

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 ITEMS 1
AND 4 HAVE BEEN WITHDRAWN**

Please note that planning
application **item no.s 2 and 3**
will be heard from **10.00am**

Planning application **item**
no.s 5-9 will be heard from
1.30pm 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, 15 January 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 1-4, and arrive at 1.30pm if you intend to speak on items 5-9.

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 11 December 2019;**
(attached – page 9)

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

(attached – page 25)

To consider the items as listed below:

Item No.	Planning Ref No.	Parish	Site Address	Page No.
1	(ITEM WITHDRAWN) 2018/1950/O	SPOONER ROW	Land east of Chapel Road and south of Station Road Spooner Row Norfolk	25
2	2018/2784/D	CRINGLEFORD	Area BS2 South Of Newmarket Road Cringleford Norfolk	42
3	2018/2791/D	CRINGLEFORD	Area BS9 South Of Newmarket Road Cringleford Norfolk	58
4	(ITEM WITHDRAWN) 2019/0184/O	WYMONDHAM	Land North of Carpenters Barn Norwich Common, Wymondham, Norfolk	75
5	2019/1719/F	MORLEY	Land at Wymondham College Golf Links Road Morley St Peter Norfolk	99
6	2019/1950/D	CHEDGRAVE	Land At Junction Of Hardley Road Pits Lane Chedgrave Norfolk	111
7	2019/2196/F	FRAMINGHAM EARL	The Homestead Gull Lane Framingham Earl NR14 7PN	120
8	2019/2222/O	ASHWELLTHORPE AND FUNDENHALL	Land North East of The Maples Norwich Road Ashwellthorpe Norfolk	128
9	2019/2343/F	CRINGLEFORD	Land East of A11 and North and South of Round House Way Cringleford Norfolk	135

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. **Quarterly Enforcement Report;** (attached – page 142)
8. **Planning Appeals (for information);** (attached – page 145)
9. **Date of next scheduled meeting – Wednesday, 12 February 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.

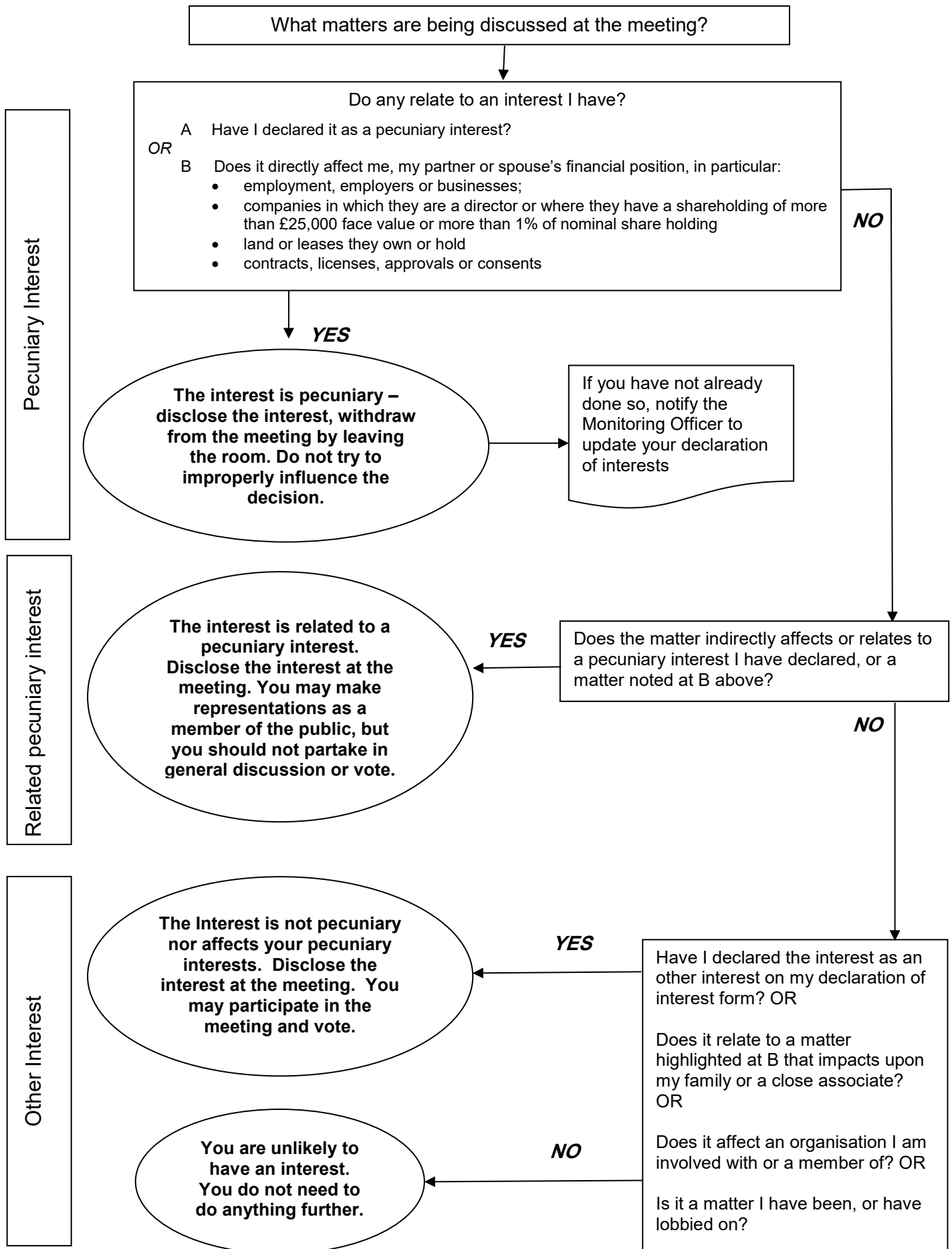
Is the interest not related to any of the above? If so, it is likely to be an other interest. You will need to declare the interest, but may participate in discussion and voting on the item.

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, 11 December 2019 at 10.00 am.

Committee Members Present: **Councillors:** V Thomson (Chairman), D Bills, V Clifford-Jackson, J Easter, R Elliott, F Ellis, T Laidlaw, G Minshull (for items 1 – 3) and L Neal (for items 1 – 6)

Officers in Attendance: The Assistant Director Planning (H Mellors), the Development Management Team Leaders (T Lincoln and C Raine), the Senior Planning Officers (C Curtis and C Watts) and the Planning Officers (T Barker and P Kerrison)

30 members of the public were also in attendance

471. DECLARATIONS OF INTEREST

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

Application	Parish	Councillor	Declaration
2019/0667/F (Item 1)	PORINGLAND	All	Local Planning Code of Practice Lobbied by the Applicant
2019/1963/DC (Item 2)	EASTON	All	Local Planning Code of Practice Lobbied by the Applicant
2019/0635/F (Item 3)	BARFORD	R Elliott	Local Planning Code of Practice Lobbied by Objectors
2019/1720/F (Item 5)	KIRBY CANE	All V Clifford-Jackson T Laidlaw	Local Planning Code of Practice Lobbied by the Applicant Local Planning Code of Practice Lobbied by the Local Member

2019/1940/F (Item 6)	PORINGLAND	All	Local Planning Code of Practice Lobbied by Objectors
2019/2067/A (Item 7)	CRINGLEFORD	L Neal	Local Planning Code of Practice As a Cabinet Member, Cllr Neal left the room while this item was considered.

472. MINUTES

The minutes of the Development Management Committee meeting dated 13 November 2019 were confirmed as a correct record and signed by the Chairman.

473. 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
2019/0667/F (Item 1)	PORINGLAND	M Proctor – Objector R Blackham - Applicant
2019/1963/DC (Item 2)	EASTON	S Vincent – Parish Council P Milliken – Objector A Cornish – Applicant S Smart – Agent for the Applicant
2019/0635/F (Item 3)	BARFORD	G McBride – Objector D Futter - Applicant
2019/1720/F (Item 5)	KIRBY CANE	J Putman – Agent for the Applicant
2019/1940/F (Item 6)	PORINGLAND	F Le Bon – Parish Council S Litten –Applicant D Jewell – Agent for the Applicant 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.

474. PLANNING APPEALS

The Committee noted the planning appeals.

(The meeting closed at 1.40pm)

Chairman

Updates for DEVELOPMENT MANAGEMENT COMMITTEE
– 11 December 2019

Item	Updates	Page No
Item 1 2019/0667	<p data-bbox="363 376 1066 409">Lobbying letter from applicants circulated to members</p> <p data-bbox="363 443 1145 477">Additional letter from local resident supporting the proposal:</p> <ul data-bbox="411 481 1209 1093" style="list-style-type: none"> <li data-bbox="411 481 1209 548">• A retirement community is the best possible use for the site as it is already used as an aged care home <li data-bbox="411 553 1209 716">• I believe the proposed communal facilities including cafe bar, restaurant, lounge, gym, salon and spa, bowls green, allotments and multi-functional open space would be of benefit to others in the village but not living in the community <li data-bbox="411 721 1209 952">• This development is very much the norm in other countries and what is required by many older people here in Norfolk. It will provide the opportunity for a complex needs couple to be cared for in the same location. It is very much a fore-front development and could be used as an example of what can be done to make life easier for Seniors. <li data-bbox="411 956 1209 1093">• Poringland is an ideal situation for such a development and as well as being a convenient place to live and move through the phases of aging, it will provide additional employment in the village. <p data-bbox="363 1126 611 1160">Officer comment:</p> <p data-bbox="363 1162 1214 1563">The case officer would wish to make clear that based upon the view expressed in paragraph 5.4 of the committee report which confirms that the Council does not have a specific policy that directly covers this type of development, it is appropriate to engage the “tilted balance” of paragraph 11 of the NPPF. With this in mind, the harm to the open countryside and character and appearance of the area as highlighted in the assessment section of the report and reflected in the recommended reasons for refusal (2 and 3) are considered to significantly and demonstrably outweigh the benefits of the scheme as identified in paragraphs 5.8 and 5.14. Consequently, it is also necessary to provide an additional reason for refusal as follows:</p> <p data-bbox="363 1608 1214 1910">The proposed development does not represent sustainable development, having regard to the three tests set out in the National Planning Policy Framework, by virtue of the harmful impact to the character and visual appearance of the area and encroachment into the open countryside, which would significantly and demonstrably outweigh the benefits of the proposed development. Accordingly, the proposal fails to comply with policy DM1.1 of the South Norfolk Local Plan and Paragraph 11 d) of the National Planning Policy Framework.</p>	11

<p>Item 2 2019/1963</p>	<p>Verbal update at meeting: For clarity, the application is a subsequent application, as defined by the EIA regulations, whereby the host application (in this case the outline consent) was accompanied by an environmental statement (ES) i.e. EIA development. Officers have assessed the environmental information contained within the original ES and, given the matters already covered and the nature of the proposal that is seeking a high-level design code, consider that the original ES is adequate to assess the significant effects of the development on the environment, that no further environmental information was required to support the discharge of condition application and that the conclusions previously reached on the environment impacts of the development from the outline remain.</p> <p>Additional comments received from Easton Parish Council regarding the further amended Design Code (rev G), summarised as follows:</p> <ul style="list-style-type: none"> • Pleased that a number of points raised by us have been addressed within the amended document. • Disappointed SNC not willing to re-consult on revision G of the design code. • Suggest if committee is minded to approve, the following conditions are made to reflect the areas where it falls short of delivery of 'good design', as detailed below but especially: <ul style="list-style-type: none"> a. Parking standards are aligned to and reference the requirements of the Easton Neighbourhood Plan (ENP). b. All road ways must be to NCC adoptable standard in compliance with policy 10 of the ENP <p>Officer response:</p> <ul style="list-style-type: none"> • The Council considers it has worked proactively with Easton Parish Council and the developer to ensure that the design code is fit for purpose, whilst meeting the aspirations of the Easton Neighbourhood Plan and approved outline consent. All versions of the design code have been shared and discussed with Easton Parish Council and the developers, included the latest versions of the code. • With regards to the imposition of conditions, Members should note that the design code relates to the approval of details to comply with condition 33 of the outline planning permission. As such it is not possible to add conditions to a discharge of condition, which is not a planning application. • It is noted that the design code is a technical document which sets out guiding principles and a range of design parameters, rather than fixing every detail. Detailed design matters will be subject to subsequent reserved matters applications <p>Easton Parish Council key concerns, summarised:</p>	<p>31</p>
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	<ul style="list-style-type: none"> • Details in Condition 22 relating to off-site highway improvements are not fully addressed through the Design Code. • Continue to have a number of concerns around the Parking Standards for Norfolk Guide (2007) against the parking standards set out in the ENP (2017). Consider that the county council parking standards are out of date, which sets a maximum number of spaces. • Disappointed with the use of 'lanes' and 'shared drives' as a design concept. These will lead to a feeling of 'tunnelling' and confinement, putting vehicles and pedestrians in direct conflict. The term 'Shared Private Drives' indicates that these will be private unadopted highways. These need to be design and constructed to adoptable standards. • More information should be provided about the use of Swales and drainage attenuation features. <p>Officer response to key concerns:</p> <ul style="list-style-type: none"> • Condition 22: this condition relates to the approved plans of the outline planning permission, indicating the off-site highway improvements which were agreed as part of the outline consent. Further detail is required as part of condition 22 prior to construction above slab level to ensure the highway improvements are designed to an appropriate standard. Further detail will be provided as part of the consideration of the above planning condition. • Parking standards: the design code has been updated and now refers to the Easton Neighbourhood Plan parking standards as well as the County Council's parking standards. Each reserved matters application will need to be in accordance with the relevant policies. Policy DM3.12 of the Local Plan is also relevant, which requires developers to provide enough parking using the County Council's parking standards adopted by the Council as a starting point. Regard will also be given to the circumstances of the site, relevant advice on the design and integration of parking provision into the development as part of each reserved matters. • Adoptable roads: all roads including the proposed 'shared driveways' and 'lanes' have the potential to be designed and constructed to adoptable standards. The detailed design will be considered at the reserved matters stage and will have regard to pedestrian safety and design matters. • Swales and infiltration basins: these features form part of the drainage strategy for the site and will have regard to a detailed drainage scheme at the reserved matters stage. The design of these features, including how they will be designed in terms of opportunities for habitat creation, potential to be used as part of open spaces and safety considerations, will form part of the reserved matters applications. 	
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	<p>Easton Parish Council comments relating to Landscape Framework Plan, summarised:</p> <ul style="list-style-type: none"> • Landscape Framework Plan continues to illustrate a pedestrian access to the western end of Jubilee Play Area that is not deliverable. • Corner 25 /23 Woodview Road more tree planting needed. • Plan shows path crossing non-public entry buffer zone. • How will hedge shown which sits outside buffer zone be protected. • Southern edge Parkers Close, Buxton Close and Dereham Road / Parkers Close -more tree planting needed. • Green to east of St Peter's Church sits outside the planning red line. • Proposals should build in the new (Special Educational Needs) SEN school location to the Design Plan. • Opportunity exists to reroute Church Lane on to the new spine road and in turn making the area around the church safer and improving its setting. <p>Officer response to comments relating to Landscape Framework Plan:</p> <ul style="list-style-type: none"> • The Landscape Framework Plan is indicative and sits alongside the design code, which sets out the guiding landscape components of the development, rather than fixing every detail. Detailed plans relating to the landscape framework and points noted above will be subject to subsequent reserved matters applications and discussion. • With regards to opportunities to reroute Church Lane on to the new spine road to take account of future proposals for a new SEN school, these proposals do not form part of the masterplan or outline consent. As such the developers cannot be required to reroute Church Lane as part of their development. <p>Specific comments on design code from Easton Parish Council, repeated from previous comments, and summarised as follows:</p> <ul style="list-style-type: none"> • Green Pedalway extension is unclear in delivery and implementation. • Shared surface for pedestrians and vehicles is not supported. All roads should have tarmac surface and raised kerbing. • Shared Private Drives, should be just that. A driveway to a maximum of up to three homes feels acceptable. • All new roads are to be built to adoptable standard. • Suggest realignment of a small section of the Green Spine Road. • No street lighting is supported, although it is understood there may be a requirement by NCC for minimal highway lighting. 	
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	<ul style="list-style-type: none"> • Grass verges and swales require measures to discourage indiscriminate parking, such as the knee rail detailed in Code 6.2. • Swales, as areas likely to contain standing water require fencing. • On street parking not supported. • Dwelling height should match height of existing homes. • Collection points for wheelie bins will have to be established. • Habitat assessment and identification of specific species, such as the threatened Barbastelle, should be undertaken and used to inform the Design Code. • Play area situated over burial pit for cattle affected by foot and mouth • A number of features and elements in establishing good play areas should be added. • Allotments should be made available to existing / new allotment holders one year prior to closure of existing allotments. • Need to identify management regime to run and manage the allotments. • Evidence is required to demonstrate the permeability of each area of the development and the effectiveness of the SuDS and swale system. • The design specification of a 'swale' should be included within the Design Code. • What is the purpose of the swales, to hold water or channel water or absorb water. • Noise pollution from events held at the Showground not addressed within the Design Code. • Would like to see additional boundary treatment, with bunding, hedging and trees to western boundary to help reduce noise. • Suggest re-orientate area '4' and the relocating of the Green Spine Road in areas '3' and '4' to create an enhanced design. • Pathways surfaces must be suitable for all to use. • Parking courts to rear not supported. • Block pave not supported. • Important to ensure application of design principles aligns to the policy requirements for the Settlement Interface. • Dog bins (1 bin per 70 new homes) should be provided and defibrillators (1 defibrillator per 200 new homes). Code needs to include the requirement for screening for wheeled bins. <p>Officer response to specific comments on design code:</p> <ul style="list-style-type: none"> • Following feedback and input from South Norfolk Council and Easton Parish Council during the application process, the design code has been updated to reflect the above comments and suggestions. Whilst there remain some points on detailed design matters, these will form part of 	
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	discussions with Easton Parish Council at the reserved matters stage. As such, it is considered that the requirements of the condition have been met and that the design code provides an appropriate base to inform subsequent reserved matters.	
Item 3 2019/0635	No updates	44
Item 4 2019/1583	DEFERRED - It has been agreed that this application be deferred to allow officers to consider the contents of information only recently received.	50
Item 5 2019/1720	<p>Comments from District Councillors</p> <ul style="list-style-type: none"> • Cllr Bernard - Unable to attend the meeting, but agrees with the position of Mr John Putman as to why the application should be approved • Cllr Brown - Following a meeting with the Parish Council, I have been asked to write to say how important they think the campsite is to the local economy and the community. They were impressed with the way it is run and the overall ambience of the site. Great care has been taken to a calm and sustainable environment, which its guests obviously appreciate. It is of great benefit to the local community by bringing visitors who would not normally come to our little corner of South Norfolk • It seems clear that in order to maintain the calm and good order of the site it is vital that a manager should be there at all times, particularly during busy periods, to avoid any possibly disruptive situations developing and getting out of hand. This cannot be done remotely – a call to a manager living off site would be too late to avoid problems developing • Furthermore, the fact that the owners would be in residence to help the security of the surrounding site. <p>Officer comment: The use of the site as a campsite is supported and consequently there is no objection to the extension of the campsite. It is also noted in the report that a site office could be supported to assist in the operation of the site, however for the reasons set out in the report it is not accepted that there is a functional need for someone to live on the site so as to justify a new dwelling in the countryside.</p>	59
Item 6 2019/1940	<p>1) Appendix A was not attached to the Committee Report but is now attached to this Update Sheet.</p> <p>2) Lobbying letter sent from Poringland Parish Council to Members of Development Management Committee.</p> <p>This letter highlighted three main items: (i) the use of Overtons Way; (ii) danger to pedestrians and cyclists using Overtons Way and Devlin Drive; (iii) the use of the emerging Neighbourhood Plan policies.</p> <p><u>The use of Overtons Way</u></p>	65

	<p>The Parish Council wishes an accurate study of vehicular movements along Overtons Way to be carried to ensure that it is not considered a residential road.</p> <p>Officer comment: It is clear on the ground that Overtons Way serves a mixture of residential, commercial and community facilities and the Highway's Officer is also aware of this (see section 5.18 of the Committee report). However, he did not consider that the amount of traffic likely to be generated would be of such a level to warrant refusal of the application.</p> <p><u>Danger to pedestrians and cyclists using Overtons Way and Devlin Drive</u></p> <p>The Parish Council has referred to Highway Officer's preference for Plots 2 and 3 to be swapped so that a parking space could be removed from Overtons Way and these vehicular accesses are in locations where children cross Overtons Way on the way to school or nursery.</p> <p>Officer comment: The relevant email from the Highway Officer is available to view on the Council's website and it was not the intention of the case officer to shield this from public view. It was however a very regrettable filing error. Swapping Plots 2 and 3 was discussed with the Highway Officer and he confirmed that he does not object to the application in the form that is being considered by Members. Visibility for prospective occupiers of Plots 1 and 2 and users of the highway have been deemed to be acceptable.</p> <p><u>Emerging Neighbourhood Plan</u></p> <p>Sections 3.4 and 5.4 of the Committee report make it clear that the Neighbourhood Plan is an emerging document that does not form part of the development plan and so carries limited weight at this time.</p> <p>Officer comment: The intention of referring to specific policies was to give an indication of those emerging policies that were relevant. To be clear, the application should not be approved or refused based on emerging Neighbourhood Plan policies.</p> <p>3) Further comments received from Company Director of O'Flynn/Budgens:</p> <p>If the application is approved, we will need to implement a system to stop all unauthorised car parking, which is a major concern to our business. The road services 10 residential</p>	
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	<p>properties, a number of commercial units, police station, library and thriving community centre. All of these premises use my car park as well as parents dropping their children off at the nearby school. If the development is approved, this problem will be compounded.</p> <p>Officer comment: Sufficient parking is shown as being provided for each dwelling and it will be up to the developer to manage the construction of the site as appropriate. Should O'Flynn/Budgens wish to implement a system to stop unauthorised car parking, that is a measure that is open to it to take.</p>	
Item 7 2019/2067	Parish Council comments – no objections	73



Appeal Decision

Site visit made on 2 April 2019

by **Graham Wyatt BA (Hons) MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 3rd May 2019

Appeal Ref: APP/L2630/W/18/3214039

**Land adjacent to Overtons Way/Devlin Drive, Poringland, Norfolk
NR14 7WA**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Stephen Litten (The Amari Group) against the decision of South Norfolk District Council.
 - The application Ref 2018/0048, dated 13 December 2017, was refused by notice dated 15 June 2018.
 - The development proposed is described as the "construction of 8 no. new 3 storey, 3 bedroom townhouses with private gardens and parking allocation".
-

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the development on the character and appearance of the area.

Reasons

3. The appeal site forms a parcel of land that sits between The Street to the east, Overtons Way to the west and Devlin Drive to the south. To the north of the site is a food store and estate agents with associated car parking. The area is generally residential in character and contains a variety of size and type of dwelling. However, in the immediate vicinity are predominantly two storey buildings, some of which have dormers in the roof plane. The appeal site is mainly an unmanaged grass area bound by hedging and trees.
4. The proposal seeks to erect eight dwellings on the site to be arranged as a pair of semi-detached dwellings adjacent to Overtons Way, a terrace of three dwellings in the centre of the site and a further terrace of three dwellings adjacent to The Street. The layout of the development would follow the curve of the site with the principal elevations of plots 1 – 5 facing onto Devlin Drive while the principal elevations for plots 6 – 8 would face onto the roundabout that serves The Street/Devlin Drive/Springfields. The dwellings would be constructed over two storeys with dormer windows in the front roof plane and roof lights in the rear. Garden areas would be provided adjacent to the parking areas which would adjoin the access road to the commercial area to the rear of the site.
5. The appeal site occupies a prominent position on the corner of The Street and Devlin Drive. The design of the dwellings seeks to replicate those properties to be found opposite the site, with flat roof dormers and complementary materials. Although the roofs would contain a half hip design, the appearance of the dwellings

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

- would be largely in keeping with the general character of the area and I find this particular element acceptable.
6. However, existing properties along Devlin Drive and the surrounding streets have been arranged to ensure that there is a mixture of housing types and styles so that larger buildings, such as those opposite the site, are flanked by smaller buildings to add visual interest and to allow the overall appearance of the dwellings to assimilate into the street scene. The scale of the development and the introduction of a large expanse of blank gable ends which would be visible from Overtons Way and The Street, would result in a discordant and oppressive development that would dominate this part of Devlin Drive and would fail to provide variety and interest to the street scene or make a positive contribution to the overall appearance of the area.
 7. Moreover, a large amount of the rear of the site would be given over to parking areas, some of which would be between the side elevations of plots 2 and 3, resulting in a stark and uncompromising development that would appear constrained, especially when viewed from the car park to the north of the site. The very small garden area for plot 7 adds to my concern.
 8. For these reasons, I therefore conclude that the development would result in material harm to the character and appearance of the area. It would be in conflict with Policy 2 of the Joint Core Strategy for Broadland, Norwich and South Norfolk 2011 and Policies DM 1.4 and DM 3.8 of the South Norfolk District Council Local Plan DMPD 2015 which seek, amongst other things, that development proposals make a positive contribution to local character and distinctiveness and successfully integrates with its surroundings.

Other Matters

9. The Council state that there would be limited ability to manoeuvre in and out of a number of parking spaces. However, it is not identified by the Council which spaces are of concern. While I note that spaces 4 – 7 would be tandem and the inherent inconvenience of such spaces, it is usual that these would be allocated to the same occupier to ensure that vehicles can be moved when needed. Moreover, I note that Norfolk County Council did not object to the development on such grounds, and from my own assessment, I see no reason to disagree.
10. I note that representations which raised additional concerns were made by a local resident and the Parish Council. However, given my findings on the main issues, it is not necessary to consider these matters in detail.
11. The appellant makes reference to the lack of support from the Council during the determination of the application. However, that is not a matter for my consideration as other mechanisms exist to resolve such issues. I also accept that the principle of residential development at the site is acceptable and that it lies close to shops, services and transport links. However, neither this nor any other material consideration that has been advanced outweighs the harm that I have identified.

Conclusion

12. For the reasons given above and having regard to the development plan when read as a whole, the appeal is dismissed.

Graham Wyatt

INSPECTOR

PLANNING APPLICATIONS AND OTHER DEVELOPMENT CONTROL MATTERS

NOTE:

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

Major Applications

- 1. Appl. No : 2019/0667/F**
Parish : PORINGLAND

Applicants Name : Mr R Blackham
 Site Address : Land south west of Bungay Road Poringland Norfolk
 Proposal : Demolition of existing buildings and construction of 60 bed care home, 56 extra care apartments and 31 extra care bungalows together with vehicular access, landscaping and communal facilities including cafe bar, restaurant, lounge, gym, salon and spa, bowls green, allotments and multi-functional open space

Decision : Members voted unanimously for **Refusal**

Refused

- 1 No overriding benefit contrary to DM1.3
- 2 Detrimental to character and visual appearance of the area
- 3 Harm to rural character of landscape
- 4 Does not represent sustainable development, contrary to DM1.1 and NPPF.

