

Development Management Committee

Members of the Development Management Committee:

Conservatives Liberal Democrats

Mr V Thomson Dr M Gray
(Chairman)
Mrs L Neal
(Vice-Chairman)
Mr D Bills

Mr B Duffin
Mrs F Ellis
Mr C Gould
Dr C Kemp
Mr G Minshull

Pool of Substitutes

Mrs Y Bendle Mr D Fulcher
Mr C Foulger
Mr J Hornby
Mr J Mooney
Dr N Legg
Mrs A Thomas

Pre-Committee Members' Question Time
9.00 am Blomefield Room

Agenda

Date

Wednesday, 10 October 2018

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 note there is no public speaking on item 1, as it is an enforcement matter.

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 6)

4. **Minutes of the Meeting of the Development Management Committee held on 12 September 2018;**
(attached – page 8)

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

(attached – page 23)

To consider the items as listed below:

Item No.	Planning Ref No.	Parish	Site Address	Page No.
1	2018/8100	WRENINGHAM	Land Adj To Wreningham Village Hall, Mill Lane, Wreningham	23
2	2018/1516/F	DEOPHAM AND HACKFORD	Poultry Sheds East Of Ivy House Victoria Lane Deopham Norfolk	28
3	2018/1492/F	CRINGLEFORD	Land to the rear of 9 Harmer Crescent, Cringleford	37
4	2018/1758/RVC	COSTESSEY	19A Ruskin Road Costessey NR5 0LL	48
5	2018/1884/F	DICKLEBURGH AND RUSHALL	Land Adjacent To Moorlands Norwich Road Dickleburgh Norfolk	53
6	2018/2019/F	WORTWELL	Land West Of 2 High Road Wortwell Norfolk	66

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 73)

8. **Planning Appeals (for information);** (attached – page 76)

9. **Date of next scheduled meeting – Wednesday, 7 November 2018**

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 must then withdraw from the meeting.

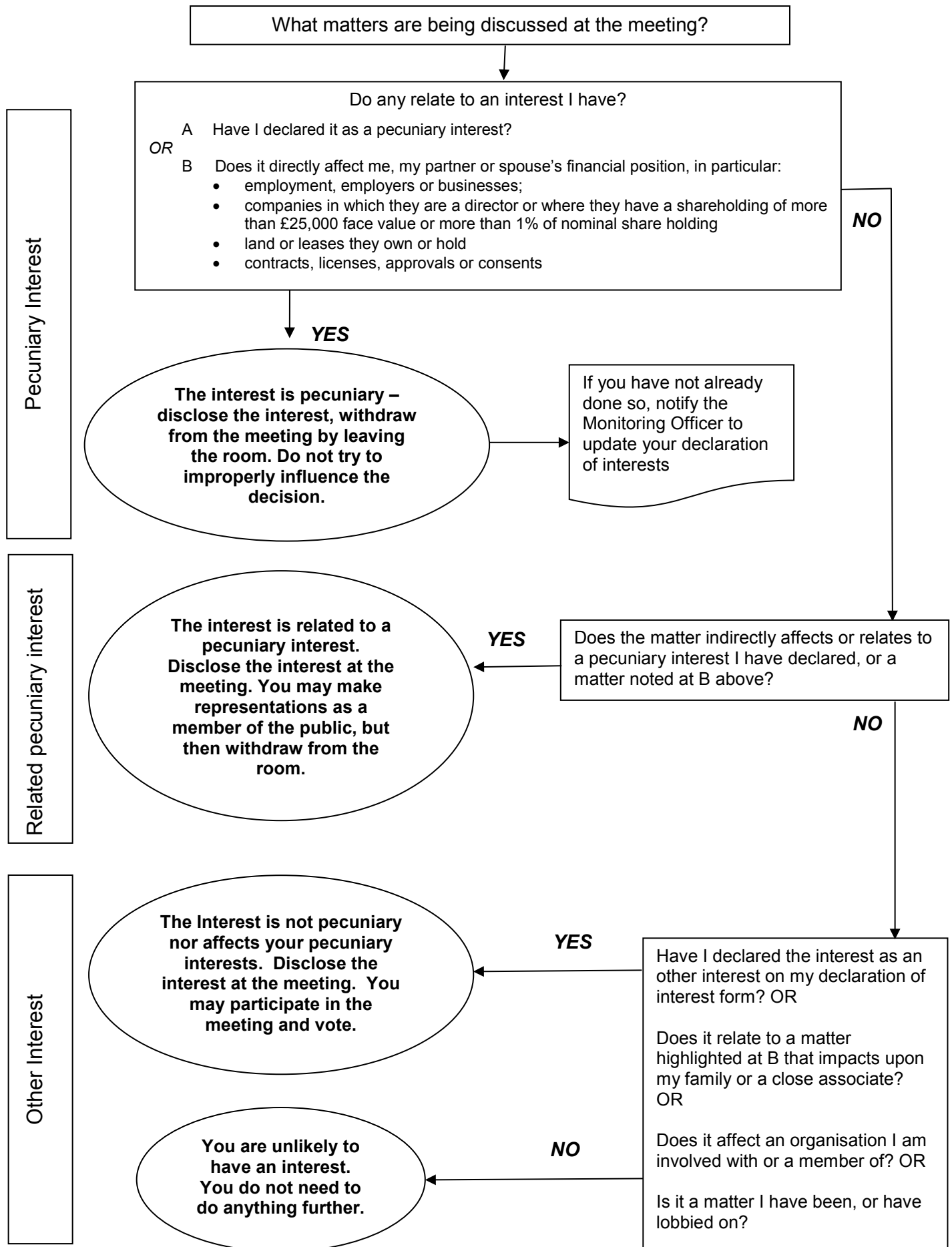
Is the interest not related to any of the above? If so, it is likely to be an other interest. You will need to declare the interest, but may participate in discussion and voting on the item.

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 12 September 2018 at 10.00 am.

Committee Members Present: **Councillors:** V Thomson (Chairman), D Bills, B Duffin, C Gould, M Gray, C Kemp, G Minshull and L Neal (except item 2)

Apologies: **Councillor:** F Ellis

Substitute Members: **Councillor:** N Legg for F Ellis

Officers in Attendance: The Development Manager (H Mellors), the Major Projects Team Leader (T Lincoln), the Senior Planning Officers (G Beaumont and C Raine) and the Planning Officer (H Bowman)

60 members of the public were also in attendance

406. DECLARATIONS OF INTEREST

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

Application	Parish	Councillor	Declaration
2018/1212/F (Item 2)	PULHAM ST MARY	L Neal	Local Planning Code of Practice As a Cabinet Member, Cllr Neal left the room whilst this item was considered
2018/1210/F (Item 4)	PORINGLAND	L Neal All	Local Planning Code of Practice Lobbied by Objector Local Planning Code of Practice Lobbied by District Member
2018/1211/F (Item 5)	PORINGLAND	L Neal All	Local Planning Code of Practice Lobbied by Objector Local Planning Code of Practice Lobbied by District Member
2018/1447/H (Item 7)	CRINGLEFORD	C Kemp	Local Planning Code of Practice Lobbied by Objector
2018/1529/F (Item 9)	WICKLEWOOD	All	Local Planning Code of Practice Lobbied by Applicant and Objector

407. MINUTES

The minutes of the Development Management Committee meeting dated 15 August 2018 were confirmed as a correct record and signed by the Chairman.

408. PLANNING APPLICATIONS AND OTHER DEVELOPMENT CONTROL MATTERS

The Committee considered the report (circulated) of the Director of Growth and Business Development, 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
2017/0810/F (Item 1)	LONG STRATTON	S Adcock – Long Stratton Parish Council J Harris – Objector G Armstrong – Agent for the Applicant Cllr A Thomas – County Councillor
2018/0953/F (Item 3)	BERGH APTON	J Ling – Bergh Apton Parish Council
2018/1210/F (Item 4)	PORINGLAND	J Henson – Poringland Parish Council M Stockings – Objector M Sadd – Applicant Cllr J Overton – Local Member
2018/1211/F (Item 5)	PORINGLAND	J Henson – Poringland Parish Council M Stockings – Objector M Sadd – Applicant Cllr J Overton – Local Member
2018/1447/H (Item 7)	CRINGLEFORD	S Hassan – Objector R McVicar – Agent for the Applicant
2018/1529/F (Item 9)	WICKLEWOOD	P Lucas – Agent Cllr M Edney – Local Member
2018/1548/F (Item 10)	DISS	J Chisnall – Objector Cllr T Palmer – Local Member
2018/1697/F (Item 11)	MORLEY	J Parker – Agent for the Applicant Cllr M Edney – Local Member

The Committee made the decisions indicated in Appendix B of these 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 Growth and Business Development.

409. PLANNING APPEALS

The Committee noted the report and were pleased to see a reduction in the number of appeals.

