will break up the massing and bulk of the dwelling, and therefore its visual impact, the construction of a dwelling within existing woodland in a clearing is not in this case a significant enhancement of the immediate setting and it would to some extent erode the existing natural character of the area as undeveloped woodland. Buildings have historically been located adjacent to the road on the east side of the site, leaving the wooded area undeveloped. I do not therefore consider that the appearance and character of the building is sensitive to the defining character of the local area.

I therefore conclude that the design does not meet with the requirements of paragraph 79.

4.10 Other Representations

One letter of support received – benefit of removal of remaining dilapidated structures on the site, and that of site management.

One neutral letter received – concerned about impact of the use of the site access on their land opposite; does not feel the design is in-keeping with its setting; since the wood has been unused wildlife has made it their home and it would be a shame if the development displaced this wildlife as their habitat is continually under threat.

5 Assessment

Key considerations

- 5.1
- Principle of development
 - Connectivity to services and facilities
 - Design
 - Impact on existing trees
 - Ecology
 - Amenity
 - Highway safety

Principle of development

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

- 5.3 The published Annual Monitoring Report for 2017-2018 sets out that the Council can demonstrate a housing supply of 6.54 years meaning that full weight can be given to its planning policies for development proposals outside of development boundaries. Policy DM1.3 of the South Norfolk Local Plan Development Management Policies Document 2015 permits development outside of development boundaries where specific development management policies allow (criterion (c)) or where there are overriding benefits in terms of the economic, social and environmental dimensions of sustainable development (criterion (d)). In this case, criterion (c) is not considered to 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.

Connectivity

- 5.4 The dwelling would be approximately 1.2 miles (1.9 km), by way of highways – mostly narrow lanes without footpaths – to the village centre of Toft Monks. In view of this distance and the absence of footpaths, it is likely that residents will rely on their private motor vehicles to access the range of services required to meet key and/or day to day needs. This includes education and medical provision, employment opportunities and convenience shopping. Accordingly, the site is not located to minimise the need to travel and conflicts with Policies 1 and 6 of the Joint Core Strategy and policy DM3.10 of the Local Plan.

Design

- 5.5 In its own right and in isolation, the layout and design of the dwelling is acceptable and it will not be visible either from the highway or from other wider views.
- 5.6 However, when taking account of the existing natural character of the site as a largely undeveloped woodland, it is not considered that the dwelling will make a positive contribution to the distinctiveness of the site. Therefore the application does not comply with Policy 2 of the JCS nor Policy DM1.4(d, i) and DM3.8 of the Local Plan.
- 5.7 Consideration has also been given as to whether the proposal meets the requirements under paragraph 79 of the NPPF. The comments of the Council's Senior Conservation and Design Officer are provided in this report, above. Although the sustainable aspects to the proposal are appreciated, it is considered that the proposed development is not truly innovative, does not enhance the setting of the site and does not meet the high bar set by paragraph 79.

Existing trees

- 5.8 The County Council's ecologist has objected to the application, having concluded that the application site and its immediate surroundings are more likely than not to be ancient woodland. This is however not the official status of the land and Natural England have responded to our consultation with no objection on this basis.
- 5.9 Since the status of the land as ancient woodland is not a confirmed statutory designation, that the application is assessed on the basis that it is not ancient woodland. The application nonetheless has been assessed against the relevant policies of the NPPF, JCS and Local Plan.
- 5.10 The application, supported by the arboricultural impact assessment, woodland management plan and other documents submitted, can comply with the relevant policies of the development plan provided conditions are imposed with any approval that require the strict undertaking of an agreed woodland management plan which would result in defined benefits to the site, and a construction management plan which

would include tree protection measures and tightly control the methods used on the site.

- 5.11 Further, if an approval of this application were to occur, it is probable that it would be considered necessary and of public benefit for a Tree Preservation Order (TPO) to be created for the woodland outside the application site and a further TPO for certain individual trees within the application site.
- 5.12 It is however considered that it is not necessary for a dwelling or other residential accommodation to be present on the site in order for appropriate woodland management to take place, including the woodland management proposed in this application.

Ecology

- 5.13 Notwithstanding the matter of the status of the woodland, the County Council's ecologist has assessed the ecological reports submitted and is satisfied with them. It would be necessary for appropriate conditions to be imposed, according with the recommendations of the reports submitted and the comments of the county ecologist, in order for the proposal to comply with the relevant policies.