- 2. Appl. No : 2019/1963/DC**
Parish : EASTON

Applicants Name : Ms Alison Cornish
 Site Address : Land North and South of Dereham Road, Easton
 Proposal : Discharge of Condition 33 (Design Code) of outline planning permission 2014/2611

Decision : Members voted 8-0 (with one abstention) to **Approval**.

Details Approved – see appendix 1.

Other Applications

3. **Appl. No** : **2019/0635/F**
 Parish : **BARFORD**

Applicants Name : Longwater Properties Ltd
Site Address : Unit 1 Industrial Estate Watton Road Barford Norfolk
Proposal : Application for new hours of operation at Unit 1 - to use machinery during set hours and noise levels during set hours

Decision : Members voted 5-4 for **Deferral**

Deferred.

Reasons for Deferral

To allow for further information on the connectivity of unit 1 to unit 3 and how the business operates between the two units

4. **Appl. No** : **2019/1583/F**
 Parish : **WRENINGHAM**

Applicants Name : Miss Naomi Todd
Site Address : Land adjacent to Wreningham Village Hall, Mill Lane, Wreningham
Proposal : Extension to day room to form study and sitting room. Addition of concrete pad

Decision : This item was **deferred** to a future meeting of the Development Management Committee prior to the meeting.

5. **Appl. No** : **2019/1720/F**
 Parish : **KIRBY CANE**

Applicants Name : Joe, Holly & Ralph Putman
Site Address : Wardley Hill Campsite Wardley Hill Road Kirby Cane NR35 2PQ
Proposal : Erection of single storey manager's dwelling incorporating campsite office with associated car parking. Extension of campsite area

Decision : Members voted 4-3 (with one abstention) for **Refusal**

Refused

1 No functional need
2 Visual Impact

6. **Appl. No** : **2019/1940/F**
 Parish : **PORINGLAND**

Applicants Name : Mr Stephen Litten
Site Address : Land to the east of Overtons Way, Poringland, Norfolk
Proposal : 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)

Decision : Members voted 8-0 for **Refusal** (contrary to officer recommendation, which was lost 2-4 with two abstentions)

Refused

Reasons for overturning officer recommendation

Scale, layout and design of development would result in a dominant form of development that would not integrate successfully with its surroundings, nor make a positive contribution to the appearance of the area.

7. **Appl. No** : **2019/2067/A**
 Parish : **CRINGLEFORD**

Applicants Name : Big Sky Developments Ltd
Site Address : South of Newmarket Road Cringleford Norfolk
Proposal : Proposed signage advertising the adjacent housing development (St Giles Park)

Decision : Members voted 7-0 for **Approval** and to authorise the Director of Place to approve minor revisions to the advertisement content (lettering and design approach) to the Big Sky face of the advertisement, which are expected shortly, subject to no objection from the Highway Authority or Senior Conservation and Design Officer.

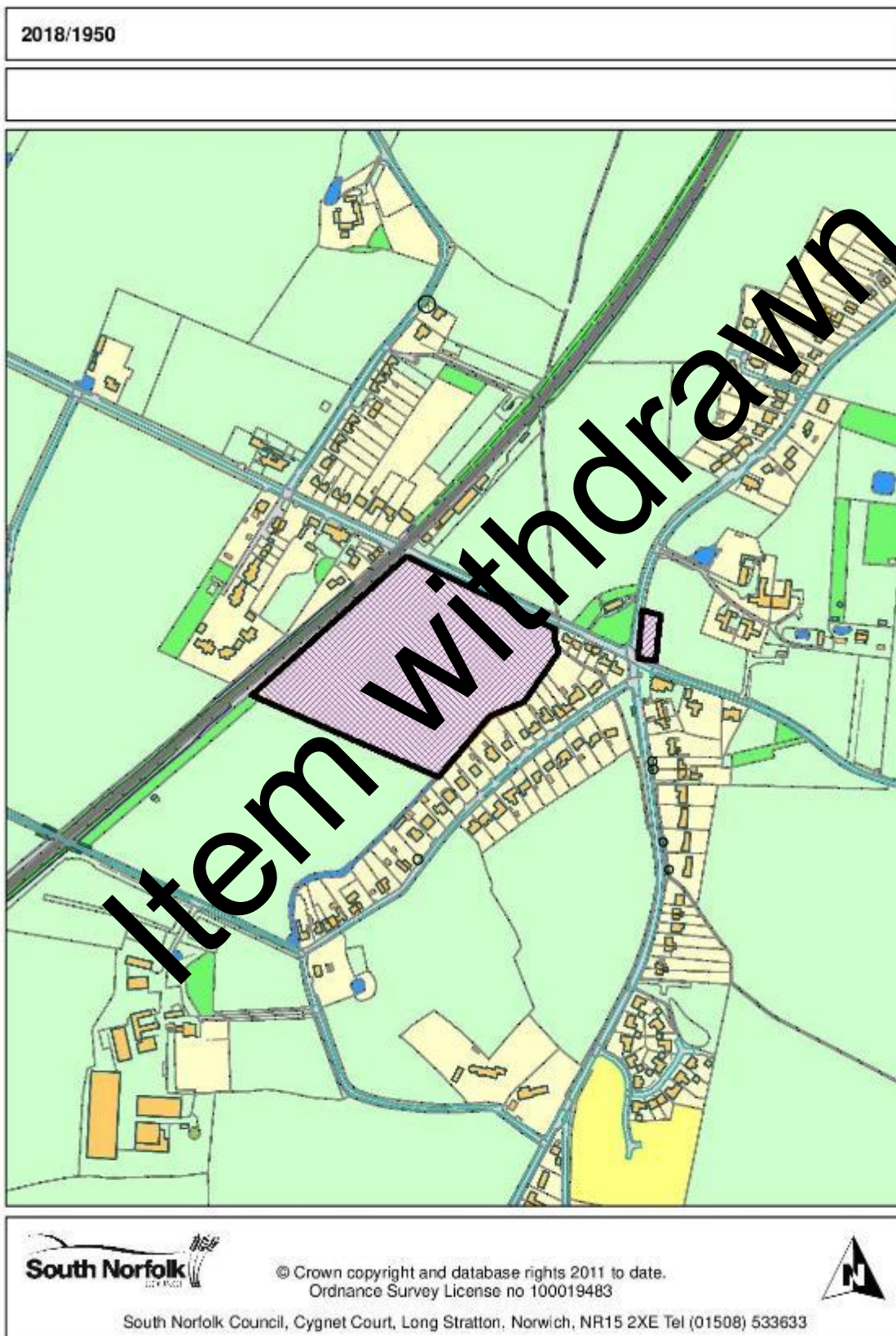
Approved with conditions

1-5 – Standard Advertisement Conditions
6 - In accordance with submitted drawings
7 - Temporary Permission

PLANNING APPLICATIONS AND OTHER DEVELOPMENT CONTROL MATTERS

Report of Director of Place

Application 1



1. Application No : 2018/1950/O
Parish : SPOONER ROW

Applicant's 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.

Reason for reporting to committee

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

Recommendation summary: Refusal

1. Proposal and site context

- 1.1 The application seeks outline planning permission for up to 40 dwellings, including 33% affordable housing, incorporating open spaces and associated infrastructure. All other matters are reserved other than for the means of access.
- 1.2 The site is located in the village of Spooner Row, just outside the defined development boundary. The main site lies immediately to the south west of Station Road and the original submission included a further smaller parcel located east of Chapel Road and north of Guiler's Lane to provide a community car park however this has been now removed from the application. The application site is presently an arable field bounded by a small watercourse to the southeast, Station Road to the north east, the Breckland Railway line to the northwest and an established hedge to the south west. Existing residential development is located to the south east and northwest.
- 1.3 The application site lies within the B2 Tiffey Tributary Farmland character area described in the South Norfolk Place Making Guide as having a sparse settlement character with a small number of nucleated villages, isolated dwellings and interspersed farm buildings but connected by a dense network of rural lanes. The published landscape character appraisal (LCA) notes that the key characteristics of the landscape include: *Pleasant rural working landscape of farmland with sparse settlement and Sparse settlement comprising villages and isolated dwellings*. The LCA states that the main characteristic of this landscape is large scale arable farmland but notes that there are smaller fields that are associated with farmland surrounding settlements. The most pertinent of the published Development Considerations is: *maintain the perception of the area as being predominantly rural and ensure new development relates to the existing pattern of small villages with occasional scattered development*.

2. Relevant planning history

- 2.1 None directly relevant

3. Planning Policies

- 3.1 National Planning Policy Framework (NPPF)
 NPPF 02 : Achieving sustainable development
 NPPF 04 : Decision-making
 NPPF 05 : Delivering a sufficient supply of homes
 NPPF 06 : Building a strong, competitive economy
 NPPF 09: Promoting sustainable transport

NPPF 11 : Making effective use of land
 NPPF 12 : Achieving well-designed places
 NPPF 14 : Meeting the challenge of climate change, flooding and coastal change
 NPPF 15 : Conserving and enhancing the natural environment

3.2 Joint Core Strategy (JCS)

Policy 1 : Addressing climate change and protecting environmental assets
 Policy 2 : Promoting good design
 Policy 3: Energy and water
 Policy 4 : Housing delivery
 Policy 5 : The Economy
 Policy 6 : Access and Transportation
 Policy 9 : Strategy for growth in the Norwich Policy Area
 Policy 15 : Service Villages
 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
 DM1.2 : 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
 DM3.8 : 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
 DM4.3 : Facilities for the collection of recycling and waste
 DM4.4 : Natural Environmental assets - designated and locally important open space
 DM4.8 : Protection of Trees and hedgerows
 DM4.9 : Incorporating landscape into design
 DM4.5 : Landscape Character Areas and River Valleys
 DM3.14 : Pollution, health and safety

3.4 Supplementary Planning Documents (SPD) South Norfolk Place Making Guide 2012

4. Consultation

4.1 Spooner Row Community Council

Refuse

- The development is outside the development boundary and South Norfolk Council have confirmed that they have a five-year land supply
- Density of the housing is not in keeping with the village and would be visually intrusive
- There is insufficient infrastructure, no bus service, a poor train service and school already full

Wyndham Town Council (former Parish Council)

Refuse

- Overdevelopment of Spooner Row
- Flooding – site on flood plain
- Traffic movements

4.2 District Councillor

Cllr Julian halls

- This matter should be brought before the Development Management Committee in the public interest, and on account of possible overdevelopment, flooding and traffic safety issues.
- The application is outside the development boundary and given our now established 5-year land supply, a matter which is strongly rejected by the developer in their revised planning statement, at section 7, DMC need to clear on this issue.

Cllr Suzanne Nuri

- To be reported if appropriate

4.3 Anglian Water Services Ltd

No objections

- The foul drainage from this development is in the catchment of Spenser Row-School Lane Water Recycling Centre which currently does not have capacity to treat the flows the development site. Anglian Water are obligated to accept the foul flows from the development with the benefit of planning consent and would therefore take the necessary steps to ensure that there is sufficient treatment capacity should the Planning Authority grant planning permission.

4.4 SNC Conservation and Design

Refuse

4.5 Environment Agency

No objections

4.6 NCC Ecologist

No objections subject to conditions

Note however that due to the life span of the ecology surveys should works be delayed beyond early spring 2020 then the applicant will need to submit an updated ecology survey.

4.7 Economic Development Officer

No comments received

4.8 SNC Community Services - Environmental Quality Team

No objections subject to conditions

4.9 SNC Environmental Waste Strategy

No comments received

4.10 Wymondham Medical Centre

No comments received

4.11 SNC Housing Enabling and Strategy Manager

This application is for up to 40 dwellings. Within a total of 40 dwellings, the applicants propose an unspecified mix of 13 affordable homes.

Policy 4 of the Greater Norwich Joint Core Strategy specifies 33% affordable housing, with a tenure split of 85% rent and 15% intermediate tenure. The proposal for 13 affordable homes is policy-compliant.

Also relevant is paragraph 64 of the National Planning Policy Framework (July 2018), which expresses an expectation that at least 10% of total dwellings are to be available for affordable home ownership. Bearing in mind both these documents, my preferred mix for 13 affordable homes is:

For Shared Ownership

2 two-bedroom houses

2 three-bedroom houses

For Affordable Rent

3 one bedroom two person houses/flats/bungalows

3 two-bedroom four person houses/bungalows

3 three-bedroom five person houses/bungalows

This mix would meet a range of housing needs.

Subject to the comments above, I have no objection to the application.

4.12 SNC Landscape Architect

Refuse

- The proposal does not respect, conserve or enhance the landscape character of its immediate and wider environment and, as such, is contrary to Policy DM4.5 of the Local Plan.

4.13 NCC Lead Local Flood Authority

Original Proposal

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

- The Flood Risk Assessment (FRA) has not adequately assessed the risk of flooding from all sources, in particular the risk of flooding from the flow path within Parcel A,
- That surface water or fluvial flow paths originating off site would not lead to inundation of the proposed attenuation basin within Parcel A of the development.

Amended Proposal

- Note that the proposal for the car parking at Parcel B has now been removed from the submission.
- We can now remove our objection subject to conditions being attached to any consent if this application is approved and the Applicant is in agreement with precommencement conditions.

4.14 NCC Highways

Original Proposal

- Amended plans required regarding to access arrangements and pedestrian links

Amended Proposal

- No objection subject to conditions as the amended plans addresses our concerns

4.15 NCC Planning Obligations Co Ordinator

- Education: There is spare capacity in the Early Education sector but taking into consideration the permitted developments in the area (2017/1321, 2012/0839, 2012/1948, 2012/1385 and 2012/0371) all other local education provision may be considered full. There is therefore insufficient capacity to accommodate the children generated by this proposed development.
- There is a Masterplan for Wymondham High Academy to increase its capacity to 2050 places (including 6th form). This number of school places has been calculated to be required to accommodate children from existing permissions and allocations in Wymondham and its surrounding catchment area. 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.
- Fire: This development will require 1 fire hydrant per 50 dwellings, which should be dealt with through condition.
- Library: New development will have an impact on the library service and mitigation will be required to develop the service, so it can accommodate the residents from new development and adapt to user's needs.
- Green Infrastructure: Connections into the local Green Infrastructure (GI) network, including Public Rights of Way and ecological features, should be considered alongside the potential impacts of development. Direct mitigation and GI provision should therefore be included within the site proposal. Mitigation for new and existing GI features identified as strategic shall be funded by the Community Infrastructure Levy (CIL) through the Greater Norwich Investment Programme.

4.16 Network Rail South East

Original Proposal

- Concerns were raised about the potential impact the proposal could have on Spooner Row level crossing. Although Spooner Row level crossing is the safest type of level crossing, we currently have, we must prevent vehicles blocking back across the level crossing as a result of vehicles trying to turn right into the development. Therefore, we strongly recommend the applicant moves the main access to the development at least 100 metres from the level crossing.

Amended Proposal

Network Rail have no comments to make regarding the safety implications of proposal.

- However, we would like to make the applicant aware that Spooner Row level crossing (LC) is covered by a level crossing Order granted by the Office of Rail and Road on behalf of the Secretary of State for Transport. Any changes to the highway as shown on the Order plan may require the LC Order to be modified. We would expect the developer to cover the reasonable costs of this.

4.17 Norfolk Fire Service

No objections

4.18 NHSCCG

No comments received

4.19 NHS England

No objections

4.20 Police Architectural Liaison Officer

- It is crucial to factor in protective security measures and practices across this development at the outset and particularly so when considering the increased numbers of homes and additional motor vehicles and visitors these developments will support throughout their development.
- I also recommend the applicant fully embraces the principles of Crime Prevention through Environmental Design (CPTED) and security measures recommended in Secured by Design (SBD), Homes 2016 guidance. The adoption of security standards referred to in SBD, Homes 2016 are a minimum and the principles and products used reflect a proven track record in defeating known criminal methods of committing crime.

4.21 SNC Play and Amenities

No comments received

4.22 Other Representations

Original Proposal

4 letters of objection

- Should avoid the roadside ribbon effect
- Large proportion of affordable dwellings in Spooner Row seem lacking in good design
- Overburdened with expensive dwellings
- Additional traffic on the already poor, narrow roads which are mainly unlit within the village
- There are few pathways meaning that walkers have to use the road which is dangerous, especially considering the lack of street lighting and the amount of traffic passing through the village
- Due to the level crossing on Station Road, traffic is often queued back for a significant distance along this road
- Already surface water drainage issues in the village the development will add to that
- Drains at crossroads insufficient resulting in surface water drainage
- Who will be responsible for maintaining the ditches once properties sold?
- Part of the land proposed for development is a flood plain
- As new homes built after 2009 are excluded from the Government's Flood Re initiative to provide affordable home insurance for all properties in flood zones, how is it proposed that these new homes will be insurable?
- Concerned that it is too easy to promise the affordable housing at application stage and renege on this later
- Concern that there are only two request stops trains leaving the village in the morning and one returning in the early afternoon on weekdays - do not support a working day
- One bus once a week which goes to Wymondham and back on Fridays
- Current Broadband service exceptionally poor, along with mobile phone networks
- Car park is a good idea as parking for the pub and other village groups can be difficult around the centre of the village, but it should be for the use of all visitors to the village, not just the pub.
- Proposed location and access of carpark will be very dangerous
- Five-way junction at The Boars PH and complete lack of visibility causing accidents
- Proposed access between Pilgrims Farm track and junction will create even more traffic risks
- No Village Green on Station Road
- No community orchard
- No village sign

Amended Proposal

3 letters of objection

- The proposed site does not take into account it seems the increased volume of traffic lorries (including very large, articulated, sometimes double articulated both very unsuitable for such a small country road - and cars already within this small village.
- Access into the new site and out of the same will be on to a small road which barely copes with current levels of traffic at the moment.
- Pathways are not at present able to give full provision for pedestrians, uneven
- I fail to see what this additional footway improvement brings to the party in terms of making this proposed new development any more feasible for the village.
- There are still a significant number of road safety considerations which have not been addressed by this initiative, concerns regarding security of properties bordering the site, the impact of extra traffic travelling through the village and the complete lack of any public transport.
- I cannot understand why this outline planning application is still under consideration and wonder whether there will ever be a finite date for a final decision to be made.
- Removed bus turning area
- Master plan at odds with planning statement
- Play area and green space at the rear of the site behind identified flood area, makes less of a village green because it is tucked at the back

5 Assessment**Key considerations**

- 5.1 The main issues for consideration in this case are the principle of development in this location; design and layout; drainage; affordable housing, landscaping, highway safety; and residential amenity.

Principle

- 5.2 Planning law (section 28(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 and the NPPF, in cases where there are no overriding material considerations to the contrary, development proposals for housing that accord with the development plan should be approved without delay.
- 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 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 for 2017-2018, it is considered that its housing related policies are not out of date.

5.7 The published Annual Monitoring Report (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 Council's Interim Greater Norwich area housing land supply statement for the position at 1st April 2018 and demonstrates that the Council is able to demonstrate a housing land supply of 6.54 years using the Housing Delivery Test and standard methodology for the calculation of Local Housing Need. This demonstrates that the authorities are able to validate a housing land supply that is in excess of 5 years for the period 1 April 2018 to 31 March 2024.

5.8 Returning to criterion 2 (c) of Policy DM1.3 of the SNLP, the current proposal is not considered to meet the requirements of this criterion. In terms of 2 (d), establishing whether there are any overriding benefits will be confirmed at the end of assessment following the consideration of all key planning issues.

5.9 It is also considered appropriate to be 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 when 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.

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.

Landscaping, Impact on character of the area

- 5.14 A core planning principle of the National Planning Policy Framework is to 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 and advises that the Council will promote the retention and conservation of significant trees, woodlands and traditional orchards. Policy DM4.8 promotes the retention and conservation of trees and hedgerows.
- 5.15 The application site lies within the B2 Tiffey Tributary Farmland character area described in the South Norfolk Place Making Guide as being sparsely settlement character with a small number of nucleated villages, isolated dwellings and interspersed farm buildings but connected by a dense network of rural lanes. The published landscape character appraisal (LCA) notes that the key characteristics of the landscape include: *Pleasant rural working landscape of farmland with sparse settlement and Sparse settlement comprising villages and isolated dwellings*. The LCA states that the main characteristic of this landscape is large scale arable farmland but notes that there are smaller fields that are associated with farmland surrounding settlements. The most pertinent of the published Development Considerations is: *maintain the perception of the area as being predominantly rural and ensure new development relates to the existing pattern of small villages with occasional scattered development*.
- 5.16 The application is supported by a Landscape and Visual Appraisal (LVA). This is not a full LVIA but it is produced along similar lines with reference to recognised industry guidelines.
- 5.17 The proposed development would alter the character of the site from an undeveloped agricultural site to a medium density built residential development. The loss of the existing arable farmland would be permanent; and to mitigate the development the proposals include:
- Retention of existing landscape features of value where possible including the existing mature perimeter hedgerows and hedgerow trees.
 - The provision of more than 2 hectares of land dedicated to landscape, public open space and habitat related proposals;
 - Buffer planting between the new development and the railway line;
 - Setting back of buildings from the boundaries of the site to create landscaped buffers between the new and existing housing, Station Road, the railway and adjacent fields to the south west.
 - New perimeter tree planting along the edge of the village green where it interfaces with housing;
 - Retention and enhancement of the landscaped frontages to Station Road, Chapel Road and Guiler's Lane creating a positive sense of arrival to the centre of Spooner Row for road users.
- 5.18 The applicants consider that the proposed development is considered to have overall negligible effects on the landscape character of the area at a national level. At the District level the applicants consider that landscape effects would be no worse than minor adverse, due to the small scale of the development in relation to the extensive nature of the relevant character areas/types and because of its relatively contained location adjacent to the existing settlement edges of Spooner Row. Also, the proposals would also give rise to some minor benefits for the landscape of the area in the longer term.

- 5.19 They also consider that in terms of landscape effects caused by the proposed development at a site wide scale it is considered that the loss of arable farmland and open space would constitute a moderate – major landscape effect at the site wide scale upon completion; however this adverse effect would be reduced to moderate adverse in the longer term offset by the beneficial effects arising from the maturing of the GI proposals. To conclude, despite the inevitable adverse effects of built development upon the local landscape, the applicants state that there would be no unacceptable adverse effects that should preclude the proposed development in landscape and visual terms.
- 5.20 Your officers consider that however, of the published development considerations for a site located within the B2 Tiffey Tributary Farmland landscape character area, the most pertinent is: *maintain the perception of the area as being predominantly rural and ensure new development relates to the existing pattern of small villages with occasional scattered development.*
- 5.21 In the analysis of the site and immediate context, the submitted LVA identifies that “*The settlement of Spooner Row has developed as four discrete settlement groupings*” and that “*A number of open spaces exist between these settlement groups contributing to the dispersed character of the village*”. The South Norfolk Local Plan 2015 also notes these as contributing to the character, stating: “*The village has developed as four significant settlement groupings, with the Norwich to Ely railway line and agricultural land separating the groups. The large open spaces between these settlement groups contribute to the character of the village.*”
- 5.22 This proposal seeks to develop one of these key open spaces and will effectively link two of the discrete settlement groupings that contribute to the character of Spooner Row. The LCA notes that “*the loss of the existing open ‘greenfield’ use would be permanent and irreversible*”. This linkage will be clearly visible from Station Road directly adjacent to the site and from Chapel Road to the north. The Landscape Architect considers that the development will also be discernible from the south, from views across from Top Common which will further increase the sense of connection. Whilst the LVA’s statement regarding the scenic quality of the site is accepted, Appeal Decision AP/2610/W/18/3207888 (Land west of Salhouse Road, Little Plumstead, Norwich) established that land that is “*far from significant in landscape terms*” can have an “*intrinsic attractiveness*”.
- 5.23 In view of the above it is considered that the proposal does not respect, conserve or enhance the landscape character of its immediate and wider environment and would be harmful to the character and visual appearance of the area; incompatible with the existing pattern of development and would not make a positive additional contribution to the village in terms integrate itself appropriately into the settlement form and character and its surroundings. Consequently, the proposal would result in the erosion of the rural undeveloped character of the site and lead to an encroachment on the open countryside. The proposal in view of the above is therefore contrary to policy DM4.5 of the Development Management Policies document.

Indicative Layout and Open Space

- 5.24 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.
- 5.25 The proposal is for outline planning permission for 40 dwellings. The existing development character of the settlement is of clusters, generally in a linear arrangement, with landscape gaps between. Larger scale estate style cul-de-sac development would

therefore, not be consistent with the rural character of what is still a relatively small settlement with relatively dispersed groups of housing. Although some land will be retained as open space, with the amount of housing shown the development would result in significant urbanising of this part of the settlement.

- 5.26 Significant site constraints include the railway line to the north, which has resulted in the proposal for hedgerow/shrub/tree planting as a buffer. There is also the need to have a SUDS area to the north east corner of the site which dictates to some extent where the open space would be. Existing overhead powerlines are also a constraint at present and would require repositioning. A landscape strip is provided to the front of housing fronting towards Station Road.
- 5.27 Station Road to the east of the site connects the parish church and pub to the south with the village school and railway station to the north. The scheme connects to Station Road at a central position with a footpath connection to the south. The scheme also provides a new public green space which will be centrally placed within the scheme and therefore very accessible. There is a railway station close by to the north but with limited access. The scheme will meet with the housing tenure requirements.
- 5.28 Spooner Row is mostly characterised by housing from the C19 and C20. Houses are indicated as detached and semis which reflect existing housing types in the village but the density will increase with smaller plot sizes. Houses to the north back towards the railway line with a landscape buffer. The central part is located to be accessible and would also have some advantages in terms of creating a central focal point for the village which is currently lacking. A well designed and coherent street layout makes it straightforward to find your way around. Although the street is an elongated cul-de-sac, a predominantly well overlooked footpath provides access to the end of the cul-de-sac. The housing scheme taken in isolation can be viewed as being relatively well designed, however this does not take into account the fundamental change to the existing rural character of the village development and the significant erosion of a landscape gap.
- 5.29 The cul-de-sac and curving street alignment will assist in slowing car speeds. Parking is generally to the side of houses and will not dominate the street. Public and private spaces as indicated at this stage are generally acceptable, although I am concerned that the indicative plan shows a piece of land to the south which has a hedge to the north and copse, which effectively cut off overlooking of what happens within this public area. This is a secure by design issue with regard to security at the rear of properties on Queen Street.
- 5.30 In terms of density, the scheme has a net residential area of approximately 2 hectares which gives an average net density of 20 dwellings per hectare. The supporting documents also indicates propose building heights of maximum of 2 storeys.
- 5.31 In terms of the amount of public open space, the Council's Recreational Open Space Standards for Residential Areas, requires a minimum amount of outdoor play facilities and recreational open space to be provided, commensurate with the level of development proposed to meet the need of occupants. Public open space is to be provided within the site as indicated on the Illustrative Master plan in accordance with Policy DM3.15.
- 5.32 In conclusion, it is considered that the proposal will fundamentally change to the existing rural character of the village development; will create a significant erosion of a landscape gap; and would result in significant urbanising of this part of the settlement. The proposal in view of the above is therefore contrary to policies DM 3.8, DM4.5, Policy 2 of the JCS, together with Section 7 of the NPPF and the design principle 3.4.1 of the South Norfolk Place-Making Guide requires new development to relate well to the character of the local area which this proposal does not do.