(The meeting closed at 3.50pm)

Chairman

Updates for DEVELOPMENT MANAGEMENT COMMITTEE – 12 September 2018

Item	Updates	Page No
Item 1 2017/0810	<p>Councillor Worsley comments received on the <u>original</u> scheme (not amendments) as follows:</p> <ul style="list-style-type: none"> • Outside of development boundary as defined in the area action plan • It's not an exception site • Site was rejected under site-specific process of the area action plan • Flood officer has recommended refusal as details supplied are insufficient • Concerns that Anglian Water have previously raised issues regarding foul water drainage • St Mary's access is neither safe nor sufficient for additional vehicle access or for construction access due to the high number of parked vehicles, viability and incline. • Flowerpot Lane junction with A140 has yet to see the full impact of the recent Tharston Meadows development and concerns remain about capacity of the A140 • No provision for additional parking for amenity land • No indication of who will be responsible for the amenity land going forward • Concerns regarding impact on infrastructure – schools and doctors 	18
Item 2 2018/1212	On a point of clarification to the query in para 4.9, the agent has confirmed the retention of Tree T2	39
Item 3 2018/0953	<p>The recommendation is to be changed to approval with conditions. The applicants, in conversation with officers have proposed that instead of entering into a section 106 agreement for the existing farm building, as set out in the officer's report, conditions are applied to tie the new dwelling as agricultural occupancy and a further condition requiring the dwellings (existing farm building and new dwelling) not be sold separately.</p> <p>The Council have sought legal advice in this regard and given the unique circumstance of this agricultural holding, with the farm house being surrounded by the farm buildings in use for the farm operation; the close relationship of the existing and new farm dwellings and their limited size; the shared spaces; and the other information already provided by the applicant then in this instance this proposal is considered acceptable and the application is recommended for approval on this basis. The recommendation is therefore to be updated as follows:</p>	45

	<p>Approval with conditions</p> <ul style="list-style-type: none"> • Full - 5 Year Land Supply • In accordance with amendments • Foul drainage to sealed system or private treatment plant only • Reporting of unexpected contamination • New Water Efficiency • Window details to be agreed • External materials to be agreed • Agricultural worker's dwelling (new dwelling) • Tying the new dwelling to the existing farmhouse to not be sold separately <p>Parish Council further comments:</p> <p>The Parish Council wishes to withdraw its earlier objection, based on a discussion with the applicants and that the SNC planners consider the new build proposal as an acceptable solution.</p> <p>Our objection was based on our recognition that the nature and character of the Bussey Bridge area is special and recognised as an increasingly rare example of a rural idyll. The agricultural buildings may be ramschackle in appearance but they are nevertheless charming and probably unique. The character will be changed irrevocably with the approval of this application.</p> <p>We ask, therefore, that the planners take into consideration, when approving the final design and setting for the new build, that it and its building materials are sympathetic to the rural farmyard context in which it will sit.</p> <p>Officer Response:</p> <p>The Parish Council comments are noted and a condition is proposed to check external materials, which will need to be sympathetic to the character and appearance of the Conservation Area.</p>	
Item 4 2018/1210	<p>6 further representations received re-iterating concerns already raised. It is considered that these are adequately addressed by the report, however, we would wish to offer the following observations/clarifications:</p> <p>Whilst it is accepted that single storey dwellings would have less impact, the Council is required to determine the scheme before it.</p> <p>The changing of a fencing on-site would not have required planning permission.</p>	52

	<p>Issues surrounding existing septic tank and pipes are a civil issue between the relevant parties. A condition has been attached in relation to agreeing the details for foul water drainage arrangements for this scheme to ensure adequacy.</p> <p>Ensuring the use of a suitable foundation design is controlled via Building Regulations. Any damage to third parties land or property via the construction work would be a civil matter between relevant parties.</p> <p>Non-compliance with conditions can be enforced as necessary by the Local Planning Authority.</p> <p>It is accepted that para 4.13 focuses on the impacts of overlooking from the garden of plot 2 to the immediate neighbour no.6 Mill Close due to them lying immediately adjacent to one another. To clarify, in respect of overlooking from the garden of plot 2 to other properties, by virtue of factors of separation distance, boundary, treatments and intervening features (existing dwellings) it is not considered that significant adverse overlooking would occur. Likewise, issues of overlooking from the proposed properties themselves are addressed separately elsewhere in the report.</p> <p>On a point of clarification, an additional condition is suggested for plot 2 (2018/1210) to reflect the requirement for obscure glazing to a first floor window as set out in para 4.10.</p>	
Item 5 2018/1211	Update as per item 4 above.	52
Item 6 2018/1275	The applicant has requested that this application be withdrawn. As a result, it will not be presented to Committee.	60
Item 7 2018/1447	<p>Parish Council comments on revised plans:</p> <p>No objections but would like to reiterate our concerns concerning privacy and the adjoining garage. None of the windows should affect the privacy of neighbours. The adjoining garage has a non-weatherproof party wall and we would like to ensure that there is a condition that makes the remaining garage is structurally sound and weatherproof.</p> <p>Officer comment: The matter of the party wall is considered to be a civil matter for the applicants and neighbour to resolve via the Party Wall etc Act.</p> <p>One additional neighbour comment:</p>	68

	The revised plans display no meaningful attention to the previous objections.	
Item 8 2018/1468	<p>Parish Council comments to the revised proposal:</p> <p>Although the length of the extension has been reduced and has no overlooking window, the Parish Council still consider the extension to be rather overpowering.</p>	73
Item 9 2018/1529	No update	78
Item 10 2018/1548	<p>Since the report was written, amended drawings have been received, which reduce the pallet of materials used on the elevations, but the built form remains the same. The number of car parking spaces has also been reduced to one adjacent to the dwelling and one space and a garage within the parking court. A turning area has been provided on site.</p> <p>Officer comments:</p> <p>The amended design is an improvement on previous scheme and has a simpler appearance, however, it does not fully address officer's concerns including the hipped roof, dormer and fenestration arrangements which are still incongruous elements.</p> <p>The changes in the carparking layout are an improvement and it will be easier to manoeuvre in and out of spaces, however this does reduce the limited amenity space for a 4 bedroom dwelling even further, which is also a concern.</p> <p>The recommendation therefore remains for refusal and the reasons set out in section 6.1 and 6.2 of the committee report have been amended as follows:</p> <p>The proposed layout of the site would result in a cramped form of development with limited amenity space. This is considered contrary to Policy 12 of the NPPF, Policy 2 of the Joint Core Strategy for Broadland, Norwich and South Norfolk and policy DM3.8 of the South Norfolk Local Plan."</p> <p>The proposed scale, bulk, mass and design of the dwelling with the hipped roof, side dormer and fenestration arrangement would result in a dominant and incongruous element detracting from the street scene which is characterised by simple rendered listed properties. The proposal is therefore contrary to Policy 12 of the NPPF, Policy 2 in</p>	83

	<p>the Joint Core Strategy and Policy DM3.8 in the South Norfolk Local Plan</p> <p>Please also note that Section 3.6 'other representations' bullet point 18 should read "Putting aside the covenant would require access over the land owned by number 7 which would not be granted."</p> <p>Verbal update at Committee: the Conservation and Design Officer still had concerns about the amended proposal and had made some suggestions.</p>	
Item 11 2018/1697	<p>Letter of support received from Beattie Passive:</p> <p>Letter sets out that its buildings are lower energy requirements than traditionally built houses and do not require central heating and that Beattie Passive actively supports local employment with apprentices and older workers.</p> <p><u>Verbal update received at meeting</u></p> <p>1 The site is located in a countryside location approximately 1.1km from the nearest settlement with a development boundary and is connected to it by roads that observe the national speed limit and that do not have footpaths. Its location and proximity to services and facilities will not provide satisfactory access for all via low impact modes of transport throughout the year, will not minimise greenhouse gas emissions and is not located to use resources efficiently. The site is not in a sustainable location and neither can it be made sustainable by this development. The application is contrary to Policy 1 of the Joint Core Strategy and Policy DM3.10(1) of the South Norfolk Local Plan.</p> <p>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 the harm identified above. As such, the application does not satisfy the requirements of either items 2 c) or d) of Policy DM1.3 of the South Norfolk Local Plan or Policy 17 of the Joint Core Strategy. The application does not represent sustainable development and is contrary to paragraphs 11 and 78 (insofar as it relates to promoting sustainable development in rural areas) of the NPPF and Policy DM1.1 of the South Norfolk Local Plan.</p>	93

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 Growth and Business Development's final determination.

Major Applications

1. **Appl. No** : **2017/0810/F**
 Parish : **LONG STRATTON**

Applicants Name : Orbit Homes (2020) Ltd
 Site Address : Land off St Mary's Road Long Stratton Norfolk
 Proposal : Erection of 52 dwellings with associated car parking and amenity space, roads, public open space, landscaping and vehicular access off St Mary's Road.

Decision : Members voted 8-0 (with 1 abstention) for **Refusal** (contrary to officer recommendation, which was lost 1-7 with 1 abstention)

Refused

Reasons for overturning officer recommendation

Members acknowledged the benefits of housing and affordable housing delivery, however, considered that the harms of poor integration of the open space; encroachment in the open countryside and the rural landscape character; and the loss of the prominent oak tree significantly and demonstrably outweigh the benefits, contrary to relevant local plan policies and paragraph 11 of the NPPF.