Amenity

- 5.14 The impact on the amenities of neighbouring occupiers and the residents of the only dwelling in the vicinity, Haworth, has been considered including with regards to outlook, natural light, privacy and noise. By virtue of the scale of the development proposed, together with the distance and intervening woodland, the impact on amenities is acceptable.
- 5.15 Adequate utility and private amenity space is provided for occupants of the dwelling proposed.
- 5.16 Taking account of these two items, the application is in accordance with policy DM3.13 of the Local Plan.

Highway safety

- 5.17 The conditions requested by the highway officer would be considered reasonable and necessary in the event of an approval of the application, and with these conditions imposed it is considered that the application is in accordance with policies DM3.11 and DM3.12 of the local plan, concerning highway safety and parking/turning provision.

Other issues

- 5.18 It is considered that the land is not "previously developed land" as defined by the NPPF, due to the degree of dilapidation that has occurred which is sufficient that the remaining structures have blended into the landscape.
- 5.19 The proposal is for a self-build dwelling, however in the circumstances, including in consideration that the Council is meeting its rolling 3-year self-build target, this is a material consideration of minimal weight that does not overcome the significant harm arising from the introduction of a dwelling in an unsustainable location.
- 5.20 Under Section 143 of the Localism Act, the Council is required to consider the impact on local finances. This can be a material consideration but in the instance of this application the other material planning considerations detailed above are of greater significance.

5.21 This application is liable for the Community Infrastructure Levy.**Conclusion**

- 5.22 When considering those matters raised by this application, it is recognised that modest economic benefits may arise during the construction and occupational phases of the dwelling and the social benefits may also arise from the provision of a self-build dwelling. However, in view of the Council meeting its commitments in relation to housing supply and self-build, this benefit will be limited. The introduction of a dwelling in this location, distant from any services and facilities will lead to a dependency by occupiers on the private car. This represents harm and this significantly outweighs any environmental benefit that may be perceived as arising. In addition, the design of the dwelling in this context will not make a positive contribution to the distinctiveness of the site, which is one of a largely natural and undeveloped woodland. Overall then, the application does not demonstrate overriding benefits the economic, social and environmental dimensions of sustainable development and does not satisfy the requirements of policy DM1.3 of the Local Plan. In addition, because of its location and the likely dependence of occupiers on the private car, the application is also contrary to Policies 1, 2 and 6 of the JCS and DM1.4(d, i), DM3.8 and DM3.10 of the Local Plan.
- 5.23 It has been suggested that the design of the dwelling may be in accordance with paragraph 79 of the NPPF. While the design is acceptable in its own right, it is however not truly innovative nor does it significantly enhance the setting of the site and does not meet the high bar set by paragraph 79.

- Recommendation : Refusal
1. Poor connectivity and car dependency
 2. Design does not make a positive contribution to local distinctiveness and does not meet requirements of paragraph 79 of the NPPF
 3. No overriding benefits

Reasons for Refusal

- 1 The proposed development would introduce a dwelling in a location in the open countryside, located a significant distance from any development boundary or services and facilities, leading to a dependency by the occupiers on the private car. Further, the distances to the nearest services and facilities, together with the lack of a footpath alongside the roads that connects the site with those services and facilities, would likely deter pedestrians from walking to access these services, particularly during hours of darkness and adverse weather conditions. The site is not in a sustainable location and neither can it be made sustainable by this development. The proposal therefore conflicts with Policies 1 and 6 of the Joint Core Strategy and policy DM3.10 of the South Norfolk Local Plan Development Management Policies Document 2015.
- 2 When taking account of the existing natural character of the site as a largely undeveloped woodland, it is not considered that the introduction of a dwelling will make a positive contribution to the distinctiveness of the site. In this regard, the application does not comply with Policy 2 of the JCS nor Policy DM1.4(d, i) and DM3.8 of the Local Plan.
- 3 Consideration has also been given as to whether the proposal meets the requirements under paragraph 79 of the NPPF. In this case, the design of the dwelling is not considered to be truly outstanding or innovative nor is it considered that it would significantly enhance its setting and so does not meet the high requirement set by paragraph 79 of the National Planning Policy Framework.