Access and highways

- 5.33 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.
- 5.34 The development proposes a new access to serve the residential proposal is formed on Station Road, the NCC Highway officer objected to the original scheme on highway safety issues and connectivity and subsequently the application has been subject to a number of amendments over its determination period. NCC Highway Authority now raises no objections subject to the imposition of conditions.
- 5.35 In terms of sustainability / accessibility, it is accepted that the site is well positioned, and Spooner Row is designated as a Service Village, with local facilities and amenities. Equally, the amended proposal includes the provision of a new footpath running across the site frontage connecting into the existing footpath network, providing improved connectivity for existing and future residents. . In view of the above, I do not consider an objection in terms of accessibility of the site could be substantiated.
- 5.36 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 fully appreciated, 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.
- 5.37 In view of the above, the proposal therefore accords with Policy DM3.11 and DM3.12 of the Development Management Policies document.

Affordable housing

- 5.38 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.
- 5.39 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.
- 5.40 This application is for up to 40 dwellings. The applicants have proposed 13 affordable dwellings which equates to 33% of the dwellings being affordable. As set out above, the Council is currently requiring 28% (11 dwellings), therefore this application provides 2 additional affordable units above the current policy requirement. The applicants have advised that the final mix will be agreed via Section 106.
- 5.41 For the avoidance of doubt, it is also noted that there is a specific policy, DM3.2, which permits affordable housing development outside of the settlement boundary "exceptions sites" which if satisfied would satisfy the requirements of criteria 2c) of Policy DM1.3. In this case providing 33% affordable housing would not meet the requirements of Policy DM3.2.
- 5.42 The benefit of providing any additional affordable homes above policy requirements will be weighed up in the assessment of the scheme against Policy DM1.3 later in this report under the section entitled "Overriding benefits and policy DM1.3 2d)".

Impact on Residential Amenity

- 5.43 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.
- 5.44 To the southeast and northeast of the site are existing residential properties. Whilst it is inevitably the case that there will be a significant change to the present situation presently enjoyed by the existing dwellings, given the indicative layout, the distance between the proposed and existing dwellings, it is not considered that the proposed development would not result in any significant harm to the amenities of existing and accords with DM3.13 of the Development Management Policies document.

Ecology

- 5.45 Policy 1 of the JCS requires the development to both have regard to and protect the biodiversity and ecological interests of the site and contribute to providing a multi-functional green infrastructure network. Policy DM4.4 looks for new development sites to safeguard the ecological interests of the site and to contribute to ecological and Biodiversity enhancements
- 5.46 An Ecological Impact Assessment has been provided and assessed by the NCC Ecologist who have confirmed that the preliminary ecological appraisal identified habitats suitable for notable and/or legally protected species and subsequent surveys were undertaken for great crested newt and bat surveys to ascertain what species of bats are using the site. The surveys found that skylarks were not breeding on the development site. The site is not significant foraging habitat for bats above the local level. The NCC Ecologist has in view of the above raised no objections subject to the imposition of conditions. As such the proposal accords with DM4.4 of the Development Management Policies document and Section 15 of the LPPF.

Drainage

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

Surface Water Drainage and Flood Risk

- 5.48 Concern 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 mostly located within Flood Risk Zone 1 with the north-east corner of the site falling within Flood Zone 2 and 3. The surface water flood risk maps indicate risks in the eastern corner of the site. A Flood Risk Assessment (FRA) has been submitted with the application.
- 5.49 The Lead Local Flood Authority (LLFA) objected to the original submission in the absence of an acceptable FRA/drainage Strategy which had not adequately assessed the risk of flooding from all sources, in particular the risk of flooding from the flow path within Parcel A and that surface water or fluvial flow paths originating off site would not lead to inundation of the proposed attenuation basin within Parcel A of the development. Following the submission of further information, the LLFA have now confirmed that the amended sustainable drainage strategy for the site is considered acceptable subject to the appropriate conditions.

Foul Water drainage

- 5.50 In respect of the foul water drainage Anglian Water has raised no objections and confirmed that whilst the foul drainage from this development is in the catchment of Spooner Row-School Lane Water Recycling Centre which currently does not have capacity to treat the flows the development site. Anglian Water are obligated to accept the foul flows from the development with the benefit of planning consent and would therefore take the necessary steps to ensure that there is sufficient treatment capacity should the Planning Authority grant planning permission.
- 5.51 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.

Other Issues

- 5.52 Planning Obligations:
The proposal is required to provide fire hydrants which is proposed to be a condition of any consent.
- 5.53 New development will have an impact on the library service and mitigation will be required to develop the service
- 5.54 Direct mitigation and GI provision should therefore be included within the site proposal. Mitigation for new and existing GI feature identified as strategic shall be funded by the Community Infrastructure Levy (CIL) through the Greater Norwich Investment
- 5.55 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.
- 5.56 The application is liable for CIL.

Overriding benefits and policy DM1.3 2d)

- 5.57 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.
- 5.58 The provision of affordable units, including 2 additional units above policy requirements is considered a benefit in planning terms, but is not considered to be significant.
- 5.59 The positive weight attached to this 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 allowing the new housing to extend 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 Policies DM3.8 and DM4.5.
- 5.60 As such, within the context described above, the scheme is not considered to constitute an overriding benefit in the context of Policy DM1.3(2)(d).
- 5.61 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. It is noted that there would also be some moderate local economic benefits from the construction process; and also, from the additional household expenditure and Council revenue.

- 5.62 I consider that the benefits highlighted above when taken together would not be exceptional or overriding; bearing in mind the plan, policy, impact to the character and visual appearance of the area and encroachment into the open countryside, as well as being contrary to Policy DM4.5 and DM 3.8 of the Local Plan.

Conclusion

- 5.63 For the reasons set out above, it is considered that the harm the proposal will cause in relation to the impact to the character and visual appearance of the area and encroachment into the open countryside results in a scheme which is contrary to DM3.8 and DM4.5 of the South Norfolk Local Plan and Policy 2 of the Joint Core Strategy.
- 5.64 Furthermore, the noted benefits of the scheme outlined above, most notably, the over-provision of affordable housing, do not represent overriding benefits as required by Policy DM1.3 2(d) and the scheme does not comply with any other specific policy of the SNLP which permits residential development in the countryside and therefore does not comply with 2 (c) of DM1.3, thereby the scheme is contrary to Policy DM1.3.
- 5.65 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.

Recommendation : Refusal

- 1 No overriding benefits contrary to DM1.3
- 2 Detrimental to character and visual appearance of the area
- 3 Harm to rural character or landscape

Reasons for Refusal

1. The proposed housing is not supported by any specific Development Management Policy which allows for development outside of the development boundary and nor does it represent overriding benefits when having regard to fundamental policy harm in allowing unplanned development in what should be a genuinely plan led system, along with the harm caused in relation to the impact on the form and character of the area and as such does not satisfy the requirements of either 2 c) or d) of Policy DM1.3 of the South Norfolk Local Plan.
2. It is considered that the proposal would be harmful to the character and visual appearance of the area by virtue of its significant erosion of a landscape gap; its urbanisation of this part of the settlement and its failure to make a positive additional contribution to the village, in terms of integrating itself appropriately into the settlement form and character and its surroundings. Consequently, the proposal would result in the erosion of the rural undeveloped character of the site and lead to an encroachment on the open countryside. The proposal in view of the above is therefore contrary to policies DM 3.8, Policy 2 of the JCS, together with Section 7 of the NPPF and the design principle 3.4.1 of the South Norfolk Place-Making Guide which requires new development to relate well to the character of the local area which this proposal does not do.

3. In view of the above it is considered that the proposal does not respect, conserve or enhance the landscape character of its immediate and wider environment and would be harmful to the character and visual appearance of the area; incompatible with the existing grain of development and would not make a positive additional contribution to the village, in terms integrate itself appropriately into the settlement form and character and its surroundings. Consequently, the proposal would result in the erosion of the rural undeveloped character of the site and lead to an encroachment on the open countryside. The proposal in view of the above is therefore contrary to policy DM4.5 of the Development Management Policies document.

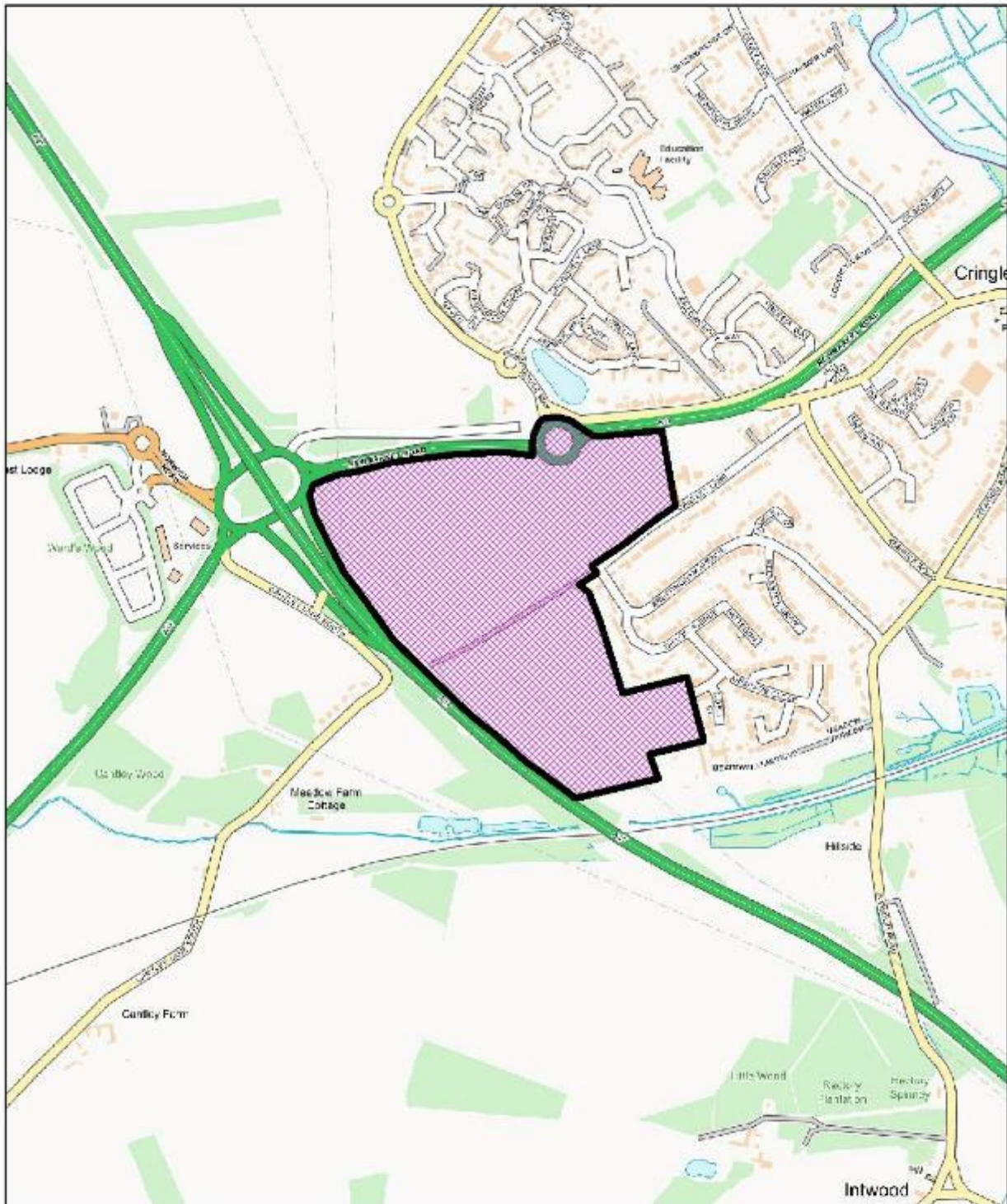
Contact Officer, Telephone Number
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Item withdrawn

Application 2

2018/2784



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

2. Application No : 2018/2784/D
Parish : CRINGLEFORD

Applicant's 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)

Reason for reporting to committee

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

Recommendation summary : Approval with Condition

1 Proposal and site context

- 1.1 This application seeks reserved matters for the details of appearance, scale, landscaping and layout of the dwellings at land to the south of Newmarket Road, Cringleford. This reserved matters application is 1 of 9 applications submitted together for 350 dwellings, commercial up to 2,500 sq meters of use class A1, A2, A3, A4, A5 and D1 floorspace, together with highway works, landscaping, public realm, car parking and other associated works.
- 1.2 The application site consists of land on the edge of Cringleford. The approved site is two distinct parcels separated by Newmarket Road and benefits from outline planning permission for a large mixed-use development including up to 650 dwellings granted consent at appeal on 7 January 2016 (2013/1494) and a subsequent variation of conditions application (2017/2120).
- 1.3 The site subject to this application forms part of the land which lies directly adjacent to Roundhouse Way and extends south from the A11, with the A47 bypass to the west and existing residential development to the east. The whole site comprises of approximately 27 hectares of grade 3 agricultural land with undulating gradient falling in various directions. The southern parcel is outside of Cringleford Conservation Area and the closest listed buildings are a 19th century Round House, on the opposite side of the A11 to the application site and The Farmhouse located adjacent to the boundary to the southeast corner at the end of Meadow Farm Drive.
- 1.4 This application referred to as RM-App-2 and proposes 79 residential units (57 houses and 22 apartments), comprising of part of the western part of the site between the A47 and the spine road accessed of the A11.

2. Relevant planning history

- | | | | |
|-----|-----------|---|------------------------------|
| 2.1 | 2013/0552 | Request for Scoping Opinion for proposed residential development for up to 700 residential units, green infrastructure land, up to 2500 square metres of Class A1-A5 and D1 floorspace and access from the A11 roundabout | EIA Required |
| 2.2 | 2013/1494 | Outline planning application with all matters reserved (save access) for the creation of up to 650 residential dwellings (use class C3), | Refused
Allowed at Appeal |

		up to 2,500 sq mtrs of use class A1, A2, A3, A4, A5 and D1 floorspace, together with highways works, landscaping, public realm, car parking and other associated works.	
2.3	2017/0196	Variation of conditions 5, 6, 11, 28, 35, 36, 37 and 38 of permission 2013/1494 - to facilitate greater flexibility in the delivery of the scheme	Approved
2.4	2017/2120	Variation of conditions 1, 3, 4, 7, 10, 13, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 29, 30, 33, 36, 38, and 39 following application 2017/0196 to facilitate the development coming forward on a phased basis.	Approved
2.5	2018/2783	Reserved Matters for RM-APP-1 comprising 67 dwellings together with associated landscaping and infrastructure.	Approved
2.6	2018/2785	Reserved Matters for RM-APP-3 comprising 62 dwellings together with associated landscaping and infrastructure.	under consideration
2.7	2018/2786	Reserved Matters for RM-APP-4 comprising 56 dwellings together with associated landscaping and infrastructure.	under consideration
2.8	2018/2787	Reserved Matters for RM-APP-5 comprising 23 dwellings together with associated landscaping and infrastructure.	under consideration
2.9	2018/2788	Reserved Matters for RM-APP-6 comprising 21 dwellings together with associated landscaping and infrastructure.	under consideration
2.10	2018/2789	Reserved Matters for RM-APP-7 comprising 42 dwellings and approximately 500 sq metres of commercial floorspace, together with associated landscaping and infrastructure.	under consideration
2.11	2018/2790	Reserved Matters for RM-APP-8 comprising 765 sq metres of commercial floorspace (Use classes A1,A2,A3,A4,A5,D1) together with associated landscaping and infrastructure.	under consideration
2.12	2018/2791	Reserved Matters 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.	under consideration

Appeal History

2.13	4/00025/AGREFU	Outline planning application with all matters reserved (save access) for the creation of up	Allowed
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to 650 residential dwellings (use class C3),
up to 2,500 sq mtrs of use class A1, A2, A3,
A4, A5 and D1 floorspace, together with
highways works, landscaping, public realm,
car parking and other associated works.

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 13 : Protecting Green Belt land

NPPF 14 : Meeting the challenge of climate change, flooding and coastal change

NPPF 15 : Conserving and enhancing the natural environment

NPPF 16 : Conserving and enhancing the historic environment

3.2 Joint Core Strategy (JCS)

Policy 1 : Addressing climate change and protecting environmental assets

Policy 2 : Promoting good design

Policy 3: Energy and water

Policy 4 : Housing delivery

Policy 5 : The Economy

Policy 6 : Access and Transportation

Policy 9 : Strategy for growth in the Norwich Policy Area

Policy 10 : Locations for major new or expanded communities in the Norwich Policy Area

Policy 12 : The remainder of the Norwich Urban area, including the fringe parishes

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

DM1.3 : The sustainable location of new development

DM1.4 : Environmental Quality and local distinctiveness

DM3.1 : Meeting Housing requirements and needs

DM3.8 : Design Principles applying to all development

DM3.10 : Promotion of sustainable transport

DM3.12 : Provision of vehicle parking

DM3.13 : Amenity, noise, quality of life

DM4.2 : Sustainable drainage and water management

DM4.3 : Facilities for the collection of recycling and waste

DM4.4 : Natural Environmental assets - designated and locally important open space

DM4.8 : Protection of Trees and Hedgerows

DM4.9 : Incorporating landscape into design

DM4.10 : Heritage Assets

3.4 Cringleford Neighbourhood Plan

GEN1 : Co-ordinated approach for delivering overall growth

GEN3 : Protection of significant buildings

GEN4 : Provision of infrastructure

ENV3 : Protection of hedgerows

ENV5 : Provision of sustainable drainage

ENV6 : Provision of open space and community woodlands

HOU1 : Housing Allocation

HOU2 : Design Standards
 HOU3 : Building Densities
 HOU4 : Mix of property types
 HOU6 : Renewable Energy Sources
 HOU7 : Space standards
 HOU8 : Provision of garaging
 HOU9 : Provision of affordable housing
 SCC3 : Provision of walking/cycling routes
 SCC5 : Provision of playing field and play areas
 SCC6 : Provision of broadband connections
 SCC7 : Provision of library facilities
 TRA1 : Major estate roads
 TRA2 : Thickthorn interchange improvements
 TRA3 : Provision of walking / cycling routes
 TRA4 : Minimising use of private cars
 Easton Neighbourhood Plan

- 3.5 Supplementary Planning Documents (SPD)
 South Norfolk Place Making Guide 2012

Statutory duties relating to Listed Buildings and setting of Listed Buildings:

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

4. Consultations

4.1 Cringleford Parish Council

No comments received

4.2 Hethersett Parish Council

No comments received

4.3 District Councillors

- Cllr William Kemp

To be reported if appropriate

- Cllr Daniel Elmer

To be reported if appropriate

- Cllr Adrian Dearnley

To be reported if appropriate

- Cllr Phil Hardy

To be reported if appropriate

- Cllr David Bills

To be reported if appropriate

4.4 Anglian Water Services Ltd

No objections to the reserved matters

4.5 SNC Conservation and Design

No objections

4.6 NCC Ecologist

Original Proposal

- Additional information and surveys to be provided

Amended Proposal

- No objection subject to conditions in respect of lighting design strategy for biodiversity and enhancement

4.7 SNC Community Services - Environmental Quality Team

No objections to the reserved matters application

4.8 NCC Highways

Original Proposal

- Amendments to the proposal required

Amended Proposal

- No comments received

4.9 SNC Housing Enabling & Strategy Manager

The applicants propose 24 affordable homes within the total of 79 dwellings on this phase. My comments are:

- The number and mix of types is acceptable, comprising 5 flats, 18 houses and one bungalow.
 - The mix of sizes is acceptable, comprising:
 - 16 one bedroom
 - 6 two bedrooms
 - 2 three bedroomsThis is acceptable as part of the required overall package of affordable homes across the whole site.
 - I am content to agree the tenure mix as part of the overall package at a later date.
- On this basis, I have no objection to the application.

4.10 SNC Environmental Waste Strategy

No comments

4.11 SNC Landscape Architect

Original Proposal

- Clarification and amendments requested.

Amended Proposal

- Of my previous detail comments, only one point of detail remains. The crossing point for the footpath through the Linear Park has been re-aligned to coincide with the speed table, however it appears that the path is now aligning with the ramped (not flat) are of the table.
- Whilst full specification is given for the linear park, the on-plot landscaping details are not fully specified; These will be dealt with via a separate Discharge of condition application.

4.12 NCC Planning Obligations Co Ordinator

No comments received

4.13 Play and Amenities Technical advisor

No comment

4.14 Norfolk Police Architectural Liaison Officer

Original Proposal

- Recommend that this development fully embraces the security standard and practice recommended in Secured by Design homes 2016 guidance.
- Considerable use of dark external materials makes for a significant dark mass of brickwork and tiling and overly foreboding appearance.
- Meandering roadways and bends can provide unintended benefit for the criminal prefer straighter roadways including cul-de-sacs
- Suggest the use of vehicle mitigation features to prevent unauthorised vehicular access onto/from connecting pedestrian pathways
- Timber fencing e.g. 1.8m close boarding fencing recommended to protect rear and side gardens
- Rear parking courts are not supported due to vehicle crime to occur due to natural surveillance being mostly absent or significantly reduced. They introduce access to the vulnerable rear elevations of dwellings where the majority of burglary is perpetrated. In private developments such areas are often left unlit and therefore increase the fear of crime. Un-gated courtyards provide areas of concealment which can encourage antisocial behaviour

Amended Proposal

- There is good provision for parking on hard standing within the dwelling boundary for parts of the development, however my colleague has previously commented on the rear communal parking areas.
- Although it is appreciated some alteration have been implemented, their presence and scale are disappointing.
- Cycle shed (and Bin Stores), active windows overlooking the entrance to the cycle store are recommended. Although the roof of the cycle store serving dwellings are sloped, should ensure there are no unintentional footholds to assist climbing to protect rear space from intrusion or undesirable behaviour. Any doorset for provided for the cycle/bin store should be controlled via an access control system for residents only. The locking system must be easily operable from the inner face by use of a thumb turn to ensure that residents are not accidentally locked in by another person. A bicycle store must also be provided with stands with secure anchor points or secure cycle stands. The store must be lit at night using vandal resistant, light fittings and energy efficient lamps.

4.15 NHS England

No comments received

4.16 NHSCCG

No comments received

4.17 Cringleford Surgery

No comments received

4.18 Norfolk And Waveney Local Medical Council

No comments received

4.19 NCC Lead Local Flood Authority

No objections to the reserved matters

4.20 Norfolk Wildlife Trust

Original Proposal

Comments made on all the 9 reserved matter applications:

We note that all of the above applications are accompanied by a joint Preliminary Ecological Assessment (PEA). Whilst the PEA makes an appraisal of the existing site features and outlines some of the measures required to avoid or mitigate ecological impacts, it is not complete, as there is a need for further protected species surveys and information on the measures needed ensure impacts on the County Wildlife Site (CWS) network are avoided. These concerns have also been raised by the County Council's Natural Environment Team in their recent response.

On the basis of the information submitted, we have the following detailed comments to make:

- Need for further surveys - Great crested newts and bats - support the need for these and recommend that they are submitted before a decision is made
- Hedgerows - ENV 3 CNDP requires the retention of hedgerows on the site but the accompanying landscaping plans appear to indicate the hedgerow in the northern section of the site will be served - recommend that further details are provided to ensure that they will enhance as a result of the development
- Impacts on County Wildlife Sites - the proposal is adjacent to Meadow Farm CWS and near others. We note the commitment made via the s106 agreement for the outline permission to support management of CWS in the Yare Valley and request that the revised ecology report is updated to reflect this. Additionally, the PEA states in section 4.3.1 that 'subject to measure to protect ground water and prevent surface water run-off at Meadow Farm CWS the impact is assessed as being Neutral'. It is not stated, however, what these measures are and therefore, we request further information
- Habitat Management Plan - support the recommendation by the County Council that the landscaping and habitat enhancement measures for this proposal should be co-ordinated through a joint Habitat Management Plan, to be provided at this stage.

Amended Proposal

- We previously commented on a series of reserved matters applications for housing and landscaping on land south of Newmarket Road, Cringleford, in February 2019. In our comments we noted the need for further ecological surveys and the potential for impacts on hedgerows on-site and indirect impacts on nearby County Wildlife Sites, as well as making recommendations for a joint landscaping and habitat management plan to cover the multiple reserved matters applications covering the outline permission area.

- We are pleased to note that the further protected species surveys recommended in the previous Preliminary Ecological Appraisal have been carried out and detailed in an updated ecology report.
- However, the landscaping plans in these two reserved matters applications do not appear to correctly match the landscaping plans provided in the updated ecology report and it is not clear whether the proposed landscaping will conform with policy ENV3 of the Cringleford Neighbourhood Plan which requires the retention of the on-site hedgerows.
- In our previous comments we noted the potential risk to on-site habitats from the landscaping being split between nine separate reserved matters applications, and we repeat our request that the reserved matters applications be accompanied by a joint masterplan and habitat management plan for the whole outline development area, in order to ensure that no areas are inadvertently missed and that neighbourhood plan policy is complied with.

4.21 Public Rights of Way

Original submission

- In spite of my previous comments and correspondence and conversations with the Landscape Designer none of the submitted revised plans, particularly the landscape proposal plans, indicate the route of Cringleford Public Footpath 1 nor how this is to be incorporated into the layout of this area (Area BS2) or the site as a whole nor its subsequent treatment.
- Either revised landscape plans should be submitted for this area (or an additional plan that incorporates the full extent of the PROW across the site as a whole) showing the route of the PROW and its treatment. Without plans showing this being submitted as part of the application, the County Council cannot be confident that this public footpath will not be adversely affected

Amended submission

No comments received

4.22 The Ramblers

No comments received

4.23 Environment Agency

No comments

4.24 Highways England

Original Proposal

No objections

Amended Proposal

- Highways England are currently reviewing the technical information provided in support of this planning application. In particular a review is underway of the drainage strategy and any mitigation that may be required to enable the strategic road network to continue to performance in accordance with the requirements of the Highways Act 1980. This

work is ongoing and request the application is not determined until the end of January.

4.25 Natural England

No comments

4.26 NCC Minerals and Waste Planning Officer

No comments

4.27 Historic Environment Service

No objections to the reserved matters

Note that further archaeological field work is to be carried out as a requirement of condition 49 of the outline consent.