Application on site partly owned by South Norfolk Council

2 Appl. No : 2018/1212/F
Parish : PULHAM ST MARY

Applicants Name : Mr G Homan & South Norfolk Council
Site Address : Land to South of Chestnut Road Pulham St Mary Norfolk
Proposal : Erection of seven new dwellings and garages

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

Approved with conditions

- 1 Full planning permission time limit
- 2 In accordance with approved plans
- 3 External materials to be agreed
- 4 No PD for fences, walls etc
- 5 No additional windows at first floor
- 6 No PD for Classes A, B, C, D, E and G
- 7 Tree protection
- 8 Landscape management plan
- 9 Retention of trees and hedges
- 10 Boundary treatments to be agreed
- 11 Reporting of unexpected contamination
- 12 New water efficiency
- 13 Surface water
- 14 Slab level to be agreed
- 15 Provision of parking, turning
- 16 Details of refuse point
- 17 Landscape management plan
- 18 Construction environmental management plan

Other Applications

3 Appl. No : 2018/0953/F
Parish : BERGH APTON

Applicants Name : Mr A Kerry
Site Address : Bussey Bridge Farm Bussey Bridge Bergh Apton NR15 1DF
Proposal : Change of use of redundant farm building to form new 2 bedroom dwelling.

Decision : Recommendation updated by officers to Approval with Conditions, as set out in the update sheet in appendix A and below.

Members voted unanimously for **Approval**

Approved with conditions

1. Full - 5 Year Land Supply
2. In accordance with amendments
3. Foul drainage to sealed system or private treatment plant only
4. Reporting of unexpected contamination
5. New Water Efficiency
6. Window details to be agreed
7. External materials to be agreed
8. Agricultural worker's dwelling (new dwelling)
9. Tying the new dwelling to the existing farmhouse to not be sold separately

4 **Appl. No** : **2018/1210/F**
 Parish : **PORINGLAND**

Applicants Name : Mr Michael Sadd
Site Address : Land West of Mill Close Poringland Norfolk
Proposal : Erection of single dwelling and garage

Decision : Members voted 8-0 (with 1 abstention) for **Approval**

Approved with conditions

- 1 Full planning permission time limit
- 2 In accordance with approved plans
- 3 External Materials to be agreed
- 4 No PD for fences, walls etc
- 5 No additional windows at first floor
- 6 No PD for Classes A, B, C, D,E and G
- 7 Tree protection
- 8 Retention of Trees and hedges
- 9 Boundary treatments
- 10 Reporting unexpected contamination
- 11 New water efficiency
- 12 Surface water
- 13 Slab level to be agreed
- 14 Provision of parking, turning

Members requested a note to be added to the permission to request the applicant makes a record of the location of the pillbox and trigonometry, and submits to the Records Office.

5 **Appl. No** : **2018/1211/F**
 Parish : **PORINGLAND**

Applicants Name : Mr Michael Sadd
Site Address : Land South of Mill Close Poringland Norfolk
Proposal : Erection of single dwelling and garage

Decision : Members voted 8-0 (with 1 abstention) for **Approval**

Approved with conditions

- 1 Full planning permission time limit
- 2 In accordance with approved plans
- 3 External Materials to be agreed
- 4 No PD for fences, walls etc
- 5 No additional windows at first floor
- 6 No PD for Classes A, B, C, D,E and G
- 7 Tree protection
- 8 Retention of Trees and hedges
- 9 Boundary treatments
- 10 Reporting unexpected contamination
- 11 New water efficiency
- 12 Surface water
- 13 Slab level to be agreed
- 14 Provision of parking, turning
- 15 Landscape buffer to be implemented and retained and not to be used as residential curtilage
- 16 Obscure glazing

- 6 **Appl. No** : **2018/1275/CU**
 Parish : **BRANDON PARVA, COSTON, RUNHALL, WELBORNE**
- Applicants Name : Mr & Mrs Hannant
 Site Address : Linden Cottage, Welborne Common, Welborne, NR20 3LD
 Proposal : Change of use of holiday let properties to residential
- : This Application was withdrawn as an application by the applicant prior to the Committee meeting
-
- 7 **Appl. No** : **2018/1447/H**
 Parish : **CRINGLEFORD**
- Applicants Name : Mr & Mrs Howes-Tyrell
 Site Address : 2A Harmer Lane, Cringleford, NR4 7RT
 Proposal : Demolition of garage and conservatory and erection of a two-storey side and front extension
- Decision : Members voted 8-0 (with 1 abstention) for **Refusal** (contrary to officer recommendation, which was lost 1-8)
- Refused
- Reasons for overturning officer recommendation
- Overbearing development to neighbouring property.
- With particular regard to the front extension, it is considered that the proposal, by virtue of its size, massing and proximity to boundary, will represent an overbearing and dominant form of development that will be harmful to the amenity of the neighbouring property at 2B Harmer Lane. The application is therefore contrary to Policies DM3.4(b) and DM3.13 of the South Norfolk Local Plan Development Management Policies Document 2015.
-
- 8 **Appl. No** : **2018/1468/H**
 Parish : **BROCKDISH**
- Applicants' Name : Mr John Pylee
 Site Address : Ynot Mill Road Thorpe Abbots Norfolk IP21 4HX
 Proposal : Single and two storey extensions to the rear
- Decision : Members voted unanimously for **Approval**
- Approved with conditions
- 1 Full Planning permission time limit
 2 In accord with submitted drawings
 3 Cladding and bargeboards to be agreed
- Subject to no new material planning considerations being raised following the Planning Committee and during the consultation period which ends on 12th September 2018.

- 9 **Appl. No** : **2018/1529/F**
 Parish : **WICKLEWOOD**
- Applicants' Name : Mr John Seville
 Site Address : Land adjacent to 69 High Street, Wicklewood
 Proposal : Proposed new 2-bed bungalow to the rear of 69 High Street
- Decision : Members voted 6-3 for **Refusal**
- Refused
- 1 Cramped and out of character form of development
-
- 10 **Appl. No** : **2018/1548/F**
 Parish : **DISS**
- Applicants' Name : Mr & Mrs Nigel Owen
 Site Address : Land East Of 4 Fair Green Diss IP22 4BQ
 Proposal : Erection of 1 no. Dwelling with associated parking
- Decision : Members voted unanimously for **Refusal**
- Refused
- 1 Layout and parking
 2 Design
 3 Impact on heritage assets
 4 Residential amenity
 5 Flooding
 6 Not sustainable development

11 **Appl. No** : **2018/1697/F**
 Parish : **MORLEY**

Applicants' Name : Mr & Mrs Will & Rachael Lockwood
 Site Address : Land adjacent to Clearview, Hookwood Lane, Morley St. Peter
 Proposal : Erection of 1 No. self-build Passivhaus dwelling with replacement
 stable, to be erected within enclosed block of grazing meadow
 (revised)

Decision : Members voted 6-3 for **Refusal**

 Refused

 1 Accessibility of site to local services
 2 No overriding benefits

PLANNING APPLICATIONS AND OTHER DEVELOPMENT CONTROL MATTERS**Report of Director of Growth and Business Development****Enforcement**

1	Enforcement Ref	:	2018/8100
	Parish	:	WRENINGHAM
	Site Address	:	Land Adj To Wreningham Village Hall, Mill Lane, Wreningham
	Development	:	Built not in compliance with a pre-commencement condition
	Developer	:	Ms N Todd

Reason for reporting to committee

The Local Member has requested that it be determined by the Development Management Committee that no further action be taken on this minor breach of planning control.

1. Planning Policies

- 1.1 National Planning Policy Framework
NPPF 12: Achieving well designed places
NPPF 14: Meeting the challenge of climate change, flooding and coastal change
NPPF 15: Conserving the natural environment
- 1.2 Joint Core Strategy
Policy 2: Promoting good design
- 1.3 South Norfolk Local Plan 2003
Development Management Policies
DM2.8 : Equestrian & other changes of use of agricultural land
DM3.11 : Road safety and the free flow of traffic
DM3.12 : Provision of vehicle parking

2. Relevant Planning History

2.1	2018/1658	Retention of building for use as a day room, standing of 1 mobile home, 2 tourers and 3 concrete pads and installation of package treatment plant	Under consideration
2.2	2017/2831	Change of use to paddock and erection of stable (revised)	Approved
2.3	2017/1979	Change of use to paddock and erection of stable	Approved

3 Consultations

- 3.1 District Member Cllr Hardy
- I appreciate that officers may seek to take no action in relation to the breach because it has been judged to be minor, but in light of the initial oversight of this breach, I wish for this to go to the planning committee to consider it.
- I also appreciate that there is a live application in progress for residential use on the site and that the breach in planning control which will be addressed if the application is refused. In light of local feeling, I do not wish for this breach in relation to the pre-commencement condition to be signed off under delegated powers but for the committee to decide on this enforcement issue for the sake of openness and transparency.