- 4 The proposed development is not supported by any specific Development Management policy which allows for development outside of the development boundary and nor does it represent overriding benefits when having regard to the harm identified in respect of poor connectivity to services and facilities. The application does not satisfy the requirements of either items 2 (c) or (d) of Policy DM1.3 of the South Norfolk Local Plan Development Management Policies Document 2015.

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Planning Appeals

Appeals received from 3 January 2020 to 30 January 2020

Ref	Parish / Site	Appellant	Proposal	Decision Maker	Final Decision
2019/1552	Wicklewood Land adj to 69 High Street Wicklewood Norfolk	Mr John Seville	Erection of 2 bed bungalow	Development Management Committee	Refusal
2019/1520	Bawburgh 4 Stocks Hill Bawburgh NR9 3LL	Mr & Mrs Plant	First floor rear extension	Development Management Committee	Refusal
2019/1090	Barford The Cock Inn Watton Road Barford NR9 4AS	Mr M & K Shalders	Erection of dwelling, creation of new vehicular access and associated works; demolition of outbuilding, erection of fencing and reconfiguration of pub garden and car park	Delegated	Refusal
2019/1354	Colney Land West of The Old Hall Watton Road Colney Norfolk	Mr Nigel Willgrass	Erection of "self-build" two storey dwelling and associated garages	Development Management Committee	Refusal
2019/1539	Tasburgh 4 Henry Preston Road Tasburgh Norfolk NR15 1NU	Mr James Keenan	Erection of 5.6ft fence along boundary	Delegated	Refusal

Planning Appeals

Appeals received from 3 January 2020 to 30 January 2020

2019/0687	Loddon Land West of 1 Garden Court Loddon Norfolk	Laurel Wood Homes Ltd	Erection of four self- build detached dwellings	Delegated	Refusal
2019/0794	Ditchingham Dark Hole Toad Lane Thwaite NR35 2EQ	Ms Julie Cole	Proposed two commercial units to accommodate flexible B1/B8 uses, comprising refurbishment and small extension to two existing buildings together with associated parking.	Development Management Committee	Refusal
2019/1940	Poringland Land to the East of Overtons Way Poringland Norfolk	Mr Stephen Litten	Construction of 8 no: 5 no. 2 bed apartments (with shared amenity and allocated parking), 2 no. 3 bed detached, 2 storey dwellings and 1 no. 4 bed detached, 2 storey dwelling (with private parking and garden amenity) (Resubmission of planning consent 2018/0048)	Development Management Committee	Refusal

Planning Appeals

Appeals received from 3 January 2020 to 30 January 2020

2019/1711	Aslacton Land to the front of 26 Station Road Aslacton Norfolk	Mr Alistair Mackay	Outline planning for erection of dwelling and garage	Delegated	Refusal
2019/0959	Hempnall Land West of Alburgh Road Hempnall Norfolk	Mr Quinton Brown	Erection of dwelling and garage	Delegated	Refusal
2019/1237	Forngett Land adj to Grove Barn Wacton Road Forngett St Peter Norfolk	Mr And Mrs J Fuidge & S Nel	Proposed dwelling and cart shed/garage and associated works	Delegated	Refusal

Planning Appeals

Appeals decisions from 3 January 2020 to 30 January 2020

Ref	Parish / Site	Appellant	Proposal	Decision Maker	Final Decision	Appeal Decision
2019/0733	Hethersett 3 Whitegates Close Hethersett NR9 3JG	Mr & Mrs Stephen & Linda Taylor	Fell - Scots pine due to excessive shading and low amenity value. Replant with Rowan and/or Hawthorn.	Delegated	Refusal	Appeal dismissed

Planning Appeals**Appeals decisions from 3 January 2020 to 30 January 2020**

2019/1091	Swardeston Land West of Intwood Lane Swardeston Norfolk	Mr Tom Mayes	Erection of 2 self-build dwellings with garages, access and associated development	Delegated	Refusal	Appeal dismissed
2019/1503	Loddon Land to the East of High Bungay Road Loddon Norfolk	Mrs Hannah Guy	Construction of 56 entry level dwellings with access and associated infrastructure	Delegated	Withdrawn	Withdrawn