4.28 Other Representations

89 letters of objection and a petition to 'stop the St Giles development from creating access from the proposed estate to Cantley Lane' with 72 signatures

Comments made in respect of all the reserved matters applications

- A number of objections were received in relation to the impact of the development onto Cantley Lane. These set out the following concerns:
 - Residents have been objecting to this proposal continuously since 2013.
 - Cantley Lane is a quiet residential Lane used by school children, elderly residents and cyclists; and is popular with horse riders and dog walkers.
 - Concern regarding the increase in traffic in this area,
 - The impact upon road safety,
 - The potential use as a rat run from the A11,
 - Lack of improvements proposed to the lane which is already sub-standard to cope with this volume of traffic
 - Its narrow nature and lack of footpaths and street lights
 - Cantley Lane is subject to flash floods which have impacted Brettingham Avenue
 - Impact upon veteran trees along the Lane
 - Cantley Lane was given the status of 'Key Cycle Path' and 'Proposed Key Walking Route' approved by the Secretary of State
 - Traffic figures indicating that the effect on the traffic in Cantley Lane as not significant is misleading and unrepresentative
 - Conditions of the PIN's approval have not been taken into account for the reserved matters application for example there is no reserved matters for condition 27 (off-site highway works to Cantley Lane), object that the proposals should include a secondary access onto Cantley Lane not having taken due care to the conditions of the appeal
 - Access onto Cantley Lane will not provide a benefit to the community as a whole
 - Cantley Lane already has significant levels of parking. This includes increased parking problems as hospital staff leave their cars there to get the local bus to the hospital
 - Increased traffic along Cantley Lane will result in overcrowding at the

intersection and be a blight on the historic assets in that area

- Such provisions were not allowed for access from the Roundhouse Estate onto Colney Lane and therefore the same should apply
- Conflict of interests as Big Sky is owned by South Norfolk Council, the planning proposal needs to be scrutinised by an independent agency outside of SNC as neither party can independently and transparently engage in a planning process. Totally unacceptable that this whole process is effectively 'in-house'

Traffic/Highways

- Problems over traffic needs to be considered in the context of the development as a whole, to avoid seeing as a whole would be a failure of responsibility at Council

level

- Object to the statement 'is not considered to cause any adverse impact on highway safety'
- I have seen serious accidents living opposite a bend and a junction on Brettingham Avenue, on most days someone has to mount the pavement to pass
- Concerned that after a major public consultation undertaken by Highways England that they offer no objection or comment on the proposed link
- Highways England propose to connect the south Cantley Lane to the Cantley Lane and also the roundhouse roundabout - all of this will lead to an unacceptable increase in traffic flow
- Need to lower the speed limit to 20 mph
- New footbridge over the A11 required
- Is there a coach turning area planned for the playing fields? Coach traffic will increase noise and pollution and lower quality of life for residents

Flooding:

- Catastrophic flooding on 23rd June 2016, NCC Water Management's report concluded that most of the flood water came from the fields immediately behind the doctor's surgery. There is concern regarding flooding from the new development.
- A flood and water drainage situation should be understood, measured, documented and monitored into the future with accountability
- What are the arrangements for overspill from the East Pond and other parts of the new development?
- Main drain from Roundhouse runs down Brettingham Avenue - who has calculated the total volume of water now being focused in this area?
- Impact on amenity, noise, air quality and quality of life from additional vehicles
- Local area saturated with housing development
- Detrimental impact on character of the village.
- Apartment blocks are out of character with Cringleford - no other apartment blocks in Cringleford
- Contrary to DM3.8, DM3.10, DM3.11, DM3.13 and DM4.10
- The leaflet about the public event at the Willow centre on 22 January does not indicate that comments have closed before the event takes place and this is misleading. A second event is called for on the south side of A11 - not everyone has a car to attend local events
- Plan with the proposal appears incorrect in regard to the borders of our and our neighbours. Shows our trees within the site.
- Loss of value of property
- Existing trees and hedgerows should be retained and enhanced
- Capacity issues at Cantley Lane surgery and local school. Loss of post office
- Neighbourhood plan has been completely ignored
- This development will be subject to a judicial review if it goes ahead as currently proposed
- Impacts on wildlife including bats, owls, birds and invertebrates

Additional letters received during the determination of the application, relating to the surface water drainage and flooding problems within the highway drainage system and Cantley Lane

5 Assessment

Principle

- 5.1 The principle of the development on the site has been accepted by the grant of the outline consent. The site is included within the development boundary and is a Housing Site Allocation area as set out in the Cringleford Neighbourhood Development Plan. As

such the principle is established for residential development. It is therefore only the details reserved at that outline that are now for consideration. With this in mind the following assessment focuses on the site-specific planning issues and how the scheme complies with the requirements of the outline consent.

- 5.2 Having regards to the above, the main consideration of this application is the layout, design/appearance/scale and landscaping.

Layout and Design

- 5.3 Both JCS Policy 2 and Section 12 of the NPPF require high quality design with importance being attached to the design of the built environment, which is seen as a key aspect of sustainable development.
- 5.4 Firstly, a Design Code has been agreed for the site covered by the outline consent. It is essential that the scheme complies with this document. The application is supported by a Planning Compliance Document to support how the scheme meets the requirements of the Design Code. It includes a Design Code checklist and provides in depth detail to illustrate how the design concept and each principle of the code have been applied to the detailed design of the scheme to achieve a high quality residentially led development. Having considered this document and the scheme as amended, officers are satisfied that the scheme does comply. Equally, following the revised submission it is considered to be compliant with the South Norfolk Place Making Guide and will meet the test of 12 greens for Building for Life 12.
- 5.5 The Development structure follows perimeter block principles as set out in the design code, bordering the main access to the site (the Avenue) and The Green beyond, the strategic landscaped zone to the north and the Linear Park/Copse to the west. The layout provides adequate pedestrian and cycling connections through this part of the development. There is good and legible access for all properties to the village green at the entrance to the estate which is the main focal point and gateway for the estate and will also provide the local service centre and access to public transport. There is a mix of tenures and house types across this part of the site. The aim is to create a character that is based on the scale and form of traditional housing, but in a more contemporary style, which will lend the area a more distinctive character. The use of traditional materials ensures that the contemporary style ties in with traditional building character and attention has been given to detailing such as variety in fenestration and contrasting brickwork to create architectural interest.
- 5.6 The organisation of the road hierarchy is in line with the design code. The primary street will have good width, with landscaped verges and footpath. Secondary roads are shorter in length which will assist in reducing vehicle speeds, and private drives will create more intimate spaces which will allow them to function more as social spaces. There is a mix of parking provision. Parking is generally on plot and to the side for the majority of semi-detached and detached dwellings. Frontage parking is limited to relatively small areas. Where parking courts are used this has been to serve areas for flats and to ensure there is a strong road frontage. Parking courts have been amended and shaped and landscaped so that they efficiently use the space.
- 5.7 There is clear definition between public and private space, with public space including car parking being well overlooked, and back gardens generally backing onto back gardens, or where they do back onto public space, having a good level of surveillance.
- 5.8 In view of the above, it is considered that the proposed layout and design of the house types would result in a sufficiently high-quality development. Overall, the scheme results in a development with its own distinctive character with a strong green network that relates positively to its surroundings and Cringleford.

- 5.9 The densities of the proposed development are based on the wider local context and overall reflect the density framework plan part of the design code. The proposal does not exceed the maximum density of 25 dph gross across the housing allocation area as required by condition 7 of the outline consent. It should also be noted that the HOU 3 of the Cringleford Neighbourhood Plan requires an average approximate density of 25 dwellings per hectare (gross) across the Housing Site Allocation Area (HSAA).
- 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 and GEN1, HOU2 and HOU3 of the Cringleford Neighbourhood Plan.

Highways

- 5.11 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.
- 5.12 The primary access is from the existing roundabout on the A11 to the north of the site and a secondary access will be via Cantley lane, the vehicular access will be restricted at a point west of Brettingham Avenue, where the route will continue to allow for cyclists and pedestrians. These access points were considered at the outline stage and subject to the appropriate conditions, it was considered acceptable.
- 5.13 There have been significant concerns raised as set out above from local residents in respect of the use of Cantley Lane as an access into the proposed development. Whilst the concerns raised are fully appreciated, the original application included as part of its proposal the accesses to the site. These were the access from the existing roundabout on the A11 and from the eastern part of Cantley Lane. The Planning Inspector consider these as part of the appeal, which was a Public Inquiry procedure, refers to them to within his decision letter and included the access as part of the approved plans. In view of the above, the access from Cantley Lane has already been accepted and therefore cannot be a reason to refuse this reserved matter application.
- 5.14 In terms of the internal road network, the detailed specifications of its construction and drainage etc. will be dealt with under a discharge of conditions application. However, details have been submitted and amended as required by NCC Highways to ensure that the road can be constructed to adoptable standard. The Highway officer subject to some further minor amendments, which the applicants have recently provided, has raised no objections to the proposal.
- 5.15 In view of the above, the proposal therefore accords with Policy DM3.11 and DM3.12 of the Development Management Policies document.
- 5.16 A number of concerns have been raised as set above by local residents in addition to the use of Cantley Lane, regarding the impact of the development on the surrounding road network, highway safety issues, congestion and out of date data etc. However as set out above this application is for reserved matters consent following the principle of the development being accepted, together with its traffic implications and access points. As part of the outline consent off-site highway works were conditioned to protect the environment of the local highway corridor and to ensure that the highway network is adequate to cater for the development proposed.
- 5.17 As such, whilst I fully appreciate the concerns raised, I do not consider the application should be refused on the grounds raised, particularly in the absence of an objection from NCC Highways or Highways England, 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.

Landscaping

- 5.18 Policy DM4.5 requires all development to respect, conserve and where possible, enhance the landscape character surrounding the development. Policy DM4.9 advises that the Council will promote the retention and conservation of significant trees, woodlands and traditional orchards
- 5.19 The overall landscaping scheme for the site will be subject to a discharge of conditions application, however as part of this proposal full details of the overall landscape strategy in particular the street trees, the landscape features and those trees to be protected have been provided. Again, the proposal accords with the aspirations of the Design Code and would not result in any significant harm to the local landscape. The Landscape Architect has raised a minor point which needs addressing subject to this, the proposal is considered acceptable and complies with the requirements of Policy 1 of JCS, Section 15 of NPPF, DM4.5 and DM4.9 of the Development Management Policies document and GEN1 and ENV1 of the Cringleford Neighbourhood Plan.

Ecology

- 5.20 Policy 1 of the JCS requires the development to both have regard to and protect the biodiversity and ecological interests of the site and contribute to providing a multi-functional green infrastructure network. Policy DM4.4 looks for new development sites to safeguard the ecological interests of the site and to contribute to ecological and Biodiversity enhancements
- 5.21 In terms of ecology, the NCC Ecologist requested further surveys in support of all the reserved matters applications. It is important to note that ecology was considered under the outline consent with surveys submitted and the imposition of a condition requiring ecology and biodiversity mitigation and enhancement measures to be submitted and agreed under a discharge of conditions application. It was accepted that those surveys are out of date and the applicant has now provided the further surveys as requested by NCC Ecologist. The provision of these additional surveys has also been requested by Norfolk Wildlife trust as set out above. The NCC Ecologist now raises no objections to the proposal subject to the imposition of conditions.
- 5.22 In view of the above, the proposal is considered to accord with DM4.4 of the Development Management Policies document and Section 15 of the NPPF.

Impact on Residential Amenity

- 5.23 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.
- 5.24 The principle of the development, access point, and number of dwellings is established through the outline consent and the impacts on general residential amenity in this respect has already been considered. The scheme would adequately protect the amenities of future residents when having regard to the layout of the scheme, the position of the dwellings within it and the positioning of openings within the dwellings. The nearest existing residential properties to the proposal are separated by Cantley Lane and therefore are a sufficient distance away as to not be affected by overlooking, overshadowing, overbearing impact etc.

- 5.25 As such, the proposed development would not result in any significant harm to the amenities of existing or proposed properties and accords with DM3.13 of the Development Management Policies document.

Drainage

- 5.26 Both the foul water and surface water drainage strategy for the whole site will be subject to discharge of conditions application, which follows conditions imposed under the outline consent. A drainage strategy has however been submitted in support of the reserved matters application and the Lead Local Flood Authority has raised no objections. A specific drainage strategy for the site will still be required to be submitted and agreed as a discharge of conditions. As such the proposal is considered to accord with JCS Policy 1 and DM4.2.
- 5.27 Concerns have been raised as set above by local residents in respect of recent flooding and concerns regarding the drainage strategy for the whole site. Drainage was considered under the outline consent and it has been demonstrated as part of this application that a suitable drainage strategy can be provided and in view of this, I do not consider that the application can be refused on the grounds raised.

Affordable housing

- 5.28 JCS Policy 4 requires housing proposals to contribute to the mix of housing required to provide balanced communities and meet the needs of the area as set out in the most up to date study of housing need and/or Housing Market Assessment. The most up to date assessment of housing need is detailed the Strategic Housing Market Assessment (SHMA).
- 5.29 The proposed number, housing types and tenure of the affordable housing mix for the site as a whole is in accordance with requirements of the S106. The scheme will deliver 115 affordable dwellings which equates to 33% of the total proposed dwellings. The location of the affordable dwellings has been dispersed through the site with a maximum cluster size of no more than 25 dwellings. This phase will include affordable units, the Housing Enabling and Strategy officer has raised no objections to the proposal as the site as a whole will provide the required amount of affordable units as set out in the S106 agreement. As such the proposal is considered to accord with HOU4 and HOU9 of the Cringleford Neighbourhood Plan and Policy 4 of the JCS.

Public Open Space

- 5.30 In terms of open space, the development as a whole, caters for children play by including several play areas, namely one Local Area for Play (LAPs) located within The Green. The final details for these spaces such as how it is equipped is to be agreed with the Council as per the provisions of the S106 agreement.
- 5.31 The proposal is considered to comply with the requirements of comply with the requirements of Policy 1 of JCS, DM3.15 and DM4.9 of the Development Management Policies document and HOU2 of the Cringleford Neighbourhood Plan.

Setting of Listed Buildings

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

Other matters

- 5.33 For the avoidance of doubt, the provision of 10% renewable energies, water efficiency, detailed landscaping scheme, tree protection, travel plan, parking and traffic access routing for construction, provision of fire hydrants, land contamination, noise and dust from construction, air quality, protection of new dwellings from noise from surrounding roads for example have been conditioned as part of the outline consent for details to be submitted as a discharge of conditions application.
- 5.34 An Environmental Statement (ES) was submitted under the Town and Country Planning (Environmental Impact Assessment) Regulations for the outline application. Due consideration has been given to the information submitted in the Environmental Statement when assessing the environmental impact of this reserved matters proposal, to ensure that the level of information provided in the ES was appropriate to the nature of this specific application. I consider that the ES satisfactorily considered the environmental impact of layout, design/appearance/scale of the built form and landscaping. Furthermore I consider that the conditions already imposed on the outline satisfactorily cover and mitigate any significant environmental effects.
- 5.35 Under Section 143 of the Localism Act the council is required to consider the impact on local finances. This can be a material consideration but in the instance of this application the other material planning considerations detailed above are of greater significance.
- 5.36 [This application is liable for Community Infrastructure Levy \(CIL\).](#)

Conclusion

- 5.37 The principle and number of dwellings have already been established by the grant of outline consent 2013/1494. The proposal is considered acceptable in terms of design and layout. Furthermore, the development will not harm the character and appearance of the area or the amenities of neighbouring properties. In view of the above, I recommend that the application be approved.

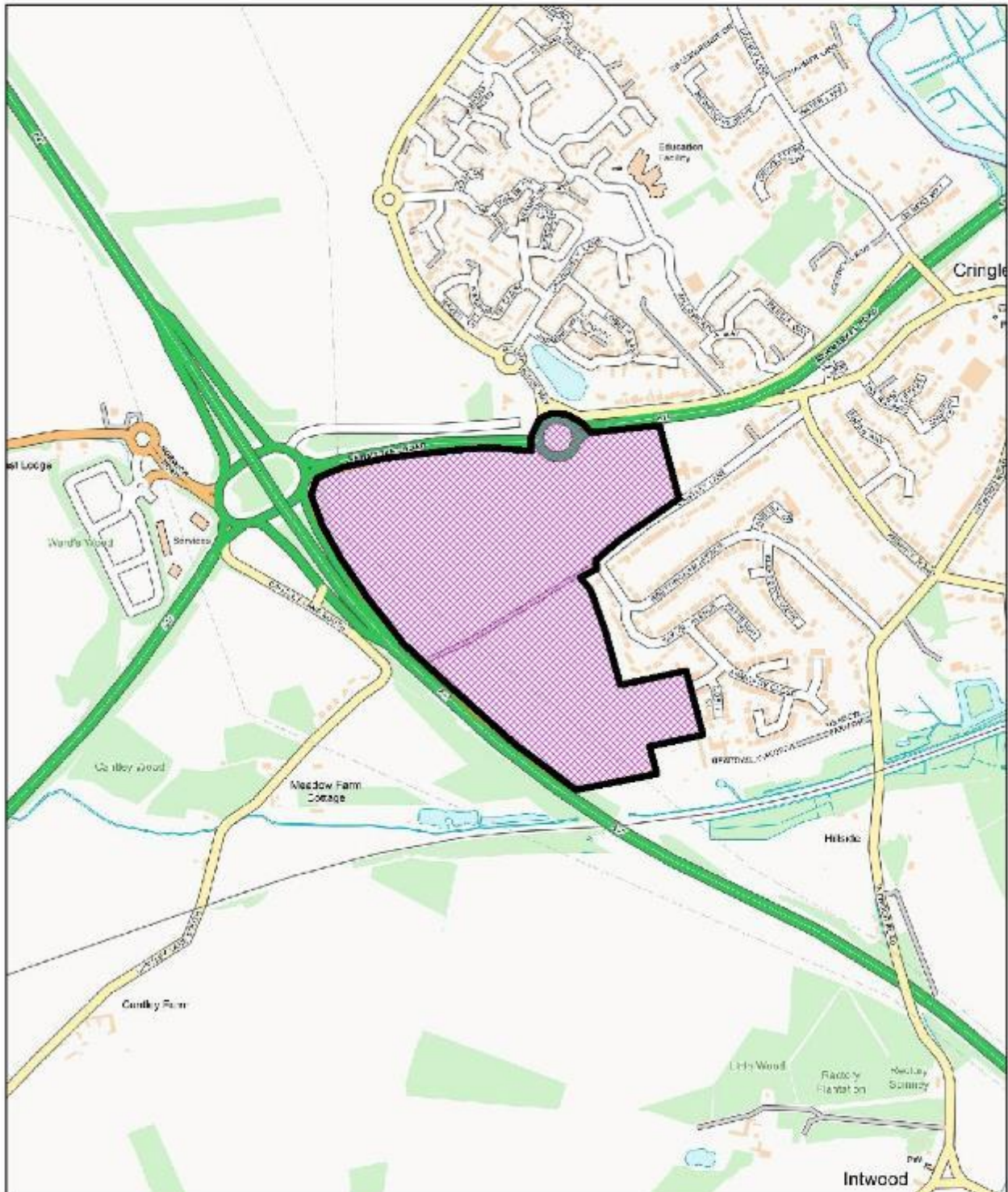
Recommendation : Approve

- 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

Contact Officer, Telephone Number Claire Curtis 01508 533788
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Application 3

2018/2791



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

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

Applicant's 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)

Reason for reporting to committee

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

Recommendation summary : Authorise the Director of Place to Approve with Conditions subject to the satisfactory amendments in respect of landscaping and ecology.

1 Proposal and site context

- 1.1 This application seeks reserved matters for the details of appearance, scale, landscaping and layout of the formal and informal recreational areas at land to the south of Newmarket Road, Cringleford. This reserved matters application is 1 of 9 applications submitted together for 350 dwellings, commercial up to 2,500 sq meters of use class A1, A2, A3, A4, A5 and D1 floorspace, together with highway works, landscaping, public realm, car parking and other associated works.
- 1.2 The application site consists of land on the edge of Cringleford. The approved site is two distinct parcels separated by Newmarket Road and benefits from outline planning permission for a large mixed-use development including up to 650 dwellings granted consent at appeal on 7 January 2016 (2013/1494) and a subsequent variation of conditions application (2017/2120).
- 1.3 The site subject to this application forms part of the land which lies directly adjacent to Roundhouse Way and extends south from the A11, with the A47 bypass to the west and existing residential development to the east. The whole site comprises of approximately 27 hectares of grade 3 agricultural land with undulating gradient falling in various directions. The southern parcel is outside of Cringleford Conservation Area and the closest listed buildings are a 19th century Round House, on the opposite side of the A11 to the application site and The Farmhouse located adjacent to the boundary to the southeast corner at the end of Meadow Farm Drive.
- 1.4 This application referred to as RM-App-9 proposes the formal and informal landscaping areas, including areas for formal sport pitches and a sports pavilion, together with associated infrastructure, comprising of the western part of the site adjacent to the A47 and the landscaping belt to the north adjacent to the A11.

2. Relevant planning history

- | | | | |
|-----|-----------|---|--------------|
| 2.1 | 2013/0552 | Request for Scoping Opinion for proposed residential development for up to 700 residential units, green infrastructure land, up to 2500 square metres of Class A1-A5 and D1 floorspace and access from the A11 roundabout | EIA Required |
|-----|-----------|---|--------------|

2.2	2013/1494	Outline planning application with all matters reserved (save access) for the creation of up to 650 residential dwellings (use class C3), up to 2,500 sq mtrs of use class A1, A2, A3, A4, A5 and D1 floorspace, together with highways works, landscaping, public realm, car parking and other associated works.	Refused Allowed at Appeal
2.3	2017/0196	Variation of conditions 5, 6, 11, 28, 35, 36, 37 and 38 of permission 2013/1494 to facilitate greater flexibility in the delivery of the scheme	Approved
2.4	2017/2120	Variation of conditions 1, 3, 4, 7, 10, 13, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 29, 30, 33, 36, 38, and 39 following application 2017/0196 to facilitate the development coming forward on a phased basis.	Approved
2.5	2018/2783	Reserved Matters for RM-APP-1 comprising 67 dwellings together with associated landscaping and infrastructure.)	Approved
2.6	2018/2785	Reserved Matters for RM-APP-3 comprising 62 dwellings together with associated landscaping and infrastructure.	under consideration
2.7	2018/2786	Reserved Matters for RM-APP-4 comprising 56 dwellings together with associated landscaping and infrastructure.	under consideration
2.8	2018/2787	Reserved Matters for RM-APP-5 comprising 23 dwellings together with associated landscaping and infrastructure.	under consideration
2.9	2018/2788	Reserved Matters for RM-APP-6 comprising 21 dwellings together with associated landscaping and infrastructure.	under consideration
2.10	2018/2789	Reserved Matters for RM-APP-7 comprising 42 dwellings and approximately 500 sq metres of commercial floorspace, together with associated landscaping and infrastructure	under consideration
2.11	2018/2790	Reserved Matters, for RM-APP-8 comprising 765 sq metres of commercial floorspace (Use classes A1,A2,A3,A4,A5,D1) together with associated landscaping and infrastructure.	under consideration
2.12	2018/2784	Reserved Matters for RM-APP-2 comprising 79 dwellings together with associated landscaping and infrastructure.	under consideration

Appeal History

- | | | | |
|------|-----------------|--|---------|
| 2.13 | 14/00025/AGREFU | Outline planning application with all matters reserved (save access) for the creation of up to 650 residential dwellings (use class C3), up to 2,500 sq mtrs of use class A1, A2, A3, A4, A5 and D1 floorspace, together with highways works, landscaping, public realm, car parking and other associated works. | Allowed |
|------|-----------------|--|---------|

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 13 : Protecting Green Belt land
 - NPPF 14 : Meeting the challenge of climate change, flooding and coastal change
 - NPPF 15 : Conserving and enhancing the natural environment
 - NPPF 16 : Conserving and enhancing the historic environment
- 3.2 Joint Core Strategy (JCS)
- Policy 1 : Addressing climate change and protecting environmental assets
 - Policy 2 : Promoting good design
 - Policy 3: Energy and water
 - Policy 4 : Housing delivery
 - Policy 5 : The Economy
 - Policy 6 : Access and Transportation
 - Policy 9 : Strategy for growth in the Norwich Policy Area
 - Policy 10 : Locations for major new or expanded communities in the Norwich Policy Area
 - Policy 12 : The remainder of the Norwich Urban area, including the fringe parishes
 - 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
 - DM1.3 : The sustainable location of new development
 - DM1.4 : Environmental Quality and local distinctiveness
 - DM3.1 : Meeting Housing requirements and needs
 - DM3.8 : Design Principles applying to all development
 - DM3.10 : Promotion of sustainable transport
 - DM3.12 : Provision of vehicle parking
 - DM3.13 : Amenity, noise, quality of life
 - DM4.2 : Sustainable drainage and water management
 - DM4.3 : Facilities for the collection of recycling and waste
 - DM4.4 : Natural Environmental assets - designated and locally important open space
 - DM4.8 : Protection of Trees and Hedgerows
 - DM4.9 : Incorporating landscape into design
 - DM4.10 : Heritage Assets
- 3.4 Cringleford Neighbourhood Plan
- GEN1 : Co-ordinated approach for delivering overall growth
 - GEN3 : Protection of significant buildings
 - GEN4 : Provision of infrastructure

ENV3 : Protection of hedgerows
 ENV5 : Provision of sustainable drainage
 ENV6 : Provision of open space and community woodlands
 HOU1 : Housing Allocation
 HOU2 : Design Standards
 HOU3 : Building Densities
 HOU4 : Mix of property types
 HOU6 : Renewable Energy Sources
 HOU7 : Space standards
 HOU8 : Provision of garaging
 HOU9 : Provision of affordable housing
 SCC3 : Provision of walking/cycling routes
 SCC5 : Provision of playing field and play areas
 SCC6 : Provision of broadband connections
 SCC7 : Provision of library facilities
 TRA1 : Major estate roads
 TRA2 : Thickthorn interchange improvements
 TRA3 : Provision of walking / cycling routes
 TRA4 : Minimising use of private cars

3.5 Supplementary Planning Documents (SPD)
 South Norfolk Place Making Guide 2012

Statutory duties relating to Listed Buildings and setting of Listed Buildings:

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

4. Consultations

4.1 Cringleford Parish Council

Original Proposal

- Cringleford Parish Council has held several meeting with Big Sky Developments to discuss their evolving proposals for this site.
- Big Sky also organized an information event at the Parish's Willow Centre on 22 January 2019. This was well attended by residents, many of whom expressed their satisfaction with the proposals being presented.
- However, residents have continued to point out that there is a high probability that the road into the development from the roundabout at the junction of the A11/Newmarket Road with Round House Way will turn into a 'rat-run' through to Cantley Lane north. The volume of traffic is likely to increase and include heavy vehicles travelling to and from the new commercial development at Keswick, as well as by householders using the route to access the waste disposal facilities planned for the A140.
- Although the Highways Authority has, typically, made no comment on the proposal, the Police have expressed their concerns about the risks presented by a through route on the estate. They have advised that 'appropriate vehicle mitigation features' should be installed to prevent vehicular short cuts. The Parish Council discussed similar proposals with Big Sky and received assurances that the

creation of a 20 mph zone, making the route less direct, and the installation of 'speed-bumps' would be considered to relieve the anxieties of residents about the development of a 'rat-run'. The Parish Council now asks the Management Development Committee to insist on these measures by making them a condition of granting approval, if approval is given.