4 Assessment

Background

- 4.1 Planning application reference 2017/2831 was approved in January of this year for the change of use of land to paddock and the erection of a stable, at land off Mill Lane, Wreningham. This was a revised planning application from an earlier submission for the same thing but with the addition of a toilet (application reference 2017/1979). Permission was granted subject to seven conditions with regards to time, construction in accordance with submitted drawings, access, turning, foul water and sewage disposal (a pre-commencement condition) and use.
- 4.2 It was brought to the attention of the Council that it was considered that the stable had not been constructed in accordance with the approved plans. The site was subsequently investigated and although the building had been constructed as per the approved plans, a pre-commencement condition with regards to foul water and sewage disposal had not been discharged, in breach of that planning permission.
- 4.3 Condition five (foul water and sewage disposal) states:
- No development shall take place until precise details of the means of foul water and sewage disposal have been submitted to and agreed in writing with the local planning authority. The development shall be carried out in accordance with the details as agreed prior to the use being brought into use and retained as such thereafter.*
- Reason for the condition:*
To minimise the possibilities of flooding and pollution in accordance with Policy 1 of the Joint Core Strategy.
- 4.4 The Council was informed by the owner of the site that the proposed toilet, as approved under application reference 2017/2831, was not to be installed and therefore they had not sought to discharge that condition.
- 4.5 The applicant cannot seek to regularise this permission through the discharge of condition five, as works have already commenced.
- 4.6 For information, the building, although built in accordance with the approved plan is now occupied in combination with two onsite touring caravans as a residential unit. This is obviously a breach of the permission(s) mentioned above and the building on site was never brought into use as a stable. With regards to this latter matter, the use of the building is not for the consideration of Members at this time as this is being dealt with through the subsequent submission of a further planning application, reference 2018/1658, which is for

the 'retention of building for use as a day room, standing of 1 mobile home, 2 tourers and 3 concrete pads and installation of package treatment plant'. This application awaits further information before any determination and following this relevant enforcement action, if required.

Assessment

- 4.7 As set out above the development approved under application reference 2017/2831, is considered to have been constructed in accordance with the approved plans. A minor breach of planning control has however been identified as pre-commencement condition number five, of this permission has not been complied with. If the applicant sought to vary this permission and remove condition five, at the time of construction, then it is considered that the local planning authority would have agreed to the removal of condition five. This is because it would not have been required, as the toilet was not installed in the stable. Therefore, whilst it is acknowledged that this is a breach of planning condition, the breach is considered minor in the absence of the toilet and no further action, in this regard, is recommended.
- 4.8 Paragraph 58 of the NPPF states that enforcement action is discretionary, and local planning authorities should act proportionately in responding to suspected breaches of planning control.
- 4.9 The Council's adopted Compliance and Enforcement Policy 2015 states:
- 'Formal action will only be taken where there is demonstrable harm being caused to matters of public interest. This can include the service of notices, direct action, prosecution and/or the use of injunctions.'*
- 'Formal action will not be taken against minor, infrequent, or trivial breaches of planning control where there is no significant harm caused and no aggravating factors. Planning legislation allows development to be regularised by application for retrospective planning permission and this is a course of action that will be encouraged where appropriate'.*
- 4.10 It is considered that the non-discharge of condition five would not harm public interest, as the toilet has not been installed and the foul water and sewage disposal condition was required for this reason only. In addition, as the toilet has not been installed it would be difficult for the Council to demonstrate any harm warranting enforcement action. Finally, the Council's recommendation to take 'no further action' in this regard is considered proportionate in this instance.
- 4.11 Members are reminded that the situation on the site has considerably moved on and the applicant has occupied and made an application for planning permission for the permanent residential use of the site. This current planning application will be considered in accordance with adopted planning policies and any other relevant material considerations and determined appropriately. If a breach of planning control subsequently exists, then appropriate enforcement action will be considered at this time.
- 4.12 This is not liable for Community Infrastructure Levy (CIL).

5 Recommendation

- 5.1 No further action is taken in respect of the non compliance with condition five of application reference 2017/2831, as this is a minor breach of planning control.

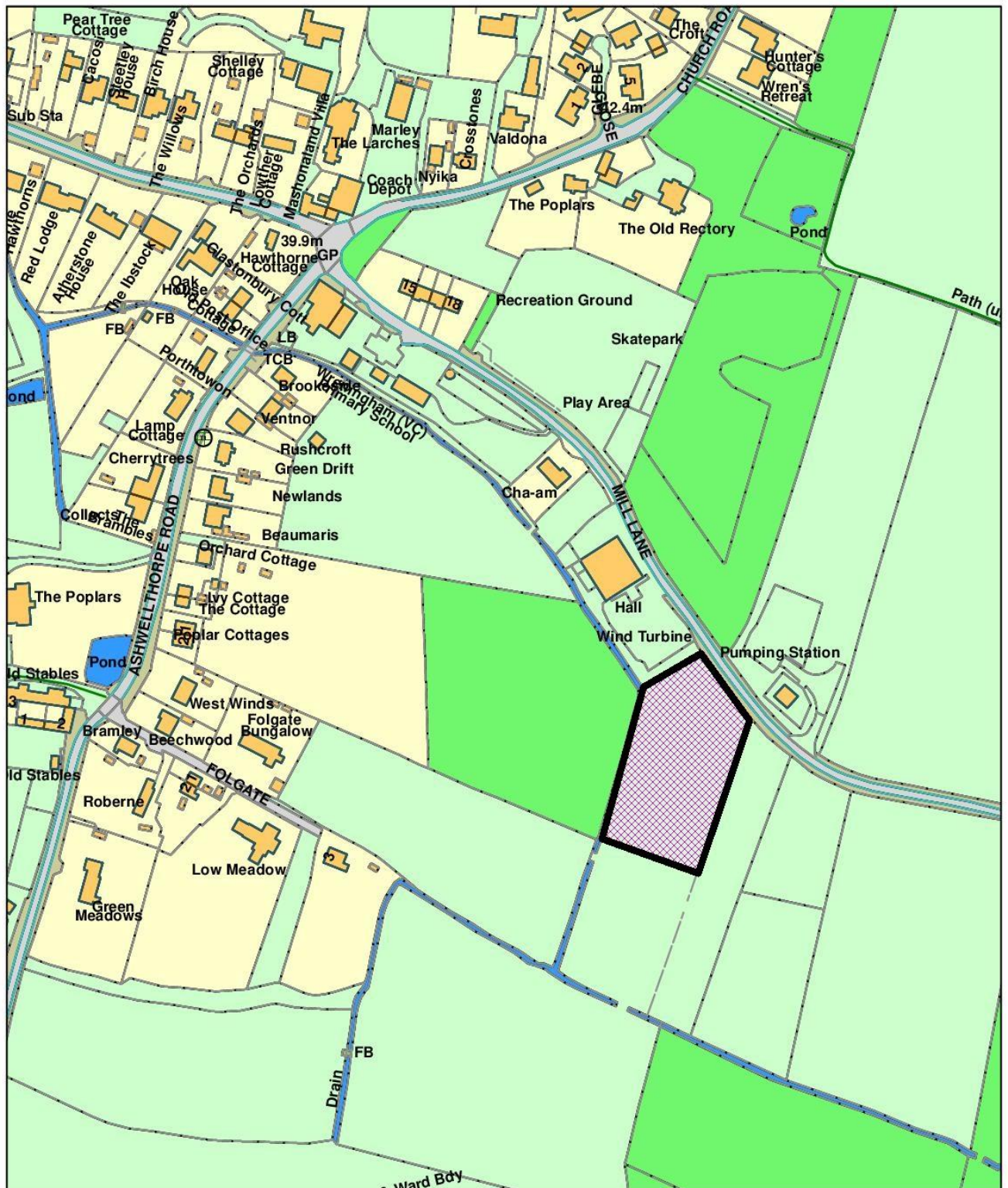
- 5.2 The current planning application reference 2018/1658 is to be determined and following this any appropriate action with regards to the use of this building will be undertaken.

Contact Officer, Telephone Number Rebecca Collins 01508 533794
and E-mail: rcollins@s-norfolk.gov.uk

2018/8100

Appendix 1

Not Set



Scale 1:2,500

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

Major Applications

- 2 Appl. No : 2018/1516/F**
Parish : DEOPHAM AND HACKFORD
- Applicants Name : Mr Sam Drummond
 Site Address : Poultry Sheds East Of Ivy House Victoria Lane Deopham Norfolk
 Proposal : Demolition of existing poultry buildings and erection of replacement
 poultry buildings, hardstandings and drainage attenuation pond
 (revised)
- Recommendation : Approval with Conditions
- 1 Full Planning permission time limit
 - 2 In accord with submitted drawings
 - 3 Maximum 57,000 chickens
 - 4 Parking for construction workers
 - 5 Construction Traffic Management Plan
 - 6 Full details of external lighting
 - 7 Tree Protection
 - 8 Implement planting scheme
 - 9 Landscape management plan
 - 10 Ecology mitigation measures
 - 11 Drainage
 - 12 Reporting of unexpected contamination
 - 13 Renewable energy

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.

- 1 Planning Policies
 - 1.1 National Planning Policy Framework (NPPF)
 - NPPF 02 : Achieving sustainable development
 - NPPF 06 : Building a strong, competitive economy
 - 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
 - 1.2 Joint Core Strategy (JCS)
 - Policy 1 : Addressing climate change and protecting environmental assets
 - Policy 2 : Promoting good design
 - Policy 3: Energy and water
 - Policy 5 : The Economy
 - Policy 6 : Access and Transportation
 - Policy 17 : Small rural communities and the countryside
 - 1.3 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
 DM2.1 : Employment and business development
 DM2.7 : Agricultural and forestry development
 DM3.8 : Design Principles applying to all development
 DM3.11 : Road safety and the free flow of traffic
 DM3.12 : Provision of vehicle parking
 DM3.13 : Amenity, noise, quality of life
 DM3.14 : Pollution, health and safety
 DM4.2 : Sustainable drainage and water management
 DM4.4 : Natural Environmental assets - designated and locally important open space
 DM4.5 : Landscape Character Areas and River Valleys
 DM4.8 : Protection of Trees and Hedgerows
 DM4.9 : Incorporating landscape into design
 DM4.10 : Heritage Assets

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

Statutory duties relating to the 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.

2. Planning History

- | | | | |
|-----|-----------|--|---------------------|
| 2.1 | 2018/1017 | Demolition of existing poultry buildings and erection of replacement poultry buildings, egg packing building, hardstandings and drainage attenuation pond. | Withdrawn |
| 2.2 | 2018/1516 | Demolition of existing poultry buildings and erection of replacement poultry buildings, hardstandings and drainage attenuation pond (revised) | under consideration |

3. Consultations

- | | | |
|-----|----------------|--|
| 3.1 | Parish Council | Refuse <ul style="list-style-type: none"> • contrary to Policy DM2.7 as the proposed poultry unit is not appropriate to the rural location due to its size and does not protect the amenity of existing areas in the locality and will have a significant adverse impact on the natural and local environment and the appearance of the locality • contrary to Policy DM3.11 as the highway network is inadequate to serve the development proposed by reason of its restricted width with no obvious parking places. The traffic the development will generate will endanger road safety on roads that have no footpaths, right-angled bends, narrow bridges and is used by school buses. The size of vehicles when the original permission was granted in 1974 were much smaller on roads used by less traffic and so to do a comparison is disingenuous. • contrary to DM3.13 the development would have an excessive and unreasonable impact on the existing occupants and the desirable features of a small rural village. The issue of odour and noise pollution are of particular concern and we feel that |
|-----|----------------|--|

		<ul style="list-style-type: none"> the air pollution diagram fails to take into account the prevailing winds. contrary to DM4.5 as the LVIA does not demonstrate the development can be accommodated without having significant adverse impact and includes very misleading viewpoints contrary to DM4.10 as the development would have an adverse impact on the setting of the Grade I listed St Andrews Church and Grade II listed Hall Farm House and Barns
3.2	District Councillor Cllr Bendle	<p>To be determined by Committee</p> <ul style="list-style-type: none"> Concerns over highway safety
3.3	Anglian Water Services Ltd	The developer is not proposing to connect to Anglian Water Network and therefore we have no comments to make on this application
3.4	Historic England	On the basis of the information available, no comments
3.5	Environment Agency	Permit for site will need updating or varied
3.6	Natural England	No comments
3.7	SNC Community Services - Environmental Quality Team	No comments received
3.8	NCC Highways	Conditional support providing number of birds is limited to 57,000
3.9	NCC Lead Local Flood Authority	No comments received
3.10	SNC Senior Conservation and Design Officer	No significant impact on any listed building
3.11	SNC Landscape Architect	Conditional support subject to clarification that the Landscape Proposals accord with the Tree Protection Plan
3.12	Other Representations	<p>21 letters of objection</p> <ul style="list-style-type: none"> the applicant suggests that this is a renewal in a smaller scale of an existing operation - this has not been the case for several years buildings could clearly handle considerably more than the 57,000 birds that the application states will be housed on the site they already have a permit for double that number concern this may just be the first phase surely if you are going to invest in buildings of this size you will want to fill them to capacity this is livestock farming on an industrial scale and cannot be justified in the heart of a residential area of a village increase in heavy lorries onto the village roads past our house impossible to pass a lorry without totally getting off the road road to B1108 has a number of 90 degree bends and a narrow bridge large vehicles will damage the roads which are low priority for maintenance there are no paths in the immediate vicinity of Ivy Farm

- impact of traffic on dog walkers and horse riders in the village
- impact of traffic on historic buildings
- buildings would be nearer to dwellings to the north of the site than the existing buildings
- potential smell and flies, including from the attenuation pond
- potential for odour and flies to affect nearby restaurant
- have already had to have an officer from the Community Protection Team to investigate flies
- would not be able to open our windows or sit in the garden
- contamination of surrounding land
- concern over air quality due to fuel emissions
- concern over concentration of ammonia
- noise disturbance from vehicles, machinery, fans and plant, as well as the birds themselves
- large concrete apron is likely to amplify any noise
- at the moment at certain times you can hear nothing but wildlife
- smell of dead carcasses in the summer
- experts lead us to believe the heatwave this summer will become more regular therefore there will be longer periods when the fans will be running at higher capacity
- impact of surface water run-off on stream that runs north to the river at Low Common
- application timed conveniently / inconveniently to coincide with the commencement of the school holidays, when many residents are not in a position to respond
- object to poultry sheds on ethical grounds
- should this application be approved we suggest that the quantity of chickens is capped at the levels submitted in the application to prevent a subsequent increase

4 Assessment

Background

- 4.1 The application is for five poultry sheds to be located on the site of three existing poultry sheds and the footprint of one demolished poultry shed. The five sheds will house 11,400 birds each making a total of 57,000 birds on the site. The sheds will all measure 91.435 metres x 15.5 metres with an eaves height of 2.935 metres and a ridge height of 5.092 metres. The application follows a previous application (ref: 2018/1017) which was withdrawn to allow the applicant to address concerns primarily relating to traffic movements from the development along the local highway network.
- 4.2 The site falls under the Environmental Permitting Regulations and will require an Environment Agency Permit which regulates emissions to air, land and water from the installation. This would either be as a variation to the existing Permit which covers the site or as a new Permit.
- 4.3 The main issues to be considered include the principle of development, the visual impact of the proposed buildings on the surrounding landscape, the suitability of the local highway network to accommodate traffic generated by the proposed development, the impact on the amenities of nearby residents, the ecological impact of the development and ensuring the development does not result in surface water flooding.

Principle of development

- 4.4 National and local planning policies support the principles of sustainable development and economic growth. Paragraph 83 of the National Planning Policy Framework (NPPF)

focuses on the rural economy and promotes the development and diversification of agricultural and other land-based rural businesses which, by their very nature, are often located outside the defined development boundaries which could usually be expected to accommodate new development. Similarly, Policy DM2.7 supports agricultural development providing that the development is required for an existing or proposed operation on the holding concerned, is appropriate to the location, is sensitively sited to protect the amenity of existing neighbouring uses in the locality and the road access to the site is appropriate.

- 4.5 The site is in a rural setting, outside of any Development Boundary, but is on an established site used for this type of agricultural enterprise. As such the principle of such development in this location is considered to accord with that part of the NPPF referred to as well as Policy DM2.7 of the Local Plan.

Landscape and Visual Impact

- 4.6 Paragraph 170 of the National Planning Policy Framework requires that planning decisions recognise the intrinsic character and beauty of the countryside, which is reflected in Policy DM1.3 of the Development Management Policies document. Planning Practice Guidance clarifies that conservation and enhancement of the landscape, not only designated landscapes, contributes to upholding this principle. Policy DM4.5 requires all development to respect, conserve and where possible enhance the landscape character of its immediate and wider environment.
- 4.7 As an existing site, it already benefits from existing landscaping in the form of planting on all its boundaries which help contain the site visually. A Landscape and Visual Impact Assessment has been provided with the application which concludes that the landscape effect can be considered as negligible. The Council's Landscape Architect agrees with its findings and also with its recommendations for mitigation by "Strengthening native tree and hedgerow planting to the site boundaries; specifically the southern boundary" and "Management and maintenance of existing surrounding boundaries and trees". Landscape Proposals have now been submitted as to how this will be achieved which the Landscape Architect recommends are secured through conditions. These conditions should ensure the development is carried out in compliance with the submitted tree protection scheme for the existing planting on the boundaries, implementation of the approved planting scheme within the first planting season following commencement of works, and submission and implementation of a long-term management plan for both the existing and new landscaping on the site.
- 4.8 The design of the buildings themselves are of a functional design with precast concrete walls with polyester coated profile sheeting in olive green. The roof covering will be polyester coated profile sheeting in olive green. With the existing landscaping and that to be provided it is considered that this would be an acceptable design.
- 4.9 Subject to the provision of the additional landscaping it is considered that the development can be accommodated on the site without having an adverse effect on the wider landscape and can be considered to accord with Policy 2 of the Joint Core Strategy and Policies DM3.8 and DM4.5 of the Local Plan.

Highways

- 4.10 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.

- 4.11 The main concern raised by the parish council and local residents relates to the constrained nature of the local highway network. Victoria Lane itself is a narrow single track lane which is characteristic of the local highway network generally.
- 4.12 The traffic statement submitted with the application states that the site has a license for 100,000 birds and the traffic levels for the existing vehicle numbers were based on that number of birds on the site. The information supplied indicates that the stocking levels were at or about that level before the site closed a couple of years ago. As the site is now proposed for 57,000 birds, the traffic statement shows a corresponding potential reduction in the traffic levels that will service the site from when the site was previously in use, with a figure of 330 movements per annum indicated for the re-developed site compared to 414 movements per annum previously. A vehicle generation of 110 HGV movements are given for each 19 week cycle (based on a 16-17 week growing cycle, with 14 days at the end of each cycle to remove the birds and prepare the units for the next flock). Whilst the development is clearly cyclical, this equates to less than 1 vehicle movement per day.
- 4.13 On the basis of this and the indicated reduction in movements from the permitted use, the Highway Authority has stated that there can be no justification for objection to the application. It is appreciated that traffic conditions and vehicle sizes were different when the original permission for poultry sheds on this was granted, however this does not alter the fact that that permission remains extant and the site could be brought back into use without any further consent. This application offers a benefit that numbers of birds on the site can be limited and therefore a level of control can be introduced into the intensity of use on the site and thereby the level of possible traffic movements.
- 4.14 A concern raised by a number of local residents is that the size of the buildings are such that they are clearly designed for more than the 57,000 birds stated. The agent has clarified that the proposal is for the rearing of pullets to supply laying farms which produce eggs for hatching into chicks for the broiler chicken industry. The bird numbers are low in a comparison with a commercial broiler unit proposal, but the agent states that they are normal in terms of this specialist use. The sheds are also significantly narrower than the commercial broiler units. They also state that the shed design is completely different and will not be capable of conversion to the previous cage rearing use on the site. Ultimately the imposition of condition capping numbers of the site will ensure the Council retains control to ensure that the buildings are not used for numbers of birds on the scale previously used.
- 4.15 There is not therefore considered to be grounds to refuse the application on the impact of the development on the local highway network and the application is considered to accord with Policy DM3.11 of the Local Plan.