- The Parish Council endorses the comments made by the Natural Environment Team about rights of way through the site and the need for an overall habitat management plan. However, it would point out that the footpath along the hedgerow running north from Cantley Lane now comes to an end on the A11 (with no provision for crossing the main road) and that it has been replaced by the surfaced pedestrian and cycle path to the east and adjacent to the medical centre. This connects with a controlled crossing on the A11 and links Cantley Lane with Round House Park. Until a few years ago, a usable bridleway ran northwards from the footbridge over the A11 to the junction of the A47 slip road with the Thickthorn roundabout where a controlled crossing still exists. The path has become overgrown with brambles and shrubs, but some consideration should be given to its reconstitution as part of the environmental/ recreation zone beside the A47.
- The Parish Council and residents of Cantley Lane have repeatedly expressed their concerns about the risk of surface water flooding in the dip on the road adjacent to the medical centre and the vets. Although flooding here has been an almost annual occurrence, the severe damage done to property by the flood of 23 June 2016 prompted a report on the situation. Several recommendations were made to prevent the recurrence of flooding. Without making specific reference to the report, in commenting on the Big Sky application, the Flood Prevention Officer expresses concerns about the measures proposed to mitigate the risk of flooding. The Parish Council endorses these.
- Since the construction of the Southern Bypass (opened September 1992), the local planning authorities and the Parish Council have been anxious to maintain the designated protection zone along it. This was partly to prevent the development of a hard edge to the built-up area beside the road and partly to ensure that a gap was left between potential housing developments on both sides of the A47. Planting in the zone enhanced the landscape, while providing some baffling for Cringleford residents to the high and intrusive volume of noise from the road and the developers, initially Land Fund and now Big Sky, have seen the merits of retaining the zone and developed proposals for its environmental and recreation use. The Parish Council and Big Sky are discussing the best ways of going forward. Parish Councillors have presented formal proposals to Big Sky which include the introduction of a community orchard and allotments, together with the 'wilding' of some areas and the enhancement of existing hedgerows; these ideas have been well received. However, the proposals now need to be considered alongside the comments from the County Council's Natural Environment Team on the need for an overall habitat management plan. Meanwhile, the Parish Council has yet to conclude its investigations into the current need for the playing pitches originally included in the outline planning permission for the site granted some six year's ago and re-stated in Big Sky's proposals. Accordingly, the Parish Council would like the Development Management Committee to postpone a final decision on the environmental zone until a future date when detailed proposals can be brought forward.

Amended Proposal

- No objections to this application as we have held discussions with the developer and are happy to agree final details regarding open spaces with them under the s106 agreement.

Hethersett Parish Council

Original Proposal

- There appears to be a lack of strategic planning and multi-agency co-operation and we have concerns as to the knock-on effect as a result of additional traffic using the B1172.
- The application and supporting documentation is not 'public user' friendly. For example, it would be helpful if maps could show road names and existing physical features to help members of the public identify where the proposed development is planned

Amended proposal

- No comments

4.2 District Councillors

- Cllr William Kemp

To be reported if appropriate

- Cllr Daniel Elmer

To be reported if appropriate

- Cllr Adrian Dearnley

I am content for this application to be determined as a delegated decision on the understanding that the enhancements contained in the Ecological impact assessment are taken into account during the process.

- Cllr Phil Hardy

To be reported if appropriate

- Cllr David Bills

To be reported if appropriate

4.3 Anglian Water Services Ltd

No objections to the reserved matters

4.4 SNC Conservation and Design

No objections

4.5 NCC Ecologist

Original submission

- Additional information and surveys to be provided.

Amended proposal

- Further clarification and amendments

4.6 SNC Community Services - Environmental Quality Team

No objections to the reserved matters application

4.7 NCC Highways

No objections

4.8 SNC Housing Enabling & Strategy Manager

No comments

4.9 SNC Environmental Waste Strategy

No comments

4.10 SNC Landscape Architect

Original Proposal

- Clarification and amendments requested

Amended Proposal

The revisions to the landscape proposals are acceptable, however:

- Request some additional hedge/shrub planting in the areas immediately north of RM APP 3 and RM APP 8.
- Whilst full specification is given for the scheme alongside the A11, the main area is not yet fully specified. This will be dealt with via a Discharge of conditions application.

4.11 NCC Planning Obligations Co Ordinator

No comments received

4.12 SNC Play and Amenities

No comments

4.13 Norfolk Police Architectural Liaison Officer

Original Proposal

- Recommend that this development fully embraces the security standard and practice recommended in Secured by Design homes 2016 guidance.
- Where new pathways are created that connect to areas outside of the development, it is important to provide appropriate vehicle mitigation features to prevent vehicular short-cuts occurring and reduce potential criminal access and escape routes along those pathways.
- Recreational facilities e.g. LEAP should be positioned within near view of overlooking properties
- Note that 3 ponds are proposed with reference to the provision of a timber jetty for safe access to the pond, as part of the emergency services I am concerned about attracting persons to be over water when those locations are isolated and away from nearby overlooking properties. Furthermore, I am concerned that providing such a jetty over a pond will unfortunately attract those wishing to engage in ASB activity, bring rubbish to those locations and damage to the structure occur. The provision of appropriate safety measures and warning signs for those water

- hazards is a necessary essential
- The application provides opportunity for sports and recreational use which is vitally important for the health and welfare of users, local or otherwise.
 - The building and parking areas will be isolated away from nearby properties and vulnerable to attack. I recommend the applicant and Cringleford Parish Council give serious consideration to the correct placement of the building, its most effective orientation toward other properties and security features.

Amended proposal

- Communal areas, such as playgrounds, toddler play areas, seating facilities have the potential to generate crime, the fear of crime and anti-social behaviour.
- They should be designed to allow natural surveillance from nearby dwellings with safe and accessible routes for users to come and go. Boundaries between public and private space should be clearly defined and open spaces must have features which prevent unauthorised vehicular access. Communal spaces as described above should not immediately abut residential buildings. From reviewing the plans provided I can see that this has all been carefully considered.

4.14 NHS England

No comments received

4.15 NHSCCG

No comments received

4.16 Cringleford Surgery

No comments received

4.17 Norfolk And Waveney Local Medical Council

No comments received

4.18 NCC Lead Local Flood Authority

No objections to the reserved matters

4.19 Norfolk Wildlife Trust

Original Proposal

Comments made on all the 9 reserved matter applications:

We note that all of the above applications are accompanied by a joint Preliminary Ecological Assessment (PEA). Whilst the PEA makes an appraisal of the existing site features and outlines some of the measures required to avoid or mitigate ecological impacts, it is not complete, as there is a need for further protected species surveys and information on the measures needed ensure impacts on the County Wildlife Site (CWS) network are avoided. These concerns have also been raised by the County Council's Natural Environment Team in their recent response.

On the basis of the information submitted, we have the following detailed comments to make:

- Need for further surveys - Great crested newts and bats - support the need for these and recommend that they are submitted before a decision is made

- Hedgerows - ENV 3 CNDP requires the retention of hedgerows on the site but the accompanying landscaping plans appear to indicate the hedgerow in the northern section of the site will be served - recommend that further details are provided to ensure that they will enhance as a result of the development
- Impacts on County Wildlife Sites - the proposal is adjacent to Meadow Farm CWS and near others. We note the commitment made via the s106 agreement for the outline permission to support management of CWS in the Yare Valley and request that the revised ecology report is updated to reflect this. Additionally, the PEA states in section 4.3.1 that 'subject to measure to protect ground water and prevent surface water run-off at Meadow Farm CWS the impact ... is assessed as being Neutral'. It is not stated, however, what these measures are and therefore, we request further information
- Habitat Management Plan - support the recommendation by the County Council that the landscaping and habitat enhancement measures for this proposal should be co-ordinated through a joint Habitat Management Plan, to be provided at this stage.

Amended Proposal

No comments received

4.20 Public Rights of Way

Original Proposal

- In spite of my previous comments and correspondence and conversations with the Landscape Designer none of the submitted revised plans, particularly the landscape proposal plans, indicate the route of Cringleford Public Footpath 1 nor how this is to be incorporated into the layout of this area (Area BS2) or the site as a whole nor its subsequent treatment.
- Either revised landscape plans should be submitted for this area (or an additional plan that incorporates the full extent of the PROW across the site as a whole) showing the route of the PROW and its treatment. Without plans showing this being submitted as part of the application, the County Council cannot be confident that this public footpath will not be adversely affected

Amended Proposal

No comments received

4.21 The Ramblers

No comments received

4.22 Environment Agency

No comments

4.23 Highways England

No comments

4.24 Natural England

No comments

4.25 NCC Minerals and Waste Planning Officer

No comments

4.26 Historic Environment Service

No objections to the reserved matters.

Note that further archaeological field work is to be carried out as a requirement of condition 49 of the outline consent

4.27 Sport England

We supported the principle of development (at outline stage) as new facilities for outdoor sport were proposed as part of the development proposals.

With regard to the submitted reserved matters, Sport England would like to make the following representations:

- The submitted plans do not include details of pitch layouts, pitch construction details or design/layout of the proposed pavilion. We therefore have no specific comments to make on the submitted details, as the area allocated for formal sport remains as approved at outline stage.

4.28 Other Representations

86 letters of objection and a petition to 'stop the St Giles development from creating access from the proposed estate to Cantley Lane' with 72 signatures

Comments made in respect of all the reserved matters applications

- A number of objections were received in relation to the impact of the development onto Cantley Lane. These set out the following concerns:
- Residents have been objecting to this proposal continuously since 2013.
- Cantley Lane is a quiet residential Lane used by school children, elderly residents and cyclists; and is popular with horse riders and dog walkers.
- Concern regarding the increase in traffic in this area,
- The impact upon road safety
- The potential use as a rat run from the A11,
- Lack of improvements proposed to the lane which is already sub-standard to cope with this volume of traffic
- Its narrow nature and lack of footpaths and street lights
- Cantley Lane is subject to flash floods which have impacted Brettingham Avenue
- Impact upon veteran trees along the Lane
- Cantley Lane was given the status of 'Key Cycle Path' and 'Proposed Key Walking Route' approved by the Secretary of State
- Traffic figures indicating that the effect on the traffic in Cantley Lane as not significant is misleading and unrepresentative
- Conditions of the PIN's approval have not been taken into account for the reserved matters application for example there is no reserved matters for condition 27 (off-site highway works to Cantley Lane), object that the proposals should include a secondary access onto Cantley Lane not having taken due care to the conditions of the appeal
- Access onto Cantley Lane will not provide a benefit to the community as a whole
- Cantley Lane already has significant levels of parking. This includes increased parking problems as hospital staff leave their cars there to get the local bus to the hospital
- Increased traffic along Cantley Lane will result in overcrowding at the intersection and be a blight on the historic assets in that area
- Such provisions were not allowed for access from the Roundhouse Estate onto Colney Lane and therefore the same should apply

- Conflict of interests as Big Sky is owned by South Norfolk Council, the planning proposal needs to be scrutinised by an independent agency outside of SNC as neither party can independently and transparently engage in a planning process. Totally unacceptable that this whole process is effectively 'in-house'

Traffic/Highways

- Problems over traffic needs to be considered in the context of the development as a whole, to avoid seeing as a whole would be a failure of responsibility at Council level
- Object to the statement 'is not considered to cause any adverse impact on highway safety'
- I have seen serious accidents living opposite a bend and a junction on Brettingham Avenue, on most days someone has to mount the pavement to pass
- Concerned that after a major public consultation undertaken by Highways England that they offer no objection or comment on the proposed link
- Highways England propose to connect the south Cantley Lane to the Cantley Lane and also the roundhouse roundabout - all of this will lead to an unacceptable increase in traffic flow
- Need to lower the speed limit to 20 mph
- New footbridge over the A11 required
- Is there a coach turning area planned for the playing fields? Coach traffic will increase noise and pollution and lower quality of life for residents

Flooding:

- Catastrophic flooding on 23rd June 2016, NCC Water Management's report concluded that most of the flood water came from the fields immediately behind the doctor's surgery. There is concern regarding flooding from the new development.
- A flood and water drainage situation should be understood, measured, documented and monitored into the future with accountability
- What are the arrangements for overspill from the East Pond and other parts of the new development?
- Main drain from Roundhouse runs down Brettingham Avenue - who has calculated the total volume of water now being focused in this area?
- Impact on amenity, noise, air quality and quality of life from additional vehicles
- Local area saturated with housing development
- Detrimental impact on character of the village.
- Apartment blocks are out of character with Cringleford - no other apartment blocks in Cringleford
- Contrary to DM3.8, DM3.10, DM3.11, DM3.13 and DM4.10
- The leaflet about the public event at the Willow centre on 22 January does not indicate that comments have closed before the event takes place and this is misleading. A second event is called for on the south side of A11 - not everyone has a car to attend local events
- Plan with the proposal appears incorrect in regard to the borders of our and our neighbours. Shows our trees within the site.
- Loss of value of property
- Existing trees and hedgerows should be retained and enhanced
- Capacity issues at Cantley Lane surgery and local school. Loss of post office
- Neighbourhood plan has been completely ignored
- This development will be subject to a judicial review if it goes ahead as currently proposed
- Impacts on wildlife including bats, owls, birds and invertebrates

11 Letters of support

- The JFC is the largest sports club in Cringleford with around 250 playing members plus all the parents, carers and volunteers associated with under 18's football. The club is growing rapidly, in line with the expanding population of the village associated with new housing developments and primary school provision. As a consequence, the club has outgrown its principal facility at Cringleford recreation ground on Oakfields Road. The formal recreational areas alongside the A47 shown on the plans for 2791 could accommodate a larger complex of football pitches than those currently in use at Oakfields Road and the club would identify such an area as an ideal place to relocate to, now that it has outgrown its existing facilities. The space shown on the plan looks to be capable of providing two full size pitches, (some floodlit), and four or five smaller pitches for younger age groups. A matter of concern, from the club's perspective, is the size of the associated facilities, as there appears to be only a very small changing block as well as modest parking provision shown on the plans. The JFC would like to see a much improved sports pavilion, incorporating match officials, male and female changing rooms as well as catering facilities, a hall and equipment storage areas. An upgraded pavilion, (for example one capable of accommodating indoor sports like badminton or basketball), could not only provide a new home for the JFC but could become a valuable amenity for other groups in the wider community
- Need more space
- Limited parking at present site
- Would benefit the community greatly and allow the junior football club to grow further
- A purpose-built facility is essential for the additional housing that Cringleford is obtaining.

5 Assessment

Principle

- 5.1 The principle of the development on the site has been accepted by the grant of the outline consent. The site is included within the development boundary and is a Housing Site Allocation area as set out in the Cringleford Neighbourhood Development Plan. As such the principle is established for residential development. It is therefore only the details reserved at that outline that are now for consideration. With this in mind the following assessment focuses on the site-specific planning issues and how the scheme complies with the requirements of the outline consent.
- 5.2 The proposal includes the landscaping scheme, both formal and informal, for a large area around the built development of the site, much of which falls within the Landscape Protection Zone as identified by the Local Plan. It also includes formal sports pitches and a sports pavilion, as required by the Section 106 agreement associated with the outline consent.
- 5.3 Having regards to the above, the main consideration of this application is the layout, scale and landscaping.

Layout and Design

- 5.4 Both JCS Policy 2 and Section 12 of the NPPF require high quality design with importance being attached to the design of the built environment, which is seen as a key aspect of sustainable development.
- 5.5 The proposal is for a mixed landscape area, both formal and informal, including areas for formal sports pitches (specifically required by the Section 106 agreement), play area,

informal footpath routes, pedestrian/cycleways and orchard. The mix of uses are a Recreation Sports Pavilion 8m by 6m equalling 48 sqm floor area (subject to later submission in accordance with the requirements of the Section 106 agreement) and associated parking spaces with overflow parking area.

- 5.6 Firstly, a Design Code has been agreed for the site covered by the outline consent. It is essential that the scheme complies with this document to ensure that a high quality residentially led development is achieved. Having considered the proposal against the aspirations of the approved design code, officers are satisfied that the scheme as amended, does comply.
- 5.7 Careful consideration has been given to the location of the pavilion and parking to reduce its impact on visual amenities and to make the best use of the area given the constraints of the overhead power lines. The proposal also provided an area larger than that required for the pavilion required under the Section 106 agreement, to ensure that the Parish Council can meet the its needs and those of the community should a larger building/pavilion be required.
- 5.8 In view of the above, it is considered that the detailed layout and scale of the proposal would result in a sufficiently high-quality development and overall, the scheme results in a development with its own distinctive character with a strong green network that relates positively to its surroundings and Cringleford.
- 5.9 On this basis, it is considered that the scheme would accord with Policy 2 of JCS, Section 12 of NPPF, DM1.4, and DM3.8 of the Development Management Policies document and GEN1, SCC5 and ENV6 of the Cringleford Neighbourhood Plan.

Highways

- 5.10 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.
- 5.11 The primary access is from the existing roundabout on the A11 to the north of the site and a secondary access will be via Cantley lane, the vehicular access will be restricted at a point west of Brettingham Avenue, where the route will continue to allow for cyclists and pedestrians. These access points were considered at the outline stage and subject to the appropriate conditions, it was considered acceptable.
- 5.12 There has been significant concerns raised as set out above from local residents in respect of the use of Cantley Lane as an access into the proposed development. Whilst the concerns raised are fully appreciated, the original application included as part of its proposal the accesses to the site. These were the access from the existing roundabout on the A11 and from the eastern part of Cantley Lane. The Planning Inspector consider these as part of the appeal, which was a Public Inquiry procedure, refers to them to within his decision letter and included the access as part of the approved plans. In view of the above, the access from Cantley Lane has already been accepted and therefore cannot be a reason to refuse this reserved matter application.
- 5.13 In terms of the internal road network, the detailed specifications of its construction and drainage etc. will be dealt with under a discharge of conditions application. However, details have been submitted and the NCC Highways has raised no objections to the proposal. Equally, no objections have been raised to the parking proposed to serve the pavilion and formal sport pitches.
- 5.14 In view of the above, the proposal therefore accords with Policy DM3.11 and DM3.12 of the Development Management Policies document.

- 5.15 A number of concerns have been raised as set above by local residents in addition to the use of Cantley Lane, regarding the impact of the development on the surrounding road network, highway safety issues, congestion and out of date data etc. However as set out above this application is for reserved matters consent following the principle of the development being accepted, together with its traffic implications and access points. As part of the outline consent off-site highway works were conditioned to protect the environment of the local highway corridor and to ensure that the highway network is adequate to cater for the development proposed.
- 5.16 As such, whilst I fully appreciate the concerns raised, I do not consider the application should be refused on the grounds raised, particularly in the absence of an objection from NCC Highways or Highways England, 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.

Landscaping

- 5.17 Policy DM4.5 requires all development to respect, conserve and where possible, enhance the landscape character surrounding the development. Policy DM4.9 advises that the Council will promote the retention and conservation of significant trees, woodlands and traditional orchards.
- 5.18 Existing trees and hedgerow will be maintained and improved along Cantley Lane along which access will be maintained as restricted access for pedestrian and cycle use. Existing mature trees, lengths of established hedgerow and woodland planting associated with the A47 will be maintained along existing boundaries. The boundary to the A47 will be strengthened to the north of Cantley Lane with additional tree and shrub planting on gentle mounding. The recreational area of St Giles Park will provide an area at an appropriate gradient, which is capable of being laid out for sport and formal recreation, together with a formal play area with facilities for children under 11. The parkland will include areas of flowering lawn and groups of trees with circuitous paths. The landscape layout takes into consideration the existing overhead high voltage electricity wires and associated pylons. The strategic green corridor along the A11 will incorporate grass and tree planting to strengthen the approach to Cringleford and Norwich.
- 5.19 The overall landscaping scheme for the site will be subject to a discharge of conditions application, however as part of this proposal full details of the overall landscape strategy in particular the landscape features and those trees to be protected have been provided. Again, the proposal accords with the aspirations of the Design Code and would not result in any significant harm to the local landscape. The Landscape Architect has requested some minor amendments and subject to receipt of satisfactory amended plans, the proposal considered acceptable and complies with the requirements of Policy 1 of JCS, Section 15 of NPPF, DM4.5 and DM4.9 of the Development Management Policies document and GEN1 and ENV1 of the Cringleford Neighbourhood Plan.

Ecology

- 5.20 Policy 1 of the JCS requires the development to both have regard to and protect the biodiversity and ecological interests of the site and contribute to providing a multi-functional green infrastructure network. Policy DM4.4 looks for new development sites to safeguard the ecological interests of the site and to contribute to ecological and Biodiversity enhancements

- 5.21 In terms of ecology, the NCC Ecologist requested further surveys in support of all the reserved matters applications. It is important to note that ecology was considered under the outline consent with surveys submitted and the imposition of a condition requiring ecology and biodiversity mitigation and enhancement measures to be submitted and agreed under a discharge of conditions application. It was accepted that those surveys were out of date and the applicant has now provided the further surveys as requested by NCC Ecologist. The provision of these additional surveys has also been requested by Norfolk Wildlife trust as set out above. The NCC Ecologist has requested further clarification and therefore it is requested that authorisation for approval is grant subject to the receipt of satisfactory information.
- 5.22 Subject to resolution of the outstanding the proposal is considered to accord with DM4.4 of the Development Management Policies document and Section 15 of the NPPF.

Impact on Residential Amenity

- 5.23 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.
- 5.24 The principle of the development, access point, and number of dwellings is established through the outline consent and the impacts on general residential amenity in this respect has already been considered. The scheme would adequately protect the amenities of future residents when having regard to the layout of the overall scheme and the position of the dwellings within it. The nearest existing development is a sufficient distance away as to not be affected by overlooking, overshadowing, overbearing impact etc. from the formal sporting facilities. The existing neighbouring properties to the south/southeast of the informal recreational area, are located next to the Orchard and have existing and enhanced planting on the boundary.
- 5.25 As such, the proposed development would not result in any significant harm to the amenities of existing or proposed properties and accords with DM3.13 of the Development Management Policies document.

Drainage

- 5.26 Both the foul water and surface water drainage strategy for the whole site will be subject to discharge of conditions application, which follows conditions imposed under the outline consent. A drainage strategy has however been submitted in support of the reserved matters application and the Lead Local Flood Authority has raised no objections. A specific drainage strategy for the site will still be required to be submitted and agreed as a discharge of conditions. As such the proposal is considered to accord with JCS Policy 1 and DM4.2.
- 5.27 Concerns have been raise as set above by local residents in respect of recent flooding and concerns regarding the drainage strategy for the whole site. Drainage was considered under the outline consent and it has been demonstrated as part of this application that a suitable drainage strategy can be provided and in view of this I do not consider that the application can be refused on the grounds raised.

Public Open Space

- 5.28 In terms of open space, the development as a whole caters for children play by including several play areas, namely one Local Area for Play (LAPs) located within The Green. This reserved matters includes a Local Equipped Area Play (LEAP), its location and size of the play space is considered acceptable and accords with the requirements

set out in the S106 agreement. The final details for these spaces such as how it is equipped is to be agreed with the Council as per the provisions of the S106 agreement.

- 5.29 The proposal is considered to comply with the requirements of comply with the requirements of Policy 1 of JCS, DM3.15 and DM4.9 of the Development Management Policies document and HOU2 of the Cringleford Neighbourhood Plan.

Setting of Listed Buildings

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

Other matters

- 5.31 For the avoidance of doubt, detailed landscaping scheme, tree protection, travel plan, parking and traffic access routing for construction, land contamination, noise and dust from construction, air quality, for example have been conditioned as part of the outline consent for details to be submitted as a discharge of conditions application.,
- 5.32 An Environmental Statement (ES) was submitted under the Town and Country Planning (Environmental Impact Assessment) Regulations for the outline application. Due consideration has been given to the information submitted in the Environmental Statement when assessing the environmental impact of this reserved matters proposal, to ensure that the level of information provided in the ES was appropriate to the nature of this specific application. I consider that the ES satisfactorily considered the environmental impact of layout, design/appearance/scale of the built form and landscaping and the proposal, when considered against that information is acceptable and no further conditions are required.
- 5.33 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.
- 5.34 The Sports pavilion is application is liable for Community Infrastructure Levy (CIL

Conclusion

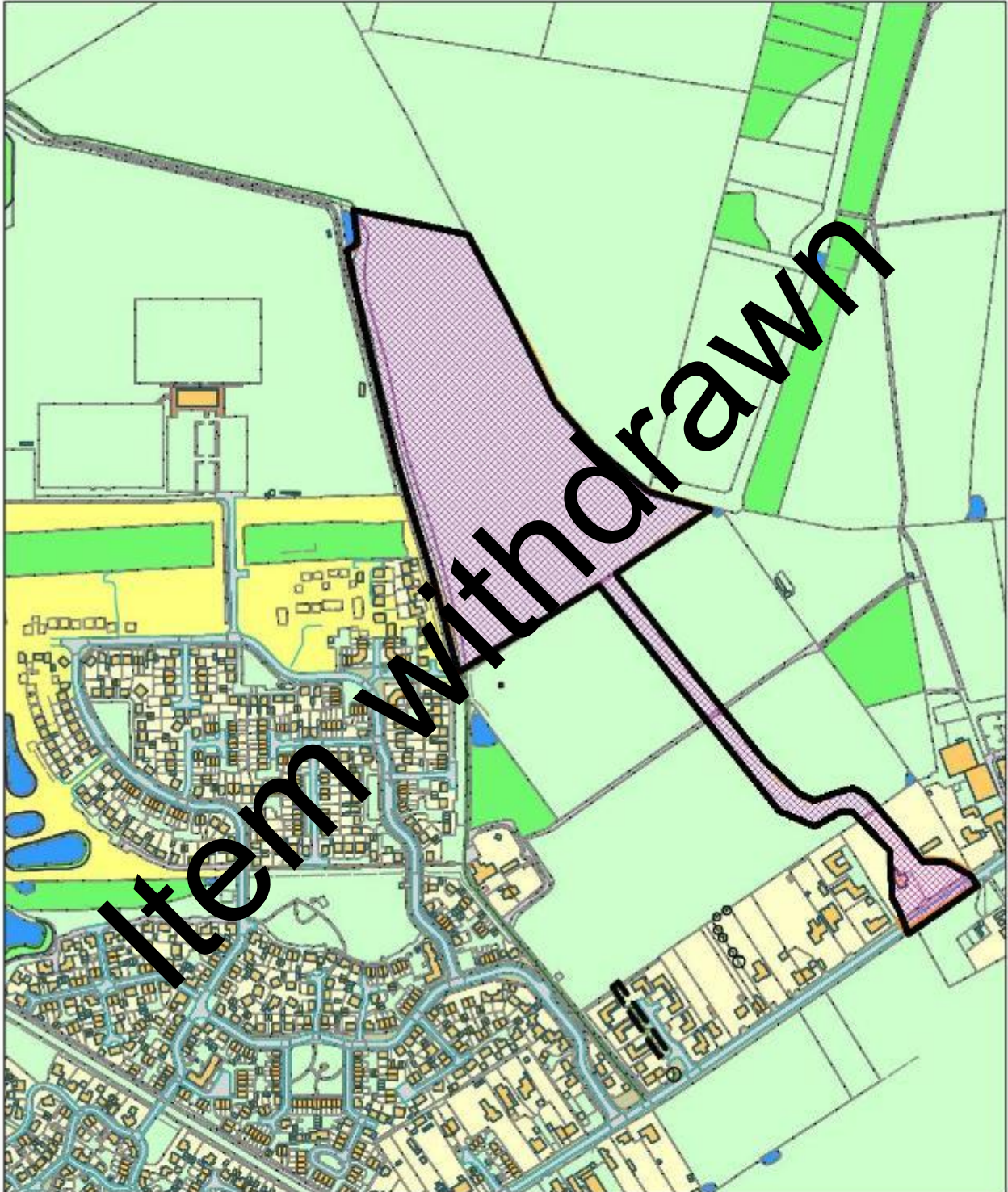
- 5.35 The principle and number of dwellings have already been established by the grant of outline consent 2013/1494. The proposal is considered acceptable in terms of layout. Furthermore, the development will not harm the character and appearance of the area or the amenities of neighbouring properties. In view of the above, I recommend that the application be approved.