Residential Amenity

- 4.16 Local Plan Policies DM3.13 and DM3.14 seek to protect the residential amenity of existing occupiers from significant adverse impacts of the development.
- 4.17 A number of concerns have been raised in regard to possible impact on amenity, particularly in regard to odour and noise as well as the possibility of flies causing adverse effects for local residents and a nearby business.
- 4.18 The nearest properties outside the ownership of the applicant are Sandpit Farmhouse 100 metres to the north and Piggets Lodge 150 metres to the west. There are, however, two tenanted properties under the ownership of the applicant that immediately adjoin the access into the site.

- 4.19 As noted above, the site is already the subject of a permit from the Environment Agency which requires the best available techniques to be taken to minimise all emissions to air, land and water from the development, including noise, dust, insects and odour. This permit will need to be amended or a new permit secured for operation of the new units but as noted this is on a reduced scale from the previous permit. The nature of these requirements are such that whilst the concerns of local residents are fully appreciated it is not anticipated that there will be any significant adverse impacts in regard to these issues. The development is therefore considered to accord with Policies DM3.13 and DM3.14 of the Local Plan.

Ecology

- 4.20 A Preliminary Ecological Appraisal and Great Crested Newt Environmental DNA Water Body Testing Report as well as a report on the modelling of the dispersion and deposition of Ammonia from the proposed development have been submitted with the application. Norfolk County Council's Ecologist has commented that the reports are fit for purpose.
- 4.21 There are a number of designated sites in the vicinity of the proposed development, including statutory sites (SSSIs) and non-statutory sites. The report on the ammonia modelling states that the maximum annual emissions at the designated sites are acceptable in regard to the standards set by the Environment Agency.
- 4.22 In regard to protected species, the Preliminary Ecological Appraisal identifies potential for great crested newts with a reasonably large number of ponds in the vicinity. The Great Crested Newt Environmental DNA Water Body Testing Report found that four of the ten survey ponds showed the presence of newts. A population of great crested newts is therefore present in the general area of the development. The report states that no breeding ponds will be lost and minimal suitable terrestrial habitat will be adversely impacted. However, it will be necessary to take precautionary measures and these will need to be conditioned as part of any planning approval.

Flood Risk and Site Drainage

- 4.23 The site is within Flood Risk Zone 1 and therefore not at risk from fluvial flooding. Some surface water flooding risk has been identified on the site but this is only on a very limited part of the site at low risk and can be addressed through the surface water management scheme proposed. This scheme proposes an attenuation pond to the west of the site, before discharge into a ditch along the western boundary of the site. Outflows into the ditch would be below greenfield run-off rates in all events. The proposals have been discussed informally with the Lead Local Flood Authority who have raised no concerns.

Heritage Assets

- 4.24 The setting of listed buildings requires an additional consideration under S66(1) Listed Buildings Act 1990, which requires local planning authorities to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
- 4.25 The most important asset potentially affected is Deopham Church of St Andrew, which is Grade I listed. The immediate setting of the church and the churchyard is surrounded by landscaping, which contributes to how it is seen in views. However, the church has a very significant fifteenth century tower of some height, which is very visible from the surrounding countryside for some distance including in views from the east where the site sits.
- 4.26 The sheds can therefore be considered to be within the wider setting of the church. The Senior Conservation and Design Officer has commented that although the sheds will be seen in panoramic views across the open countryside together with the church tower, he

does not consider that they will have a significant impact on any prominent, direct views of the church tower which make a contribution to its significance.

- 4.27 Another designated asset is Hall Farm to the west. This is a Grade II listed building, although it can be considered to have a relatively localised setting, with existing buildings and landscaping affecting inter-visibility between the heritage asset and the site.
- 4.28 As such the development is considered to comply with Policy DM4.10 of the Local Plan. It is also considered that in consideration of the Council's duties under the S66 of the Listed Buildings Act 1990 the Council has given special attention to the desirability of preserving the setting of listed buildings and that, for the reasons set out above, the Council considers that the development will not result in harm to the setting of any listed buildings.

Other Issues

- 4.29 The development will result in floor space in excess of 1000 square metres and as such is required to provide at least 10% of the scheme's expected energy requirements via 'decentralised and renewable or low-carbon energy' as set out in Policy 3 of the Joint Core Strategy. This can be secured through condition.
- 4.30 Security lighting will be required on site, which is reasonable given the nature of the development. Nonetheless, given the rural nature of the area with no street lighting it is considered appropriate to control any lighting to ensure there is no adverse impact. A condition is therefore proposed requiring details of any external lighting on the site.
- 4.31 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.
- 4.32 This application is liable for Community Infrastructure Levy (CIL).

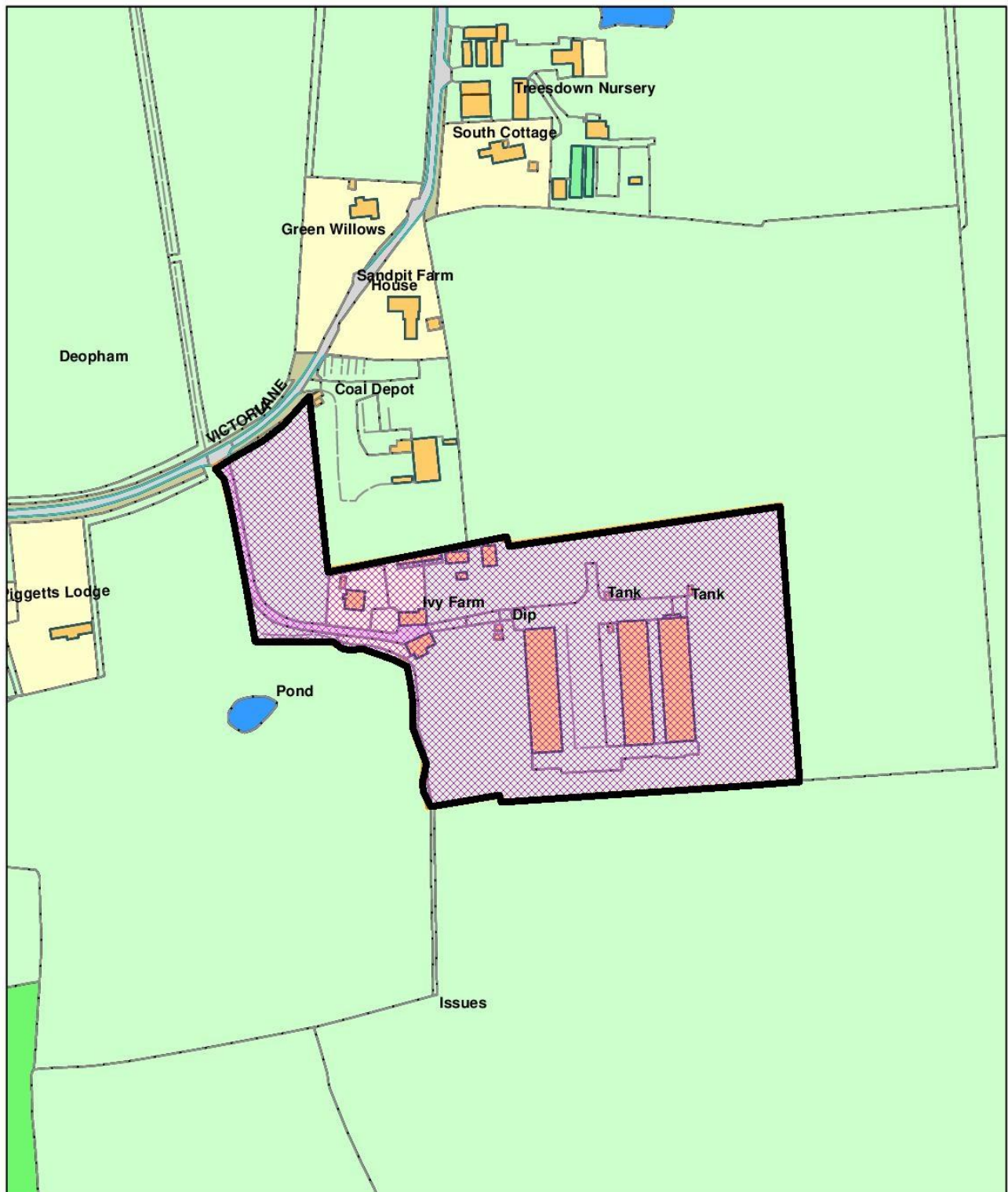
5 Conclusion

- 5.1 The proposal to create new poultry sheds as part of an established agricultural operation accords with the general principles for sustainable development and economic growth set out in the planning policy framework. More specifically the applicant has demonstrated that the development would meet the objectives of JCS Policies 2 and 5 and Local Plan Policies DM1.1, DM1.3, DM1.4, DM2.1, DM2.7, DM3.8, DM3.11, DM3.13, DM3.14, DM4.2, DM4.4, DM4.9 and DM4.10 and subject to satisfying the attached planning conditions the proposed development is considered acceptable.

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2018/1516

Appendix 1



Scale 1:2,500

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

Other Applications

- 3 Appl. No : 2018/1492/F**
Parish : CRINGLEFORD
- Applicants Name : Mr Howard Hannah
 Site Address : Land to the rear of 9 Harmer Crescent, Cringleford
 Proposal : Proposed new dwelling and associated external works
- Recommendation : Refusal
 1 Adverse impact on character of area
 2 Flood Risk
 3 Adverse impact on veteran tree

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 in Section 3 below.

- 1 Planning Policies
- 1.1 National Planning Policy Framework (NPPF)
 NPPF 05 : Delivering a sufficient supply of homes
 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
- 1.2 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 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
- 1.3 South Norfolk Local Plan (SNLP) 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
 DM3.11 : Road safety and the free flow of traffic
 DM3.12 : Provision of vehicle parking
 DM3.13 : Amenity, noise, quality of life
 DM3.14 : Pollution, health and safety
 DM4.2 : Sustainable drainage and water management
 DM4.4 : Natural Environmental assets - designated and locally important open space
 DM4.5 : Landscape Character Areas and River Valleys
 DM4.8 : Protection of Trees and Hedgerows

- 1.4 Cringleford Neighbourhood Plan
 ENV4 : Yare Valley protected areas
 ENV7 : Subdivision of gardens
 HOU2 : Design standards
 HOU4 : Mix of property types
 HOU6 : Renewable energy sources

2. Planning History

- 2.1 2018/0831 New dwelling Refused

3. Consultations

- 3.1 Parish Council Opposes the granting of planning permission.
- 3.2 District Councillor
 Cllr C Kemp If officers are minded to refuse this application I shall be grateful if it could be referred to Committee for decision. The applicant has identified the following material considerations which he wishes to argue before members:
- [1] this is a self-build project;
 [2] the flooding concerns on the previous application have been dealt with;
 [3] the overlooking concerns on the previous application have been dealt with; and
 [4] this ought to be treated as an exception to the Cringleford Neighbourhood Development Plan.
- I have formed no view on the merits and await the full discussion in Committee if appropriate.
- 3.3 NCC Ecologist No objections but recommend the use of conditions that enhance a 0.2 hectare part of the County Wildlife Site, that mitigation measures take place in accordance with those identified in the Preliminary Ecological Appraisal and that ecological enhancements are incorporated into the development.
- 3.4 SNC Water
 Management Officer Flood risk: Safe access and egress would not be available during the 1 in 100 year events. The site plan shows a raised walkway at 8.24m AOD to provide safe access during the design event. However, the walkway ends in Flood Zone 3 which continues into Harmer Lane. Whilst depths are likely to be low at this point, the Flood Risk Assessment should be updated to demonstrate how safe access and egress will be achieved.
- Surface water drainage: The Flood Risk Assessment concludes that soil types across the site may be suitable for effective use of infiltration devices. It proposes that surface water from areas of hardstanding should be attenuated and discharge to the River Yare and advises that rainwater harvesting techniques will further reduce run-off. Recommend that a suitable surface water drainage condition is attached to any planning permission that ensures a sustainable approach to water management.
- 3.5 Environment Agency No objection providing that the Council has taken into account the flood risk considerations that are its responsibility (i.e. sequential and exception tests). If the Council is satisfied that the application passes these tests, recommends the use of a planning condition

that requires the development to be carried out in accordance with the submitted Flood Risk Assessment.

- | | | |
|------|---------------------------|--|
| 3.6 | Water Management Alliance | If the applicant is intending to dispose of surface water to the River Yare, a land drainage consent will be required in line with Norfolk Rivers Internal Drainage Board's byelaws. |
| 3.7 | Norfolk Wildlife Trust | The application site lies within the boundary of Softley Drive Meadow County Wildlife Site (CWS 2217). We have met with the owner on the site and it is clear that the area where the dwelling is proposed has recently been managed as a garden. This is shown on photos within the Design and Access Statement. However, it is also clear from an earlier application in that location and previous air photos that this area has not always been a garden. Whilst we recognise that there is no control over how a landowner manages a CWS, this highlights the need to ensure that enforceable conditions are attached to any approval in order to mitigate for impacts on the CWS. In this context we fully support the views of the NCC ecologist, with regard to inclusion of conditions in order to protect and maintain the remainder of the CWS. |
| 3.8 | Landscape Architect | Objects on the grounds that the application has foreseeable implications for the veteran Oak tree adjacent to the access serving the site that is protected by a Tree Preservation Order. |
| 3.9 | Norwich City Council | <p>This application is a re-submission of application 2018/0831 which was refused.</p> <p>The first reason for refusal relates to the development's impacts on the character of the Yare Valley and echoes the comments made by the City Council in response to that application.</p> <p>This re-submission appears to seek to address the other reasons for refusal and there have been no amendments to directly address the impact on the character of the area.</p> <p>The City Council's previous comments therefore still remain applicable to this proposal and reason for refusal 1 from the previous decision is supported.</p> |
| 3.10 | NCC Highways | No objections. |
| 3.11 | Natural England | The proposed development will not have significant adverse impacts on statutorily protected sites or landscapes. |
| 3.12 | Other Representations | <p>One representation was received from a neighbouring property objecting to the application on the following summarised grounds:</p> <ul style="list-style-type: none"> • Part of the site is within the flood plain; • the house would not be in keeping with the layout of surrounding properties; • the protected Oak tree next to the access may suffer from root disturbance; • Harmer Lane is a private road maintained by residents - increased use and potential damage during the construction phase will damage it. |

4 Assessment

- 4.1 This application seeks full planning permission for a detached three-bed self-build dwelling on land to the rear of 9 Harmer Crescent in Cringleford.
- 4.2 The main issues to be considered in the determination of this application are the principle of development at this location in respect of the site being outside of a defined development boundary and in Flood Zones 3a and 3b, the current housing supply situation, the impact on the character and appearance of the area, the impact on local ecology and residential amenity and the recent planning history of the site.
- 4.3 The site is outside but adjacent to the development boundary that has been defined for the village and for the purposes of housing supply, the site is within the Norwich Policy Area (NPA). It forms part of the domestic curtilage of 9 Harmer Crescent. It is within the floodplain of the River Yare and within both Flood Zones 3a and 3b. The site is also within a County Wildlife Site. Neighbouring properties comprise dwellings of varying size and appearance and are located in relative close proximity to the west and the River Yare with meadows beyond to the east.
- 4.4 The application follows application ref. 2018/0831, which was refused under delegated powers on 11 June 2018. Those reasons for refusal will be discussed in more detail later in this appraisal but in summary form were on the grounds of the significant harm to the character of the area, that the site has not been located so as to minimise flood risk and that the sustainability benefits to the community did not outweigh flood risk, and mutual overlooking between the proposed dwelling and the existing dwelling at 9 Harmer Crescent. This decision is material to the consideration of the current application.
- 4.5 The applicant has sought to address those reasons for refusal by omitting the ground and first floor windows from the west elevation of the dwelling that would otherwise face number 9 Harmer Crescent. Further detail has also been provided on reducing potential flood risk, including introducing a raised walkway from the dwelling to the existing access drive to provide means of escape during a potential flood event.

Principle of development

- 4.6 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires applications to be determined in accordance with the development plan unless material considerations indicate otherwise. One such material consideration includes the National Planning Policy Framework (NPPF).
- 4.7 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. In this regard, consideration should be given to Policy DM1.3 of the SNLP which makes provision for development to be granted outside of development boundaries 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. Where development proposals do not accord with the development plan, consideration should be given to whether there are material considerations that otherwise indicate that development should be approved.
- 4.8 Also of relevance to applications for housing development is paragraph 11 of the NPPF. This sets out that plans and decisions should apply a presumption in favour of sustainable development and that for decision making, this means:

c) approving development proposals that accord with an up-to-date development plan without delay; or