Recommendation: Authorise the Director of Place to Approve with Conditions subject to the satisfactory amendments in respect of landscaping and ecology

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

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

2019/0184



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

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 development, public open space and new vehicular and pedestrian access routes. | Refused |
|-----|-----------|--|---------|

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

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 13 : Protecting Green Belt land

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)

3.4 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

DM3.8 : 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

3.5 Wymondham Area Action Plan (WAAP)

3.6 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 Tuttle's 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 35; 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 Conservation and Design

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 proposal:

- 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 Wyndham 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 DPOWs.

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 nearly 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.

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 house hold.
- 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

4 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 600 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 and the NPPF, 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 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 the relevant 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), 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.

- 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 Tuttle's 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.

Impact on landscape and form and character of the area

- 5.26 Paragraph 190 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 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 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 The Council's Landscape Architect is generally supportive of the proposals in this respect, however has noted that no assessment of the existing hedgerows against the criteria of the Hedgerows Regulations has been undertaken. From an initial desk study, it appears that the Hedgerows surrounding the site are potentially 'important', and so policy DM4.8 is pertinent. As 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.
- 5.36 As such, in recognising that sections of not insignificant hedgerow may need to be removed to facilitate access to the adjacent sites, further information will need to be provided that considers the loss of any sections of hedgerow having regard to the Hedgerows Regulations and Policy DM4.8. As it stands, the proposals are therefore contrary to Policy DM4.8 of the Local Plan.
- 5.37 In addition, as set out in Paragraphs 8.1 of the IVA, 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

- 5.38 Policy 2 of the LPS and Policy DM3.8 of the Local Plan require new development to be of a high standard of design.
- 5.39 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.
- 5.40 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.
- 5.41 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.

- 5.42 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.
- 5.43 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.
- 5.44 The proposal includes 1.91 hectares of recreational open space against an approximate requirement of 1.69 hectares. The majority of this 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.
- 5.45 With regards to formal open space, no on-site sports provision is proposed as part of the development, which represents an under provision. However it is noted that the site is located directly adjacent the Wymondham Rugby Club complex, which provides a significant amount of 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 immediate access to these facilities and proximity to the site, it is considered that there is adequate provision to meet the requirements of the Council's Recreational Open Space Standards for Residential Areas and DM3.15 with regards to sports provision and recreation facilities.

Affordable housing

- 5.46 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.
- 5.47 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 years period 2015 to 2036, so equate to 525 affordable units per year.
- 5.48 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. Consequently, the shortfall is not of the magnitude suggested by the applicants and has recently been reducing.

- 5.49 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.
- 5.50 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.
- 5.51 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.
- 5.52 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.
- 5.53 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

- 5.54 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.
- 5.55 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.
- 5.56 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.
- 5.57 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.
- 5.58 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.
- 5.59 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.

- 5.60 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.
- 5.61 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

- 5.62 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.
- 5.63 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.
- 5.64 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

- 5.65 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.
- 5.66 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.
- 5.67 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.
- 5.68 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**

- 5.69 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

- 5.70 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.
- 5.71 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

- 5.72 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.
- 5.73 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

- 5.74 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

- 5.75 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.

- 5.76 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.
- 5.77 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

- 5.78 A Screening Opinion has been carried out for the proposed development, which concluded that no Environmental Impact Statement was required.
- 5.79 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.
- 5.80 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)

- 5.81 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.
- 5.82 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 and 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.
- 5.83 As such, within the context described above, the provision of 18 additional affordable units above policy requirements is not considered to constitute an overriding benefit in the context of Policy DM1.3(2)(d).
- 5.84 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.
- 5.85 From an economic perspective, there would be moderate local economic benefits gained from the construction of the development as well as increased local spending. 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.

- 5.86 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 overall planning balance given there is an under provision of on site formal sports provision.
- 5.87 With regards to the enhancement of footpath FP26 this is considered neutral in the planning balance, given the footpath already exists.
- 5.88 On balance, it is considered that the cumulative benefits outlined above would not be exceptional or overriding; bearing in mind the fundamental policy harm in allowing unplanned 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.

Conclusion

- 5.89 For the reasons set out above, it is considered that the harm the proposal will cause in relation to the impact to the character and visual appearance of the area and encroachment into the open countryside and the lack of sufficient information in relation to important hedgerows results in a scheme which is contrary to DM4.5, DM4.8 of the South Norfolk Local Plan and Policy 2 of the Joint Core Strategy.
- 5.90 Furthermore, the noted benefits of the scheme outlined above, most notably, the over-provision of affordable housing, do not represent overriding benefits as required by Policy DM1.3 2(d) and the scheme does not comply with any other specific policy of the SNLP which permits residential development in the countryside and therefore does not comply with 2 (c) of DM1.3.
- 5.91 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.

Recommendation:

- Refusal
- 1 Harm to rural character of landscape contrary to DM4.5
- 2 No overriding benefit contrary to DM1.3 and DM1.1
- 3 Loss of potentially important hedgerows contrary to DM4.8

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.

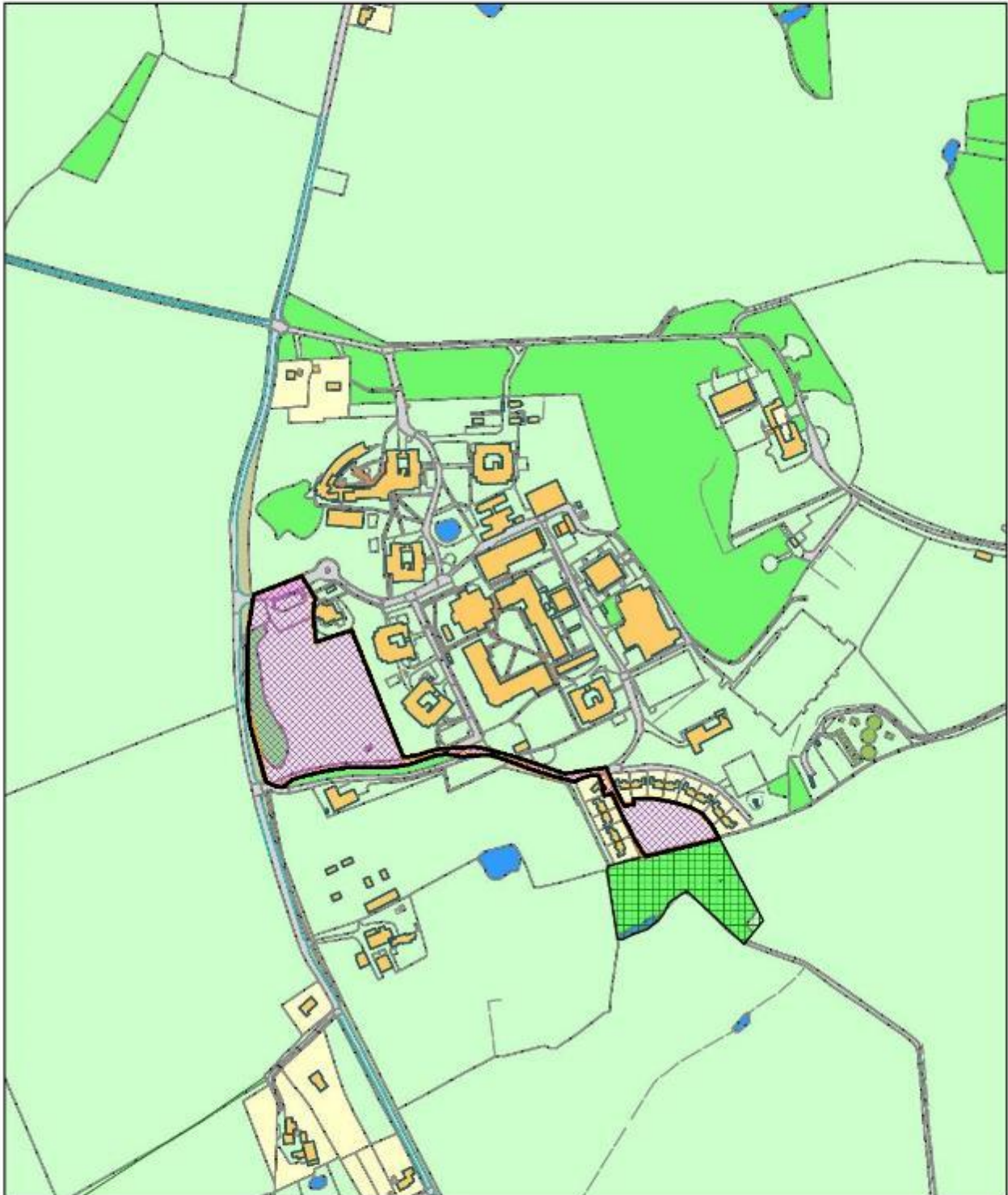
2. The proposed housing is not supported by any specific Development Management Policy which allows for development outside of the development boundary and nor does it represent overriding benefits when having regard to fundamental policy harm in allowing un-planned development in what should be a genuinely plan led system, along with the landscape and character harm that would occur and as such does not satisfy the requirements of either 2 c) or d) of Policy DM1.3 of the South Norfolk Local Plan
3. In the absence of an assessment of the existing hedgerows against the criteria of the Hedgerows Regulations it is not possible to determine whether not insignificant sections of potentially 'important' hedgerows will be lost. The proposal therefore cannot be fully assessed against Policy DM4.8 of the South Norfolk Local Plan 2015.

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Item withdrawn

Application 5

2019/1719



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

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 |

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

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

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

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 trod 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

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

accessibility to the community to be served; and no alternative sites are available within the settlement limits. These three themes are assessed in the sections below.

Need and alternative sites

- 5.8 This proposal would provide a two form primary school with a new boarding block for around 32 pupils in years 5 and 6 only. This school would operate separately from Wymondham College but would be within the same academy trust and would use some existing on-site facilities. This proposal is for a free school directly funded from central government which means that it would be outside of the control of the local education authority but with an admissions policy agreed with them.
- 5.9 The draft admissions policy identifies a geographical catchment comprising of the wider Wymondham area. If the proposed school was oversubscribed, the initial admissions criteria would be common to many schools and would include priority for siblings. After that, priority would be given to students living within this catchment area, with places confirmed through random allocation (a ballot) to be administered by the LEA.
- 5.10 The development of South Wymondham (Silfield) includes a site for a new primary school to serve this planned growth. Details for this school have not yet been submitted as adjacent development land which would service this site has not yet been acquired by a developer. As a result, the necessary trigger points within the legal agreement that would secure financial contributions for the school have not been reached. The County Council has been offered the transfer of this land but considers that the costs of providing services and access to deliver a school on the site in advance of the S106 triggers would represent a considerable risk to them. However work is ongoing including with South Norfolk Council Officers in order to bring this school forward. NCC Children's Services consider that, in the long term, primary schools at both Wymondham College and Silfield will be required. It is not expected that the proposed primary would take all of its intake from the Wymondham area and so the demand for new primary places in Silfield would remain.
- 5.11 Following consultation with NCC Children's Services, it is accepted that a long term need for this primary can be demonstrated which would not prejudice the delivery of the planned primary at Silfield. In addition, it is considered that the proposed admissions policy would reduce the pressure for places on existing Wymondham primary schools without disproportionately impacting on any single school.
- 5.12 While it is considered that need can be demonstrated, the application site is in the open countryside and so is remote from any settlement. Therefore it is considered that the proposed primary would not be accessible to the community that it is intended to serve and so this proposal does not comply fully with policy DM3.16 of the SNLP.
- 5.13 In this regard, policy DM1.3 may allow proposals in the countryside where the benefits can be considered to be overriding in terms of economic, social and environmental dimensions and these, together with a number of material considerations pertinent to this proposal are assessed in the following sections.

Economic role

- 5.14 This proposal would represent the expansion of an existing employment site. It would also provide short term economic benefits during construction. It is therefore considered that this proposal would bring forward economic benefits in line with the objectives highlighted in the NPPF.

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.

- 5.21 The proposed primary would have 452 pupils of which 32 would be boarders and it would have 46 staff. It is proposed that the primary school start and finish times would be staggered from those of the College. The applicants accept that primary aged pupils would be accompanied to school and that the majority would be likely to travel by car. Taking into account sibling and other car sharing, the applicants estimate that this proposal would result in an additional 147 car journeys at peak times.
- 5.22 In terms of travel planning, the applicants are proposing measures to reduce car use within the College population in order to offset the increase in car journeys generated by the proposed primary school. The revised campus-wide travel plan proposes to encourage walking and cycling and increase car sharing and to promote public transport and taxi use.
- 5.23 NCC Highways have had extensive discussions with the applicant but have maintained their objection to this proposal on the grounds that the impact on Golf Links Road and the broader highway network would be unacceptable unless tangible, positive and funded travel planning measures that would significantly decrease reliance on private car use are proposed.
- 5.24 In response to this, the applicants have now submitted detailed proposals to extend the TROD path south within the highway verge to the junction with London Road in order to allow safe pedestrian access to the existing bus stops. These details are now being assessed by the Highways Internal Safety Team and their comments will be reported verbally to Members.
- 5.25 Wymondham College has also expressed their intention to provide a bus service but would not be able to commit to this until the primary school is operational and the demand for it better understood. As a result, NCC Children's Services has now undertaken to provide a bus service from Wymondham to the site should neither the College or a public service operator run that route for the start and end of the school day. The County has made this commitment for a period of at least 7 years.
- 5.26 In summary, the acceptability of this proposal in highway terms is dependent upon securing tangible and funded travel planning measures to provide alternative sustainable means of travelling to the site and offset the increase in car journeys generated by this proposal. Details relating to the provision of a TROD path and proposals to secure a bus service are now being assessed by the Highway Authority and, if acceptable, a legal agreement would be required to secure funding for the costed travel plan.

Flood risk

- 5.27 The application proposes to dispose of surface water through infiltration techniques such as permeable paving, infiltration techniques and swales. The LLFA welcomes the use of sustainable drainage systems (SuDS) within the proposed scheme, but objected due to insufficient information to demonstrate that surface water can be managed on the site without increasing the risk of flooding elsewhere. The applicants have continued to work with the LLFA to provide an acceptable surface water drainage strategy, however at the time of writing this report those matters have not been concluded and the flood authority's up-to-date comments will therefore be reported verbally to Members.
- 5.28 Foul water drainage is currently connected to a private treatment works within the site. It is proposed that the school and boarding block sites would have separate package sewage treatment plants then discharge to a watercourse through EA permit. The Environment Agency has confirmed that they have no objections to this strategy.

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.

- 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;

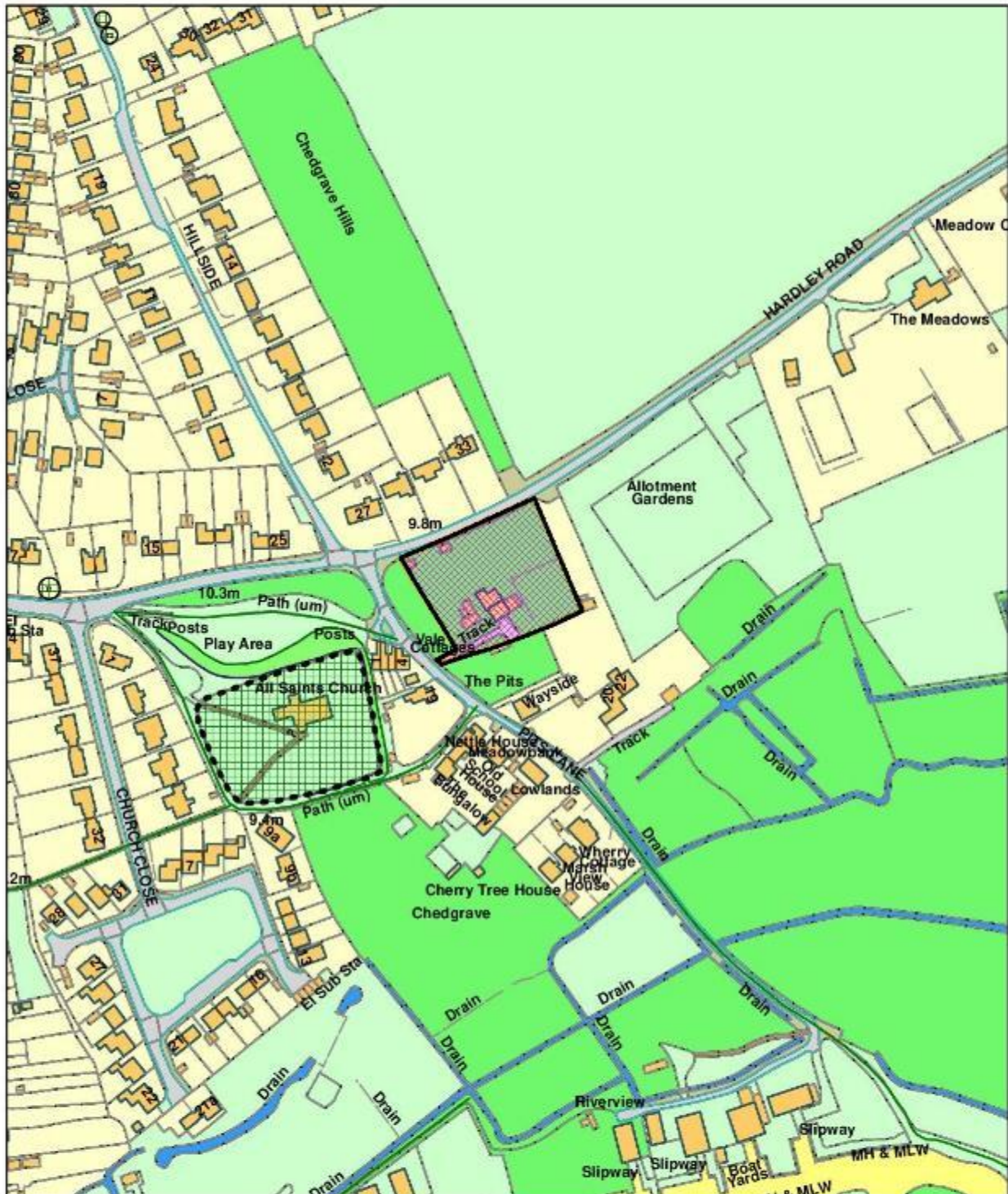
- 1 Time limit full permission
- 2 In accord with approved drawings
- 3 Materials
- 4 Provision of car parking, servicing
- 5 Travel plan
- 6 Fire hydrant
- 7 Archaeological work to be agreed
- 8 Ecology mitigation
- 9 Landscaping
- 10 Landscape management
- 11 Tree protection
- 12 Contamination remediation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

Contact Officer, Telephone Number Blanaid Skipper 01508 533985
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Other Applications

Application 6

2019/1950



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

Other Applications

6 Application No : 2019/1950/D
Parish : CHEDGRAVE

Applicant's 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.

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 : Approve subject to conditions

1 Proposal and site context

- 1.1 The application site consist of a rectangular shaped parcel of land to the east of Pits Lane and south of Hardley Lane outside of the development limit for Chedgrave. To the north, south and west are neighbouring residential dwellings and to the east is a commercial/storage site.
- 1.2 The scheme seeks reserved matter approval for 5 detached bungalows with associated garaging. Plots 1 and 2 are to be accessed via a single access point onto Hardley Road and plots 3, 4 and 5 are to be accessed via a single access onto Pits lane.
- 1.3 The scheme includes the widening of sections of Pits Lane and the provision of a TROD footpath adjacent to a section of Pits lane.

2. Relevant planning history

- | | | | |
|-----|-----------|---|----------|
| 2.1 | 2018/1553 | 5 no dwellings with associated landscaping and external works | Approved |
| 2.2 | 2019/0768 | Discharge of conditions 4 & 7 - (4) reptile method statement and (7) Archaeology of permission 2018/1553. | Approved |

3 Planning Policies

- 3.1 National Planning Policy Framework (NPPF)
 NPPF 02 : Achieving sustainable development
 NPPF 04 : Decision-making
 NPPF 05 : Delivering a sufficient supply of homes
 NPPF 06 : Building a strong, competitive economy
 NPPF 09: Promoting sustainable transport
 NPPF 11 : Making effective use of land
 NPPF 12 : Achieving well-designed places
 NPPF 14 : Meeting the challenge of climate change, flooding and coastal change
 NPPF 15 : Conserving and enhancing the natural environment
 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
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
DM4.4 : Natural Environmental assets - designated and locally important open space
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.

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

4. Consultations

4.1 Parish Council

Amended plans

No comments received

Original plans

Object on the following grounds:

Safety - due to increased traffic on Pits Lane, a single track road where congestion, speeding and turning already cause problems as well as safety concerns for walkers and children as this road is very popular, is on the Wherryman's Way and adjacent to a play area. Councillors strongly feel that all permanent access to the site should be via Hardley Road and there should be no construction access via Pits Lane.

Design - the Parish Council feels that the design is poor and does not fit with the character of the area.

Conservation - the Parish Council feels that the impact on the conservation and "rural scene" has not been adequately addressed in the plans and the proposed conservation mitigations do not sufficiently offset damage to the established eco-system.

4.2 District Councillors Amended Plans

- Cllr Rowe

Support Cllr Mason Billig's judgement

- Cllr Mason Billig

The application should be presented to committee as the scheme brings forward concerns relating to highway safety and an adverse impact on the character and appearance of the area attributed to the access onto Pits Lane all of which could be in my opinion addressed via a single access point into the development from Hardley Road.

Original Plans

No comments received

4.3 NCC Highways

Amended plans

No comments received

Original Plans

I note that the site layout that is proposed is very similar to that included with the outline application. Therefore the same comments will apply and similar highway conditions are requested. In terms of the details provided, Is the hedge along the Pit Lane frontage to remain? The proposed TROD will need to be at least 1m back from the new road edge. Otherwise there may be the possibility that it will get driven over by vehicles.

Should your Authority be minded to approve the application I would be grateful for the inclusion of conditions.

4.4 SNC Water Management Officer

Amended plans

No comments received

Original Plans

This Service advised that the Risk of Flooding from Surface Water (RoFSW) map identified surface water ponding in the central area of the site possibly affecting Plot 4. Depths are identified as being above 300mm for the medium and low risk events.

No information appears to have been submitted to demonstrate how this risk will be managed within the site. Any raising of ground levels should not increase flood risk elsewhere. We note that Condition 8 of planning permission 2018/1553 relates to surface water drainage and is still to be discharged.

4.5 Other Representations Amended plans

12 objections have been received. The concerns are summarised as follows:

- The hedge on Pits Lane, should not be removed (ecology/biodiversity)
- The site should be used as gardens for existing dwellings
- Speed bumps should be added to Hardley Road
- The new access onto Pits Lane would be dangerous
- The traffic survey was not completed over a sufficient period of time and therefore not accurate
- Pits Lane is part of the wherryman's way and therefore used by walkers etc increased traffic would endanger such users and there is no pavement
- Don't need more traffic on the local highway network
- There should be restrictions on construction traffic in terms of Pits Lane.
- The scheme is an unsuitable design that doesn't reflect local area
- Proposed access onto Pits Lane is not in same location as existing as suggested
- There are already parking issues on Pits Lane
- The widening of Pits Lane and trod path will increase vehicle speeds
- An alternative layout with access only from Hardley Road should be used
- Asbestos sheeting on-site needs to be removed and replaced with a retaining wall
- New access onto Pits Lane would have an adverse visual impact on the locality, including on the Conservation Area.
- Existing residents outlook/views should be safeguarded.
- There is a lack of detail about mitigation measures for adverse environmental impact and biodiversity loss, a vague reference about 15-20m of planting is not enough.
- No response to issue raised by Council's Water Management Officer for Plot 4.
- The scheme is not significantly different from original submission and lacks architectural merit with no connection to local vernacular.

Original plans

17 objections have been received. The concerns are summarised as follows:

- Adverse ecological impact failing test in NPPF. The proposed measures in the PEA are inadequate
- Number of trees in new drawing is down from 11 to 6.
- Adverse impact upon an heritage asset
- clear and convincing justification should be made for harm to a heritage asset and that 'great weight' should be given to the conservation of listed buildings and their setting irrespective of the level of harm caused as set out in the NPPF.
- Should be referred to English Heritage
- Inadequate design
- Neighbour amenity
- Scheme should be of high quality that respects locality including Cons Area
- Widening Pits Lane will encourage higher speeds to the detriment of safety, this is part of the Wherryman's Way which are heavily used pedestrians and where there are no pavements
- The widening will have an adverse impact upon the Conservation Area, Both the hedge and Lane lie within the Conservation Area
- The hedge is also protected under Hedgerow Regs and hosts house sparrows red listed vulnerable species
- The scheme should be revised so that the sole access should be onto Hardley Road.
- Plots 1 and 2 are poorly orientated relative to Hardley Road.
- Plots 1 and 3 will overlook and dominate existing small cottages and detract from existing setting of the Cons Area
- Plot 3 is 3m higher than cottage at 19 Pitts Lane
- Design is uninspired and bland
- No landscaping plan provided

- No independent expert opinion on heritage has been obtained.
- No input from English Heritage
- Heritage Statement lacks independence
- The permission was granted when we didn't have a 5 year housing land supply and one is now in place
- How will developer deal with asbestos sheeting, no detail on this?
- Loss of privacy from plots 1 and 2 due to higher ground levels on-site.
- How will surface water drainage be dealt with?
- Pits Lane access a concern
- Design not in keeping with locality
- Streetscenes should be provided
- Pits Lane inadequate to take a new access serving the development
- Impact on stretched infrastructure has not been considered
- Adverse impacts from construction noise, dirt, plant hire etc

5 Assessment

Key considerations

Principle

- 5.1 The principle of development has been established through the granting of outline planning permission (2018/1553) and therefore the following assessment focuses on the specific implications of the scheme put forward in terms of the following:

- Highway Safety
- Character and appearance of the locality
- Amenity
- Hedgerow
- Ecology

Highway safety

- 5.2 Significant objections have been received in respect of this issue, and in particular, the use of Pits Lane to access three of the proposed plots and also the proposed widening of Pits Lane which is considered to be likely to have an adverse impact on safety. With regard to the use of Pits Lane, and the widening of the carriageway, it was envisaged as part of the outline application Pits Lane would be used (indicative drawing highlighted this), and at that time the Highway Authority had no objection to this on highway safety grounds, and this continues to be the case, as indicated in their consultation response. It is not considered that the safety of people using the Wherryman's Way will be significantly compromised by this development, and the TROD path would give provide an carriageway refuge that isn't presently available on Pits Lane.
- 5.3 The scheme provides sufficient on-site parking to serve the proposed dwellings.
- 5.4 The Highway Authority has confirmed the need for the TROD to be at least 1m back from the carriageway edge. It is apparent that this can be achieved on-site, given where this is proposed relative to the proposed new section of hedging and this can be reasonably achieved via a suitably worded condition.
- 5.5 All other conditions suggested by the Highway Authority are considered acceptable.
- 5.6 The consultation process did raise a request to consider the possibility of the use of a single access from Hardley Road to serve all 5 dwellings. This was discussed with the developer, and whilst the Highway Authority have confirmed that in theory they have no objection to this, the applicant does not wish to use such an arrangement due to the

challenge the level change presents in terms of the subsequent layout of the site and issues of accessibility service and emergency vehicles and that an access into the site already exists from Pits Lane and therefore wish for the current one to be used.

- 5.7 It was not considered necessary to gain any further traffic surveys.
- 5.8 Reference has been made to the need to control construction traffic, this is not considered necessary in highway safety terms, however, it should be noted that one of the recommended conditions is to agree on-sit parking arrangements for construction workers.

Character & appearance of the area (including Conservation Area and listed buildings)

- 5.9 The site occupies a prominent location on the corner of Hardley Road and Pits Lane. The scheme proposes 2 single storey dwellings on the higher plateau of the site. The use of single storey dwellings is consistent with the dwelling types on the opposite side of Hardley Road. The use of a single access point to serve both dwellings (plots 1 and 2) minimises the amount of hedgerow to be removed in the interests of retaining as much of the hedge as possible as this makes a positive contribution of the streetscene. The dwelling types on plots 1 and 2 are sufficiently well detailed. Discussions concerning the proposed dwelling types have also included discussion about the which external facing materials are to be used. Suggestions have been put forward as a consequence of the consultation process which suggest the use of some elements of flintwork given it is prevalent in the nearby church. The applicant is willing to incorporate this. The Council's Senior Conservation and Design Officer has indicated that they would prefer to see traditional brick and/or render be used rather than flint as this is more representative of the general locality. It is the officer's opinion that brick and render be used and the exact details are recommended to be agreed via condition.
- 5.10 The lower part of the site is served via a single access onto Pits Lane and proposes 3 single storey dwellings (plots 3 to 5) as required by condition of the outline approval. Pits Lane has a mix of dwelling types and styles and those proposed relate satisfactorily to the others on Pits Lane and they are consistent with those proposed on plots 1 and 2.
- 5.11 Whilst the dwellings themselves are outside of the Conservation Area a small part of the site is within the Conservation Area which lies to the west of the site and which contains listed buildings including the nearby church. On this basis it is necessary to have regard for the requirements of S16(2), S66(1) and S72 Planning (Listed Buildings and Conservation Areas) Act 1990 which require that in terms of listed buildings that the Council 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 and in terms of a Conservation Area the desirability of preserving or enhancing the character or appearance of that area. It is considered that the proposed scheme represents a low key addition to the locality through the use of single storey dwellings across the development which are of relatively simple design and built of traditional external facing materials and sensibly takes account of the level changes on the site, successfully turning the corner from Hardley Road onto Pits Lane thereby preserving the character and appearance of the Conservation Area and the setting of nearby heritage assets, most notably the Church.

Residential amenity

- 5.12 Concern has been expressed at the impact of the proposed dwellings on neighbour amenity. All of the dwellings are single storey only, as required by condition 12 of the outline approval (2018/1553) and the single storey nature of the proposed dwellings coupled with the separation distances to existing neighbouring properties means that

existing levels of light, outlook or privacy enjoyed by existing neighbours will not be significantly compromised by the development.

- 5.13 Some concern has been expressed at the adverse impacts of the construction process on residents. It is inevitable that some impacts would occur during the construction process, however, there is no particular reason why this should be excessive in this instance when having regard to the size of the development, the plot constraints, the make-up of the local highway network or the location of properties relative to the site so as to justify the need to require any further information in respect of how the scheme is constructed.

Hedgerows

- 5.14 It is evident that the indicative plan submitted as part of the outline approval envisaged the removal of some hedgerow to deliver a TROD and then a new one planted. No additional hedgerow removal is planned beyond that which was envisaged to be removed in the indicative plan from the outline approval.
- 5.15 A condition is recommended to agree full landscaping details, including the replacement hedging.

Ecology

- 5.16 The outline approval was supported by a preliminary ecological appraisal (PEA) and conditions 4, 5 and 6 all applied to ecological related matters. The current proposed scheme does not prevent the ability to comply with these conditions.

Other issues

- 5.17 With regard to flood risk concerns, condition 8 of the outline approval (2018/1553) requires the submission of these details and remains applicable and to be discharged at a future date. There is no technical reason apparent that indicates that the proposed layout would prevent this condition from being capable of being met.
- 5.18 It has been suggested that Historic England be consulted. It is for the Council to determine when it is necessary to consult English Heritage, with guidance indicating that where a development affects the setting of a Grade I or II* listed building. In this case, given the scale and nature of the scheme, coupled with the degree of separation and intervening features between the site and the Grade I listed church it is not necessary to consult in this instance.
- 5.19 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.
- 5.20 **This application is liable for Community Infrastructure Levy (CIL).**

Conclusion

- 5.21 It is considered that the scheme complies with all relevant planning policies and is therefore recommended for approval subject to the suggested conditions.

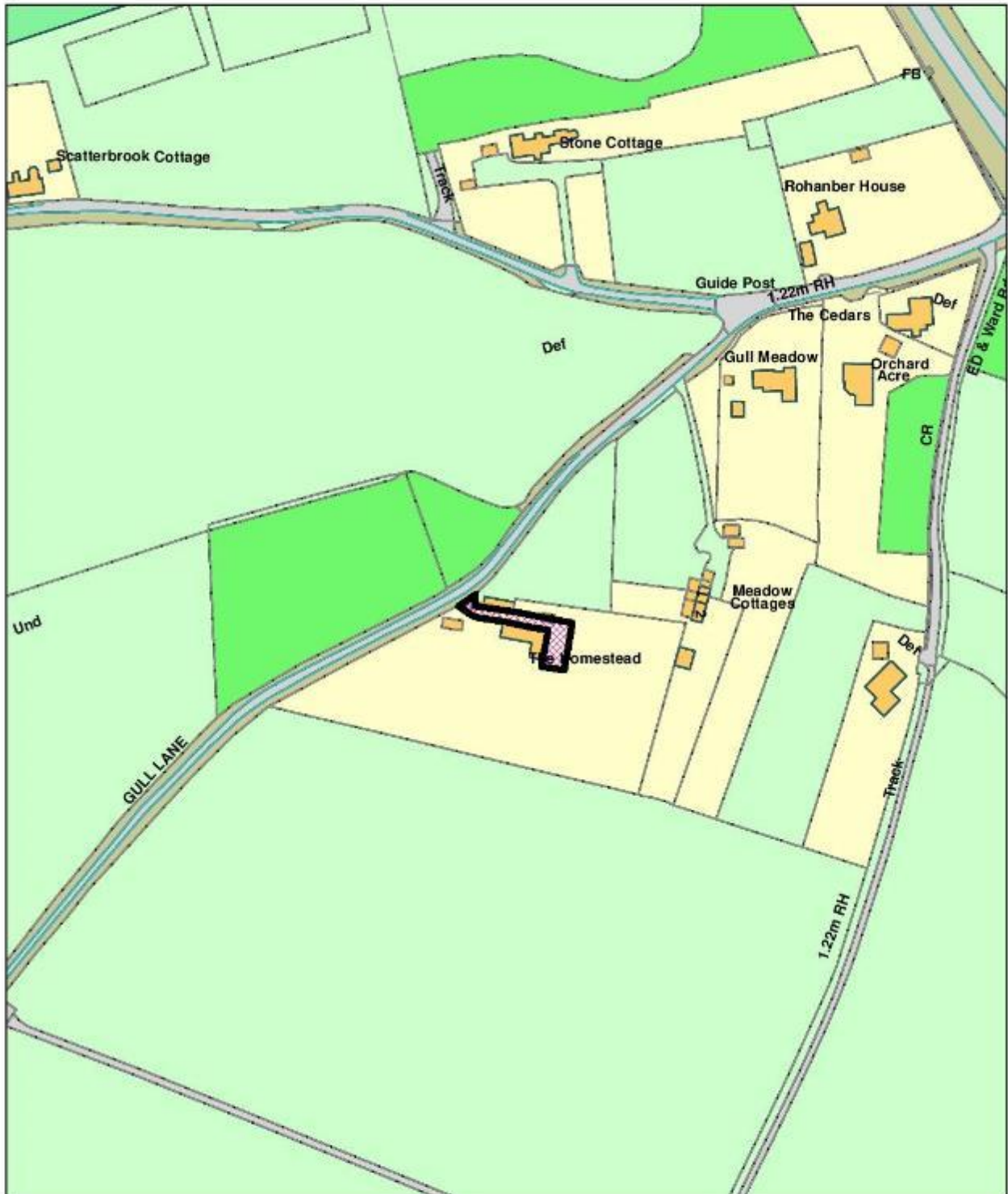
Recommendation : Approve subject to conditions

- 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

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Application 7

2019/2196



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

7. Application No : 2019/2196/F
Parish : FRAMINGHAM EARL

Applicant's 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

Reason for reporting to committee

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

Recommendation summary :

Refusal

1 Proposal and site context

- 1.1 The application site is part of the curtilage of an existing detached dwellinghouse, The Homestead, located on Gull Lane in the parish of Framingham Earl.
- 1.2 The proposed development comprises the erection of a two-storey building adjoining the existing dwelling, which would provide self-contained residential accommodation. It measures 6.6 metres in height, 9.5 metres in depth and between 5.5 and 8.0 metres in width. External materials proposed include black vertical cladding and black clay pantiles.
- 1.3 There is an existing single-storey element at the house which was granted planning permission in 1994 as a granny annexe. The proposed building would adjoin this existing extension.
- 1.4 The site is located outside of any development boundary and therefore in the open countryside. The area around the curtilage of the existing house is agricultural except for two dwellings and their gardens, at 1 and 2 Meadow Cottages to the northeast.

2. Relevant planning history

- 2.1 1994/0475 Erection of extension to form granny annexe and alterations Approved

3 Planning Policies

- 3.1 National Planning Policy Framework (NPPF)
 NPPF 02 : Achieving sustainable development
 NPPF 09 : Promoting sustainable transport
 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 6 : Access and Transportation
- 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

DM3.4 : Residential extensions and conversions within Settlements
DM3.6 : House extensions and replacement dwellings in the Countryside
DM3.7 : Residential annexes
DM3.8 : Design Principles applying to all development
DM3.10 : Promotion of sustainable transport
DM3.11 : Road safety and the free flow of traffic
DM3.12 : Provision of vehicle parking
DM3.13 : Amenity, noise, quality of life
DM4.2 : Sustainable drainage and water management
DM4.5 : Landscape Character Areas and River Valleys
DM4.8 : Protection of Trees and Hedgerows

4. Consultations

4.1 Parish Council

Responded with no objection or comment.

4.2 Councillor Overton

The site is in the family ownership and it is the intention of the family to keep it in this format. They are wishing to create a long-term home for extended family of the three generations: the older Mum parents, the mid-generation and the young, currently at school young people. The applicants are intending to downsize and sell a property, freeing this up for others within the parish and create an environment where they can care for the older generation without the need for community care, nursing care, and social services. The children would be able to live as a family unit, go to school of preference Framingham Earl and be raised in the local area without the need for constant travel.

Sustainability is an important part of this application cited by planning documents as one of the most important areas of policy. Travel becomes vastly reduced as necessary for young and old within the local area, and local services would not be overburdened by the extra care. It is vital the family are given a good environment in which to live with adequate space for all parties to enjoy.

National Housing Standards

Planning policy does not meet these requirements and currently places living into boxes of built form (development boundaries). The application is a traditional approach to family life and needs careful consideration to allow this family to go forward with this form of living. Due to the density within urban areas it is not possible to take this view in the vast number of cases. It is only really possible in rural areas adjacent to existing buildings where there is more space.

The Planning department informs applicants that every application is viewed on its merits. For the reasons above this should be applied. Therefore on behalf of the applicants I would request that the Committee is given the opportunity to listen to the applicants and thereafter make a decision.

4.3 SNC Water Management Officer

Requested conditions are imposed with any approval requiring foul water disposal to be only to a sealed system or private treatment plant and for details of the foul and surface water drainage schemes to be submitted to and approved by the local planning authority.

4.4 NCC Highways

Whilst no objections are raised to this proposal, the annexe is large with three bedrooms and could easily be turned into a separate dwelling.

Should your Authority be minded to approve the application I would be grateful for the inclusion of the following condition on any consent notice issued;-

The living accommodation hereby approved shall be incidental to the use of the main dwelling and shall not be occupied at any time as a separate and un-associated unit of accommodation.

Reason: In the interests of highway safety. Owing to the narrow access road serving the site and the unsustainable location of the property

4.5 Other Representations

None received

5 Assessment

Key considerations

- 5.1 The key considerations are the principle of the development, highway safety and sustainable travel, accordance with design principles and the impact on the amenity of existing dwellings. These are addressed in turn.

Principle of development

- 5.2 The proposal represents new development located in the open countryside. In accordance with policy DM1.3 of the Local Plan, the principle of the development therefore has to be established either by a specific policy in the Local Plan or where overriding benefits in terms of economic, social and environmental dimensions are demonstrated. In this case, policy DM3.7 of the Local Plan is relevant and sets out that:

“Proposals for residential annexe accommodation will be considered favourably provided that it is designed so that it can continue to be used as part of the main dwelling, without creating an independent dwelling unit, in future.”

- 5.3 Also of relevance is the reasoned justification to policy DM3.7, which states:

“3.49: Unduly large or detached annexes can prove an economic and practical liability when vacated or when the property changes hands and this leads to pressure for the annexes to be severed and let separately from the main dwelling. This can create sub-standard dwellings with inadequate standards of access, amenity and space.

3.50: In the case of annexes to dwellings in the countryside, this is also inconsistent with policies seeking to restrict the unsustainable development of new dwellings in the countryside. Within development boundaries the necessary additional accommodation may be achievable by the sub-division of a plot to achieve the requirements of Policy DM 3.4.”

- 5.4 The proposed accommodation has a total net internal floor area of 100 square metres, comprising on the ground floor a kitchen/dining/living area (39.1 sq m), an entrance lobby (8.5 sq m), a utility room/WC (5.2 sq m), a wine store (3.3 sq m) and a boot room (2.9 sq m). At first floor level, there will be three double bedrooms (one with en-suite shower room) (33 sq m), a main bathroom (4.3 sq m) and gallery landing (3.7 sq m). In

addition, outside there is a log store on ground level, and a balcony serving two of the bedrooms at first-floor level.

- 5.5 It is considered that the proposed development is considerably too large, in terms of the accommodation provided and floor area, to be considered an annexe under policy DM3.7 of the local plan.
- 5.6 Further, it is considered that the annexe will be located within the curtilage of the existing dwelling in a manner so that it could readily be capable of being an independent dwelling. The existing access and drive would be shared by the annexe and existing house, however it is considered that areas of private amenity and parking space could be formed from the existing curtilage for the exclusive use of the new unit. Further, the new unit has its own front door and its internal connection with the existing house is clearly secondary to that entrance and could readily be closed up without any consequence to the functioning of either the existing or proposed units.
- 5.7 The unit of accommodation proposed by this application is therefore considered tantamount to the creation of a dwelling and the development could readily form a dwelling that can accommodate a separate family to that of the existing dwelling and its household.
- 5.8 Concerning compliance with the annexe policy, it has been advised to the agent that were permission granted for the proposed annexe, an annexe condition required by policy DM3.7 of the Local Plan would be imposed.
- 5.9 It is understood by officers, and is a matter that was not refuted when asked of the agent, that a non-dependent relative of the residents of the main dwelling at The Homestead would reside at the annexe, together with their family. In such an instance, there would as a direct consequence of a separate household living in the new unit, arise a breach of planning control subsequent to granting of planning permission, either as a breach of the annexe condition or an unauthorised change of use (the formation of an additional dwelling). The agent has been alerted to this potential outcome of applying for an annexe in the circumstances where it is apparent that the intention is to occupy and use the annexe in a manner that is not ancillary to the main dwelling.
- 5.10 For the reasoning above, it is considered by officers that the proposal is not compliant with Local Plan policy DM3.7 on residential annexes.
- 5.11 Further, whilst it is considered that the relationship between the existing dwelling and a hypothetical unit of annexe accommodation compliant with policy DM3.7 in the location of the proposed development would likely be acceptable, it is considered that the proposed development would result in a poor relationship with the existing dwelling. In particular, the immediate proximity of the two households on the site, which would share a drive and with the vehicular access to the new unit passing alongside the existing house, is considered to not be acceptable in the circumstance of the erection of such residential accommodation on such a site in the countryside. It is therefore considered that the development would represent a substandard layout of the site, not in accordance with the criteria and aims of Policy 2 of the JCS and policy DM3.8 of the Local Plan.
- 5.12 The proposed development, being a self-contained unit of residential accommodation not complying with policy DM3.7 of the Local Plan, is therefore considered by officers as tantamount to the creation of a new dwelling. Due to the location in the open countryside, such development is in conflict with the adopted development plan, in particular concerning the location of sustainable development. Policy DM1.3 of the Local Plan requires that permission for development in the open countryside is only granted where specific Local Plan policies allow for such development or otherwise if overriding economic, social and environmental benefits are demonstrated. No

information has been provided with the application that would demonstrate any such overriding benefits, and no specific Local Plan policy otherwise allows for this development (regarded as a dwelling instead of an annexe).

Highway safety and sustainable travel

- 5.13 The Highway Authority was consulted and in responding to the application, it requested the imposition of a planning condition requiring the annexe to be incidental to and not occupied separately from the main dwelling.
- 5.14 This condition, which is akin to that required by policy DM3.7 of the Local Plan and as set out by the Highway Authority, is considered to be necessary in order that the development is acceptable with regard to highway safety and sustainable transport considerations.
- 5.15 However, as officers consider that the proposal is tantamount to the creation of a dwelling by virtue of its size and intended occupancy, such an annexe condition could not be applied. The Highway Authority confirmed verbally that it would object to the application in the event of it being for a new dwelling given the narrowness of Gull Lane, the absence of a footpath and the limited passing provision available along it and from officers' point of view, the location is poor in terms of accessibility to facilities and services that will be required on a daily basis. The nearest bus stops are on the A146, with buses from Norwich calling on the other side of this road. The Gull public house is also on the other side of this road. It is therefore likely that most journeys will be using a private car. Taking account of these items, the proposal is not in accordance with Policy 1 of the Joint Core Strategy or policies DM3.10 and DM3.11 of the Local Plan.

Design

- 5.16 The existing dwelling is two storeys with a single-storey element that was erected under planning permission in 1994. It is a traditional style with rendered walls and an orange pantile roof. The proposed development would form an extension to the house, with a footprint approximately the same as the original house and with a height approximately equal to the existing house. The design and materials proposed are in contrast to that of the existing, with modern fenestration details, a balcony, vertical cladding, and different roof form.
- 5.17 It is considered that the proposed development, by virtue of its design, materials, height, form and scale together with its position adjacent to a single-storey element of the existing main dwelling, results in an extension that is not subordinate or relates satisfactorily to the existing main dwelling and instead has the appearance of a separate dwelling clearly distinct from the existing dwelling on the site. As an extension to the existing dwelling in the open countryside, this is considered to not be acceptable. The proposal is therefore considered contrary to policies DM3.4, DM3.6 and DM3.8 of the Local Plan.

Amenity

- 5.18 The impact of the proposed development on the existing dwelling at The Homestead and the other dwellings in the vicinity, 1 and 2 Meadow Cottages, has been considered.
- 5.19 The Homestead has a large private amenity space and it is considered that this will remain adequate with the proposed annexe accommodation. However the proposal, considered as creating a unit of accommodation occupied by a separate household, would result in a substandard layout of the site, including with regard to the relationship between the two units of accommodation and adequacy of private amenity space for the new unit.

- 5.20 With respect to the impact on the dwellings at Meadow Cottages, it is considered that by virtue of the distance and orientation of the proposed extension relative to these dwellings and their private amenity areas, the proposal will not result in an unacceptable impact on their amenities. The application is therefore considered to be in accordance with policy DM3.13 of the Local Plan.

Other matters

- 5.21 The impact on the existing trees at and adjacent to the site has been considered by officers. It is considered that the trees on the site that would need to be removed or reduced are not significant and would not warrant protection. It is therefore considered that no further detail or a condition in this regard is required; the application is in accordance with policy DM4.8 of the Local Plan.
- 5.22 The Council's Water Management Officer has assessed the application and has requested two conditions concerning foul and surface water drainage. These are reasonable and necessary and would ensure that the application complies with policy DM4.2 of the Local Plan.
- 5.23 The application can be considered to be previously developed land (brownfield land). In line with the NPPF, I have considered the benefits of the efficient use of land, but consider that in this case, this does not outweigh the other material considerations.
- 5.24 Under Section 143 of the Localism Act, the Council is required to consider the impact on local finances. This can be a material consideration but in the instance of this application the other material planning considerations detailed above are of greater significance.
- 5.25 This application is liable for Community Infrastructure Levy irrespective whether the proposed development is considered to be an annexe or a dwelling.

Conclusion

- 5.26 The proposal is not considered to represent an annexe and does not accord with policy DM3.7 of the Local Plan and as a self-contained unit of residential accommodation, it is tantamount to the creation of a new dwelling conflicting with policy DM1.3 of the Local Plan by virtue of the location of the site in the open countryside. As such the proposed development is also, by virtue of its location, considered to not be in accordance with Policy 1 of the JCS and policies DM3.10 and DM3.11 of the Local Plan concerning sustainable transport and highway safety. Further, the design of the proposed development is considered to not be in accordance with Policy 2 of the JCS and policies DM3.4, DM3.6 and DM3.8 of the Local Plan. Taking account of these factors, the application is recommended for refusal.

Recommendation : Refusal

- 1 Not an annexe
- 2 Not a sustainable location and highway safety
- 3 Unsatisfactory design and relationship with existing dwelling
- 4 No overriding benefits

Reasons for Refusal

- 1 The proposed annexe, by reason of its excessive scale and residential accommodation provided together with its spatial relationship to the existing dwelling and layout within its curtilage, would clearly be capable of being an independent dwelling. Consequently and further, due to the resulting layout of the site and the relationship between the new unit of accommodation and the existing dwelling, the proposal represents a substandard

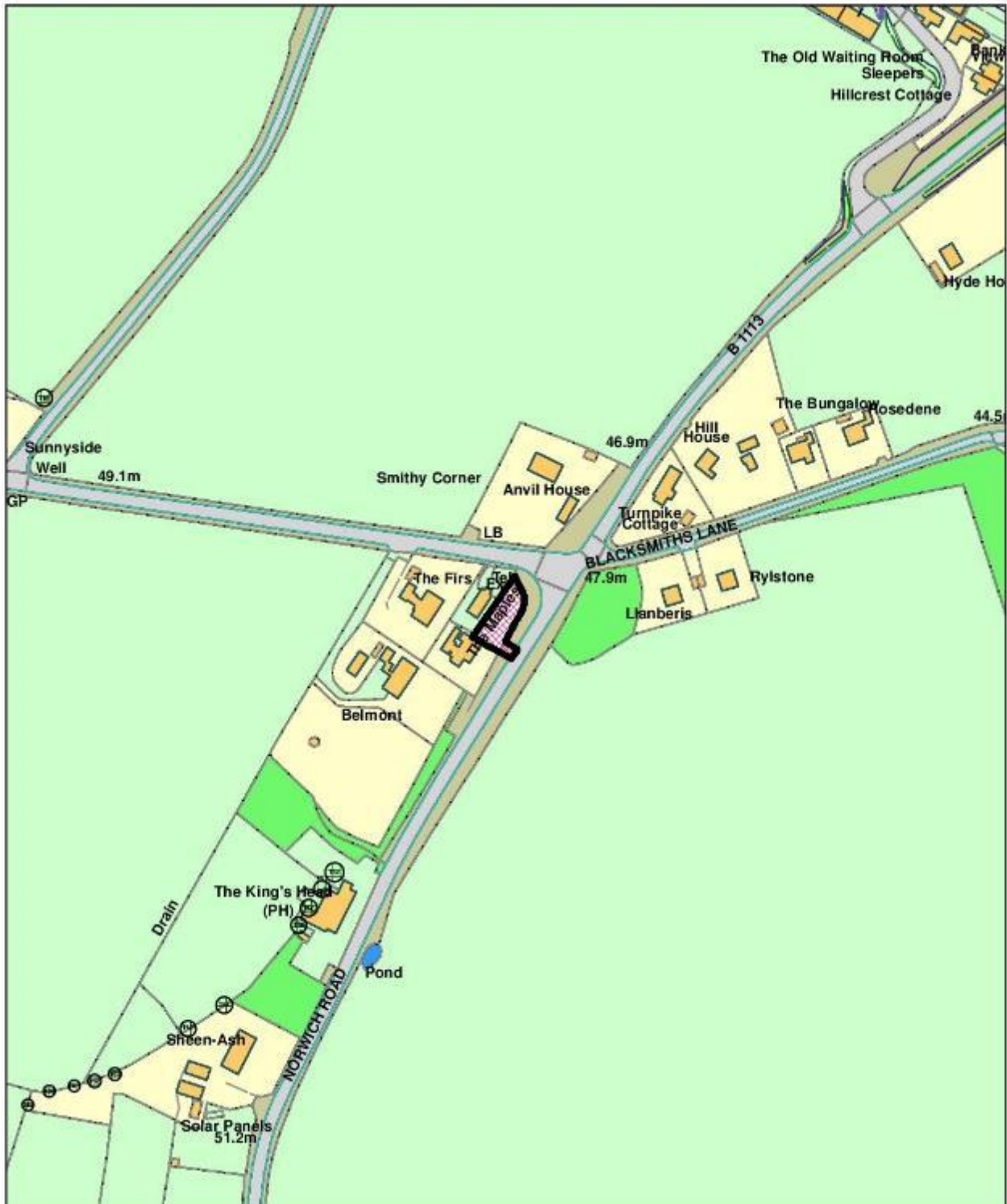
layout of development on the site. The proposal is therefore contrary to policies DM3.7 and DM3.8 of the South Norfolk Local Plan Development Management Document 2015 and Policy 2 of the Joint Core Strategy.

- 2 The proposed development, by virtue of the size of self-contained residential accommodation that it would provide, would be tantamount to the creation of a new dwelling. The site is in a location in the open countryside, located some distance from any development boundary or services and facilities, leading to a dependency by the occupiers on the private car. Further, regarded as tantamount to the creation of a new dwelling, the development would result in an unacceptable increase of pedestrian and traffic movements onto and along a long, narrow road with no pavement, to the detriment of highway safety. The proposal therefore conflicts with Policy 1 of the Joint Core Strategy and policies DM3.10 and DM3.11 of the South Norfolk Local Plan Development Management Document 2015.
- 3 The proposed development, by virtue of its design, materials proposed for use and size together with its position adjacent to a single-storey element of the existing main dwelling, results in an extension that is not subordinate or relates satisfactorily to the existing main dwelling and instead has the appearance of a separate dwelling clearly distinct from the existing dwelling on the site. The proposal is therefore contrary to Policy 2 of the Joint Core Strategy and policies DM3.4, DM3.6 and DM3.8 of the South Norfolk Local Plan Development Management Document 2015.
- 4 If the proposal was considered as a new dwelling and not an annexe, 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 its appearance and size and 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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Application 8

2019/2222



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

8 Application No : 2019/2222/O
Parish : ASHWELLTHORPE AND FUNDENHALL

Applicant's Name: Ms Sophia O'Callaghan
 Site Address Land North East of The Maples Norwich Road Ashwellthorpe
 Norfolk
 Proposal Erection of single storey dwelling

Reason for reporting to committee

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

Recommendation summary: Refusal

1 Proposal and site context

- 1.1 The application site is located on the junction between the B13 and Wymondham Road, Ashwellthorpe. The plot is within the residential curtilage of The Maples and is located adjacent to existing dwellings. The site is outside of the development boundary of Ashwellthorpe which is located approximately 850 metres to the west at its closest point.
- 1.2 The application is for outline permission for a single dwelling within the plot of The Maples and follows a previous refusal (reference 2018/2733) for a new dwelling on this site. There have been no material alterations to the proposal since the previous decision, however the application includes an additional sustainability statement not presented on the previous, however since the last application the Council has also updated the land supply position. The impact on these two updates on the proposal is discussed below in the assessment.
- 1.3 The Proposal site is approximately rectangular in shape with one corner rounded by the visibility splay of the adjacent road junction. There are mature hedgerows to the northern, eastern and western boundaries. The southern boundary adjoins the existing dwelling. The current use is as residential garden laid to lawn and fruit trees.

2. Relevant planning history

- | | | | |
|-----|-----------|----------------------|---------|
| 2.1 | 2018/2733 | Erection of dwelling | Refused |
|-----|-----------|----------------------|---------|

3 Planning Policies

- 3.1 National Planning Policy Framework (NPPF)
 NPPF 02: Achieving sustainable development
 NPPF 04: Decision-making
 NPPF 05: Delivering a sufficient supply of homes
 NPPF 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 17: Small rural communities and the countryside

3.3 South Norfolk Local Plan Development Management Policies

DM1.1: Ensuring Development Management Contributes to Achieving Sustainable Development in South Norfolk.

DM1.3: The Sustainable Location of New Development

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 and Quality of Life

DM4.5: Landscape Character Areas and River Valleys

4. Consultations

4.1 Town / Parish Council

Members discussed the plans for the property and note that the access has been changed. Discussion around the access to the site from B1113 and the junction of the Street/Wymondham Road and safety issues when in construction stage. Members decided to leave to South Norfolk Planning to make the decision.

4.2 District Councillor

No comments received

4.3 SNC Water Management Officer

Having reviewed the application documentation, we wish to offer the following advisory comment and recommend that should the drainage aspects of this application not be formally agreed prior to any approval

being granted, the permission should include the conditions set out below:

- Foul Drainage
- Surface Water Drainage

4.4 NCC Highways

I note that this application is a re-submission, following the refusal of 2018/2733. The intended site plan is the same as for that previous application.

In principle the arrangement with the proposed new dwelling being served from a separate access from The Maples could be accepted, providing that satisfactory parking and essential turning space can be provided, within the site boundary and taking into account the extent of vegetation that currently surrounds the site, unless this is to be removed. The submitted plan only shows the OS site boundary rather than the actual boundary.

Should your Authority be minded to approve the application I would be grateful for the inclusion of the following condition(s) and informative note on any consent notice issued:

- Provision of Access
- Gates and other obstructions to be set back and open inwards
- Visibility Splay
- Provision of Parking

Informative: Standard Highways

4.5 Other Representations

None Received

5 Assessment

Key considerations

- 5.1 The key considerations for this proposal are the principle of development given its location outside of defined development limits with site specific considerations including access, residential amenity for both the new dwelling and existing within the plot and wider visual appearance on a prominent location adjacent to the junction.

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 and the NPPF, in cases where there are no overriding material considerations to the contrary, development proposals for housing that accord with the development plan should be approved without delay.
- 5.4 The site is located outside of the development boundary that has been defined for Ashwellthorpe and so in the countryside.
- 5.5 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. In this case, Policy DM1.3 of the South Norfolk Local Plan Development Management Policies Document 2015 is relevant. It permits development outside of development boundaries where specific development management policies allow (criterion (c)) or where there are overriding benefits in terms of the economic, social and environmental dimensions of sustainable development (criterion (d)). In this case, criterion (c) is not considered to apply so instead, criterion (d) is relevant in respect of the proposed dwelling. Whether the application demonstrates overriding benefits to warrant a new dwelling in the countryside will be considered later in this assessment.
- 5.6 I note the changed land supply position compared to application 2018/2733.

Accessibility of the site:

- 5.7 I acknowledge the submitted sustainability statement; however, I am also mindful of the need for housing to have "accessible local services" as set in the role of the NPPF. Ashwellthorpe, while designated as a service village has very limited service provision. Furthermore, the plot lies a significant distance from the development limit some distance from the main village centre with connection to it via an unlit road with no footpaths. While some services are located in other nearby settlements as highlighted by the report, these are still a considerable distance from the application site. Travelling from the site on foot or bicycle would involve traversing either unmade and unlit rights of way or unlit highways with no provision for footpaths. There is some limited (infrequent) access to public transport however these do not connect easily to the closest services. In light of these factors, any travel from the site will rely on the private car either to those services in the limited services in Ashwellthorpe or to the slightly larger service centres of Mulbarton or Wymondham.

- 5.8 It is considered therefore, that the location of proposed development is contrary to the social role of sustainable development. As well as conflicting with the social role, for the same reasons the scheme would conflict with the requirements of Policy DM3.10 of the SNLP which seeks to locate development in locations which reduce the need for travel.
- 5.9 Consideration has been given to the recently created neighbouring dwelling, it is evident that this was a conversion and therefore was considered under different policy criteria to the current proposal and as such this has not set a precedent for the current scheme being considered.

Impact on the character of the area

- 5.10 The application site is located in a cluster of existing dwellings that is separated from the main village. The nature of the site is such that any dwelling proposed on this site will likely be required to project forward of The Maples due to site constraints and, by virtue of its location on the corner of the junction, will form a prominent feature in the street scene.
- 5.11 Neighbouring dwellings tend to have larger plots and have low visibility in the street scene due to the mature boundary vegetation and wide verges that are a key and dominant feature of the junction.
- 5.12 The proposed new dwelling will sit on a small plot in close proximity to neighbouring dwellings and the road junction and as such is considered to be out of character with the form and appearance of the street scene and pattern of development in this area; especially given the local plan designation of countryside due to its location outside of the development boundary.
- 5.13 In addition, the indicative plan and restrictive plot size indicates the potential for a chalet style dwelling to enable sufficient floor space, which would increase the height of the dwelling thereby increasing the prominence of the design.
- 5.14 Further this, the application site is bounded on the two road facing sides by dense mature hedges and trees. The small nature of the application site puts the retention of these features at risk by virtue of the proximity of the development to the boundaries and the small size of the plot. Loss of these features would have a detrimental impact on the character and appearance of the street scene and result in the dwelling to appear more prominent and out of character. This therefore forms part of the justification for the consideration that the development is out of character with its surroundings.
- 5.15 The above assessment is such that the proposal is considered to be contrary to the aims of policies DM3.8 and DM4.5 of the Local Plan and Policy 2 of the JCS with regard to good design.

Other Issues

Residential Amenity

- 5.16 Neighbour amenity has been considered with regard to adjoining neighbours, albeit no detailed design or layout has been provided given the outline nature of the scheme.
- 5.17 While the outline proposal appears close to the neighbouring dwelling and notwithstanding other material concerns, it is considered that with specific regard to neighbouring dwellings only, an acceptable solution is possible to avoid overlooking and loss of privacy, or significant loss of light or outlook with specific regard to neighbour amenity.

- 5.18 With regard to the proposed new plot and remaining existing plot, is it considered that there is sufficient scope to provide acceptable amenity space for both dwellings at detailed design stage. For the above reasons residential amenity can be safeguarded so as to comply with the requirements of Policy DM3.13 of the Local Plan.

Access and Parking:

- 5.19 The highways authority has been consulted on the proposal and there was no objection on the grounds of highway safety. It is considered that it is possible to provide sufficient parking and turning space in this instance. Subject to clarification on the point relating to the site boundary it is considered that there are no objections, assuming this to be the case, the proposal is acceptable with regard to policies DM3.11 and 3.12 of the local plan.
- 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. The Council has taken a proactive approach to this through the allocation of a range of small and medium sized sites and through defining Development Boundaries for over 80 settlements to facilitate suitable windfall development. Point (c) of NPPF para 68 states that local planning authorities should '*support the development of windfall sites through their policies and decisions – giving great weight to the benefits of using suitable sites within existing settlements for homes*'. This is a material planning consideration. However, this site is not considered suitable for the reasons already set out and therefore is considered contrary to paragraph 68, which is not overriding in this instance. The Council is already delivering a number of windfall sites/small sites to align with paragraph 68 and therefore the need for additional small sites is not considered overriding in terms of determining this application and would not outweigh the harm previously identified.
- 5.21 Under paragraph 61 of the National Planning Policy Framework (2012) requires Councils to plan for people wishing to build their own homes. This can be a material planning consideration for this application as self-build has been identified as the method of delivering the site. Whilst an indication of self-build has been given by the applicant it should also be noted that at this stage it cannot be certain that the method of delivering this site will be self-build. In the instance of this application the other material planning considerations detailed above are of greater significance.
- 5.22 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), as this would be charged or exempted at the reserved matters stage.**

Conclusion

- 5.24 The proposed development is outside of the development limit, would negatively impact the character and appearance of the locality and is considered to be in an unsustainable location. There has been insufficient additional information submitted following the previous decision to alter the recommendation in this instance. As a result, it is considered contrary to policies DM1.3, DM3.8, DM3.10 and DM4.5 of the local plan, policy 2 of the Joint Core Strategy and relevant policies of the NPPF.

Recommendation: Refusal

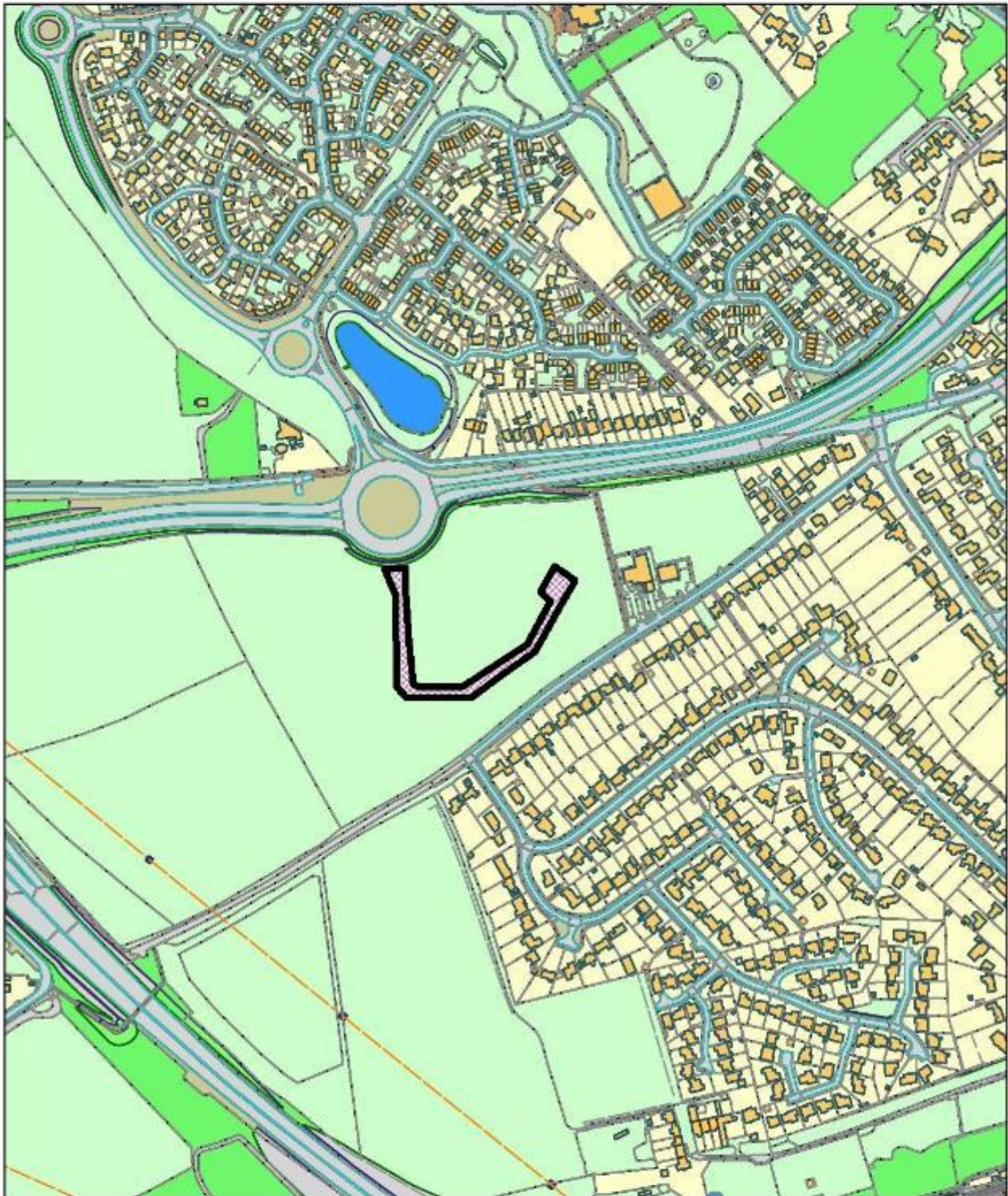
- 1 Outside of Development Boundary
- 2 Overreliance on the Private Car
- 3 Unsustainable Development
- 4 Out of Character

Reasons for Refusal

- 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 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.
- 4 Notwithstanding the outline stage of the proposal pending detailed designs, the cramped nature and prominent location of the site would result in a development 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.

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2019/2343



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

Application submitted by South Norfolk Council

- 9. Application No : 2019/2343/F**
Parish : CRINGLEFORD

Applicant's Name: Big Sky Developments Ltd
 Site Address Land East of A11 and North and South of Round House Way
 Cringleford Norfolk
 Proposal Erection of gas governor enclosure and associated works

Reason for reporting to committee

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

Recommendation summary: Approval with conditions

1 Proposal and site context

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

2. Relevant planning history

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

		A5 and D1 floorspace, together with highways works, landscaping, public realm, car parking and other associated works.) – to facilitate greater flexibility in the delivery of the scheme	
2.4	2017/2120	Variation of conditions 1, 3, 4, 7, 10, 13, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 29, 30, 33, 36, 38, and 39 following application 2017/0196 which relates to - (Outline planning application with all matters reserved (save access) for the creation of up to 650 residential dwellings (use class C3), up to 2,500 sq mtrs of use class A1, A2, A3, A4, A5 and D1 floorspace, together with highways works, landscaping, public realm, car parking and other associated works.) - to facilitate the development coming forward on a phased basis.	Approved
2.5	2017/2207	Discharge of condition 5 - Landscape Strategy of permission 2013/1494 (Outline planning application with all matters reserved (save access) for the creation of up to 650 residential dwellings (use class C3), up to 2,500 sq mtrs of use class A1, A2, A3, A4, A5 and D1 floorspace, together with highways works, landscaping, public realm, car parking and other associated works.)	Withdrawn
2.6	2018/2783	Reserved Matters details of appearance, layout, scale and landscaping following outline permission 2017/2120, for RM-APP-1 comprising 67 dwellings together with associated landscaping and infrastructure. (The outline submission included an Environmental Statement)	Approved
2.7	2018/2785	Reserved Matters details of appearance, layout, scale and landscaping following outline permission 2017/2120, for RM-APP-3 comprising 62 dwellings together with associated landscaping and infrastructure. (The outline submission included an Environmental Statement)	under consideration
2.8	2018/2786	Reserved Matters details of appearance, layout, scale and landscaping following outline permission 2017/2120, for RM-APP-4 comprising 56 dwellings together with associated landscaping and infrastructure. (The outline submission included an Environmental Statement)	under consideration
2.9	2018/2787	Reserved Matters details of appearance, layout, scale and landscaping following outline permission 2017/2120, for RM-APP-5 comprising 23 dwellings together with	under consideration

		associated landscaping and infrastructure. (The outline submission included an Environmental Statement)	
2.10	2018/2788	Reserved Matters details of appearance, layout, scale and landscaping following outline permission 2017/2120, for RM-APP-6 comprising 21 dwellings together with associated landscaping and infrastructure. (The outline submission included an Environmental Statement)	under consideration
2.11	2018/2789	Reserved Matters details of appearance, layout, scale and landscaping following outline permission 2017/2120, for RM-APP-7 comprising 42 dwellings and approximately 500 sq metres of commercial floorspace, together with associated landscaping and infrastructure. (The outline submission included an Environmental Statement)	under consideration
2.12	2018/2790	Reserved Matters details of appearance, layout, scale and landscaping following outline permission 2017/2120, for RM-APP-8 comprising 765 sq metres of commercial floorspace (Use classes A1,A2,A3,A4,A5,D1) together with associated landscaping and infrastructure. (The outline submission included an Environmental Statement)	under consideration
2.13	2018/2784	Reserved Matters details of appearance, layout, scale and landscaping following outline permission 2017/2120, for RM-APP-2 comprising 79 dwellings together with associated landscaping and infrastructure. (The outline submission included an Environmental Statement).	under consideration
2.14	2018/2791	Reserved Matters details of appearance, layout, scale and landscaping following outline permission 2017/2120, for RM-APP-9 comprising of the formal and informal landscaping areas, including areas for formal sport pitches and a sports pavilion, and associated infrastructure. (The outline submission included an Environmental Statement)	under consideration

Appeal History

2.15	14/00025/AGREFU	Outline planning application with all matters reserved (save access) for the creation of up to 650 residential dwellings (use class C3), up to 2,500 sq mtrs of use class A1, A2, A3, A4, A5 and D1 floorspace, together with highways works, landscaping, public realm, car parking and other associated works.	Allowed
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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
DM3.8 : Design Principles applying to all development
DM3.13 : Amenity, noise, quality of life
DM3.14 : Pollution, health and safety
- 3.4 Cringleford Neighbourhood Plan
GEN1 : Co-ordinated approach for delivering overall growth
HOU2 : Design Standards
- 3.5 Supplementary Planning Documents (SPD)
South Norfolk Place Making Guide 2012

Statutory duties relating to Listed Buildings and setting of Listed Buildings.

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 Parish Council
No objections
- 4.2 District Councillors
To be reported if appropriate
- 4.3 SNC Conservation and Design
I have no objection to the proposal.
- 4.4 Other Representations
No comments received

5 Assessment

Key considerations

- 5.1 The key considerations are the impact of the siting, design and impact upon residential amenity.

Principle

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

Layout and Design

- 5.3 Both JCS Policy 2 and Section 12 of the NPPF require high quality design with importance being attached to the design of the built environment, which is seen as a key aspect of sustainable development.
- 5.4 The box like structure has been located on a less sensitive corner of the development, away from street views of the residential properties and will be more associated with the commercial car park. It is green in colour which will minimise its impact. It is considered that the kiosk will sit sympathetically within the site and relate positively to the approved design code.
- 5.5 On this basis, it is considered that the scheme would accord with Policy 2 of JCS, Section 12 of NPPF, DM1.4, and DM3.8 of the Development Management Policies document and GEN1 and HOU2 of the Cringleford Neighbourhood Plan.

Residential amenity

- 5.6 Policy DM3.13 Residential amenity directs that development should not be approved if it would have a significant adverse impact on nearby resident's amenities or the amenities of new occupiers.
- 5.7 With regards to impact upon residential amenity of the proposed and existing properties have been assessed and largely relate to those properties proposed in the adjacent parcel approved under RM-APP-1 application reference 2018/2783. There is not considered to be any adverse impacts on the nearest neighbours by virtue of the distance of the gas kiosk to the consented residential properties and the nature of the proposal. As such, the proposed development would not result in any significant harm to the amenities of existing or proposed properties and accords with DM3.13 of the Development Management Policies document.

Highway safety

- 5.8 Policy DM3.11 states that planning permission will not be granted for development which would endanger highway safety or the satisfactory functioning of the highway network.
- 5.9 The gas kiosk is proposed to be access from the main spine/estate road which has been granted consent under application reference 2018/2783. It is sited on land within RM-APP-8, adjacent to the proposed commercial use and its associated car park, and does not impact on the approved estate road, footpath or any parking arrangements. As such it is considered that the proposals comply with the requirements of policies DM3.12 and DM3.13 of the Development Management Policies document.

Setting of Listed Buildings

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

Other Issues

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

Recommendation: Approval with Conditions

- 1 Full Planning permission time limit
- 2 Accord with submitted plans

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ENFORCEMENT PROCEEDINGS – PROGRESS REPORT
Report of the Director of Place

This report schedules progress on outstanding enforcement cases

LOCATION	ALLEGED BREACH	DATE OF COMMITTEE AUTHORITY	ACTION TAKEN
DICKLEBURGH Beeches Farm Norwich Road 2007/8036	Material change of use - Breach of a condition - Operational development	24.04.2007	Enforcement Notices served and initially complied with. Ongoing negotiations with owner/agent
CARLETON RODE Land adj. to Fen Road 2006/0269	Change of use of land	21.07.2010	Enforcement Notice served Compliance date 29.12.2011 Further Environment statement submitted and proposed scheme of works for compliance with enforcement considered at DMC 16/08/17 required scheme now commenced
CARLETON RODE Fenlakes Fishery 2009/8199	Standing and Occupation of Residential Caravan	04.03.2015	Enforcement Notice served Compliance date within 3 months of first occupation of the permitted dwelling house
HETHERSETT Grove Farm 38 Grove Road 2017/8234	Change of use of land from agriculture and horticulture to land used for agriculture, horticulture and for the standing and storage of caravans	16/05/2018 Delegated authority	Enforcement Notice not complied with Further prosecution for non-compliance currently ongoing
STARSTON Land at Woodside Stables Wood Lane 2017/8237	Change of use of land and stables building to residential use	14.05.2018	Enforcement appeal dismissed, and Notice upheld New compliance date 02.03.20

LOCATION	ALLEGED BREACH	DATE OF COMMITTEE AUTHORITY	ACTION TAKEN
WICKLEWOOD Greenacres Low Road 2017/8348	Change of use of land for the keeping of horses to land for the standing and occupation of residential mobile homes and caravans	15.08.2018 Delegated authority	Enforcement Notice not complied with Prosecution for non-compliance commenced
ROYDON Woodcrest Barn Darrow Lane 2018/8277	Standing and Occupation of Residential Mobile Home	19.12.2019 Delegated authority	Enforcement Notice to be served
PULHAM MARKET Wood Farm Wood Lane 2019/8007	Standing and Occupation of Residential Mobile Home	19.12.2019 Delegated authority	Enforcement Notice to be served

Enforcement Statistics

	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019 (as of 01.01.2019)
No. of complaints	370	349	324	309	347	321	332	319	353	336	261
Enforcement Notices issued	23	18	12	17	4	3	12	6	2	4	2
Breach of Condition Notices issued	0	3	0	0	1	0	0	0	1	0	0
Section 215 Notices issued	2	3	1	1	0	1	0	0	0	0	0
Temporary Stop Notices issued	2	3	0	0	0	0	0	0	0	0	0

Enf-Proc
01.01.2020

Planning Appeals**Appeals received from 30 November 2019 to 2 January 2020**

Ref	Parish / Site	Appellant	Proposal	Decision Maker	Final Decision
2019/1708	Hethersett 18 Great Melton Road Hethersett Norfolk NR9 3AB	Mrs Patricia Hawkins	Pine tree - fell	Delegated	Refusal
2019/0842	Denton Land North West of Sawyers Trunch Hill Denton Norfolk	Mr John Francis	Erection of 1 dwelling	Delegated	Refusal
2019/1481	Brockdish Agricultural Building 4 at Hill Top Farm Hall Road Brockdish Norfolk	Mr Danny Ward	Notification for Prior Approval for a proposed change of use and associated building works of an agricultural building to 2x dwellinghouses (QA and QB)	Delegated	Approval of details - Refused
2019/1503	Loddon Land of the East of High Bungay Road Loddon Norfolk	Mrs Hannah Guy	Construction of 56 entry level dwellings with access and associated infrastructure	Delegated	
2019/0911	Wortwell Land West of High Road Wortwell Norfolk	Mr A Ruler	Erection 4 dwellings	Delegated	Refusal

Planning Appeals

Appeals received from 30 November 2019 to 2 January 2020

2019/0847	Wicklewood Land Adj to 4 Hillside Crescent Wicklewood Norfolk	Mrs C Riches	Sub-division of garden for construction of a single storey dwelling	Delegated	Refusal
2019/1014	Morley Land East of Brecon Lodge Home Farm Lane Golf Links Road Morley St Peter Norfolk	Mr & Mrs Tubby	Erection of two detached single storey dwellings and garages	Delegated	Refusal

Planning Appeals

Appeals decisions from 30 November 2019 to 2 January 2020

Ref	Parish / Site	Appellant	Proposal	Decision Maker	Final Decision	Appeal Decision
2018/2383	Morley Brook Cottage Deopham Road Morley St Botolph NR18 9AA	Mr Max Barnes	Erection of two storey dwelling	Delegated	Refusal	Appeal Allowed
2018/2259	Bunwell Land to The Rear of Hillcrest Bunwell Hill Bunwell Norfolk	Ms Carolyn Larkin	New self build house.	Delegated	Refusal	Appeal dismissed

Planning Appeals

Appeals decisions from 30 November 2019 to 2 January 2020

2018/1944	Forngett Land at Tawny Farm Station Road Forngett St Peter Norfolk	Mr Harry Bowers	Proposed erection of 3no detached two storey dormer style dwellings with garages	Delegated	Refusal	Appeal dismissed
2018/2302	Ashwellthorpe and Fundenhall Land North of the Street Ashwellthorpe Norfolk	Mr P Muskett	Six self-build dwellings.	Delegated	Refusal	Appeal dismissed
2019/0329	Ashwellthorpe and Fundenhall Land at the Junction of New Road And Common Road Fundenhall Norfolk	Mr Lodge	Proposed construction of new dwelling and garage with access	Delegated	Refusal	Appeal dismissed
2019/0172	Bressingham and Fersfield Land to the rear of Pine Tree Cottage School Road Bressingham Norfolk	Ms Nancy Gray-Davies	Erection of new dwelling and garage.	Delegated	Refusal	Appeal dismissed
2019/0893	Tasburgh 8 Curson Road Tasburgh Norfolk NR15 1NH	Mr William Fisher	Extensions and associated alterations.	Delegated	Refusal	Appeal dismissed