d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

- i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.*

- 4.9 In respect of housing supply figures, it is considered that it is still appropriate to use the JCS housing requirement, having regard to paragraph 73 of the NPPF, given that the JCS is less than 5 years old. The 2017 Greater Norwich Area Housing Land Supply Assessment, published as Appendix A of the JCS Annual Monitoring Report, shows that against the JCS requirements there is 4.61 years supply in the combined Norwich Policy Area (NPA), a shortfall of 1,187 dwellings. Consequently, the policies which are most important for determining the application in the NPA cannot be considered up-to-date and applications for housing should continue to be determined within the context of the titled balance referred to in paragraph 11 of the NPPF.
- 4.10 However, in June 2017, an updated Strategic Housing Market Assessment (SHMA) was published for Central Norfolk (the Greater Norwich authorities plus, North Norfolk and Breckland). The SHMA assesses the Objectively Assessed Need for housing between 2015 and 2036 using the most recent evidence available. Unlike the evidence underpinning the JCS, the SHMA also includes an assessment of the contribution made by student accommodation in line with the Planning Practice Guidance.
- 4.11 A housing land supply of 8.08 years can be demonstrated against the SHMA assessment of Objectively Assessed Need, a surplus of 5,368 units. Whilst the guidance to which the Central Norfolk SHMA accords has now been superseded, it is nevertheless considered that the SHMA remains an intellectually credible assessment of housing need. Assessments such as the SHMA will continue to form the basis of local plans submitted ahead of January 2019, including some within the Central Norfolk Housing Market Area. The extant PPG guidance continues to state that "Considerable weight should be given to the housing requirement figures in adopted Local Plans ... unless significant new evidence comes to light". Therefore, it remains entirely appropriate to give weight to the SHMA as a material consideration in the determination of planning applications.
- 4.12 The abundant housing land supply that is apparent in relation to the most up-to-date evidence of housing needs (8.08 years) should therefore be given weight in the decision-making process as a material planning consideration. This factor effectively diminishes the weight that would otherwise be attached to the benefits of increased housing delivery in the context of Policy DM1.1 and NPPF Paragraph 11.
- 4.13 On the basis of the above, the following assessment seeks to establish the benefits of the scheme and any harm that would be caused in the context of the relevant development plan policies and the NPPF with reference to the three dimensions of sustainable development (economic objective, social objective and environmental objective). These three headings form a convenient basis for structuring the assessment of the proposal against development plan policies.

Economic Objective

- 4.14 The NPPF confirms the economic objective as:

"to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure."

- 4.15 The scheme would result in some short-term economic benefits as part of any construction work and in the longer term by local spending on the maintenance of the property in the local economy from future occupants. The scheme would therefore bring forward very limited economic benefits from the delivering of one dwelling.

Social Objective

- 4.16 The NPPF confirms the social objective as:

"to support strong, vibrant and healthy communities, by ensuring that a sufficient number of and range of homes can be provided to meet the needs of present and future generations; and by fostering a well designed and safe built environment with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being."

Accessibility

- 4.17 The site is outside but adjacent to the development boundary that has been defined for Cringleford. It is within walking distance of a range of services and facilities and in this respect, the site is in a generally sustainable location and complies with Policy 1 (bullet 7) of the JCS and Policy DM3.10(a) of the SNLP.

Design

- 4.18 The appearance of the dwelling is that of a one and half storey boat house clad in dark grey stained vertical timber boarding. It measures approximately 20m in length, 6m in width and 7.6m in height. Although one might normally expect to find boat houses next to a river as opposed to a little distance away from it (approximately 20m in this case), by itself, the simple form of the design is relatively pleasing. However, consideration must be given to the context of the site and the appropriateness of the dwelling in this location.

Residential amenity

- 4.19 Although the dwelling will be visible from dwellings within Harmer Crescent and Harmer Lane, its closest relationship will be with the applicants' existing house at 9 Harmer Crescent, approximately 18.3m to the west. Given the open nature of the site, there will be inter-visibility between the application site and the existing dwelling at 9 Harmer Crescent.
- 4.20 Application ref. 2018/0831 was partly refused on the grounds that number 9 would have almost all of its decking overlooked by the first floor bedroom window in the west elevation of the new dwelling and that much of the curtilage of the proposed dwelling would be overlooked by the rear windows and from the decking at number 9. To address this, all windows in the west elevation of the proposed dwelling have been removed and the parking area has been positioned such that it is between both dwellings. This is considered to be sufficient to result in acceptable living conditions for future occupants of both dwellings and for the application to comply with Policy DM3.13 of the SNLP.

Highway matters

- 4.21 The Highway Authority has not objected to the application and sufficient space exists for adequate parking and turning to be provided on site. The application complies with Policies DM3.11 and DM3.12 of the SNLP.

Self-build

- 4.22 Paragraph 63 of the National Planning Policy Framework requires Councils to plan for people wishing to build their own homes. This can be a material planning consideration for the application and the submitted Planning Statement explains that this is an application for

a self-build dwelling. Although this is a consideration in the determination of the application, it cannot be certain that the method of delivering this site will be as self-build and that in this case, the planning considerations appraised above are of greater significance.

Environmental Objective

- 4.23 The NPPF confirms the environmental objective as:

"to contribute to protecting and enhancing our natural, built and historic environment; including making efficient use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change including moving to a low carbon economy."

Landscape

- 4.24 Application ref. 2018/0831 was refused partly on the grounds of the incursion of development beyond the existing building line into the Yare Valley and that it would cause harm to the character of the area. The proposals map in the Cringleford Neighbourhood Plan identifies the site as being part of former water gardens and within a protected area. Policy ENV4 of the Neighbourhood Plan explains that Protected Areas will be excluded from residential or economic development because of their character and location. These sites form part of the environmental and landscape sensitive Yare Valley and sit adjacent to important County Wildlife Sites.
- 4.25 Although the application site forms part of the applicants' curtilage, the Landscape Character Assessment identifies the application site as falling within the Yare Valley Urban Fringe (F1) landscape character type. Amongst other things, a characteristic of this area is identified as a green corridor with a peaceful undisturbed quality. A series of landscape sensitivities are identified but include the loss of the naturalistic quality of the area as a result of further intrusion of suburban development; and, developments within the valley that would increase the perception of the level of development surrounding the valley. One of the development considerations is to ensure that new development does not intrude upon the openness within the valley.
- 4.26 As with the previous application, the current application proposes to extend the built form towards the river beyond the existing building line. It will intrude upon the openness within the valley and dilute the role that the Yare Valley plays as a green buffer between the river and the suburban edge. This incursion into the river valley will cause significant harm to its character. The application is therefore contrary to Policies 1 and 2 of the JCS, Policies DM1.4, DM3.8 and DM4.5 of the SNLP and Policies ENV4 and ENV7 of the Cringleford Neighbourhood Plan.

Ecology

- 4.27 The application site lies within the boundary of the Softley Drive Meadow County Wildlife Site (CWS 2217). It is clear that the site has been managed as a garden for a number of years with domestic paraphernalia in the form of play equipment, raised flowerbeds and sheds all present. Norfolk Wildlife Trust noted these items and did not object in principle provided suitable and enforceable planning conditions are put in place to protect and maintain the remainder of the County Wildlife Site. Similarly, subject to the imposition of appropriately worded planning conditions that seek appropriate mitigation and enhancement measures (including in relation to bats, birds and barn owls), the Norfolk County Council's Ecologist has not objected to the application. Accordingly, it is considered that subject to the imposition of appropriate conditions, the application complies with Policy 1 of the JCS and Policy DM4.4 of the SNLP.

Trees

- 4.28 A veteran Oak tree that is the subject of a Tree Preservation Order is adjacent to the access into the site. The Arboricultural Implications Assessment sets out that some pruning will be required to provide a height clearance of 3 metres, that ground protection measures will be in place during the construction phase of the development and that the proposed driveway will be of no-dig construction. The agent also submitted a drawing showing service runs taking a route around the rear and side of the existing house at number 9 and avoiding the root protection areas of the trees.
- 4.29 The Council's Landscape Architect has explained that the veteran Oak tree is possibly one of the oldest Oak trees in the district and is possibly over 720 years old. Veteran trees have cultural, historic, landscape and nature conservation value because of their age, size and condition. Paragraph 175(c) of the NPPF explains that planning permission should be refused for development resulting in the loss or deterioration of irreplaceable habitats, such as ancient woodland and ancient or veteran trees, unless there are wholly exceptional reasons and a suitable compensation strategy exists. An example of an exceptional reason is given as an infrastructure project where the public benefit would clearly outweigh the loss or deterioration of the habitat. This approach is amplified more locally by Policy DM4.8 of the SNLP which states that the Council will safeguard and promote the appropriate management of protected and other significant trees and hedgerows unless the need for and benefits of a development clearly outweigh their loss.
- 4.30 The Landscape Architect is not persuaded that the dwelling proposed by this application can be achieved without detriment to the veteran Oak tree during the construction of the dwelling and subsequently when it is occupied. Despite a no-dig driveway being proposed, he anticipates that excavation will be required immediately next to the base of the tree. He also considers that changes to the surfacing around the tree could affect the levels and quality of water, air and nutrients available to the tree and that natural beneficial processes (such as the incorporation of leaf litter) are likely to be affected. He is also concerned that future occupants of the dwelling would seek to undertake pruning of the tree to facilitate greater clearance, for example for delivery and larger vehicles.
- 4.31 In response to this, the planning agent explained that the applicant's arboriculturalist is of the opinion that there would be an acceptable technical solution to creating the no-dig driveway. To fully understand the root structure and to design a no-dig driveway, a root survey would need to be carried out. However, the applicant does not wish for this survey to be undertaken before the application is determined and instead, it has been requested that appropriately worded 'pre-commencement' planning conditions are used to require the submission of this detail.
- 4.32 The Landscape Architect does not consider that there is an overriding justification for the dwelling. He drew attention to sub-clause 7.4 of BS5837:2012 – Trees in Relation Design, Demolition and Construction – which considers unavoidable hard surfacing within root protection areas and states that sub-clause 7.4 does not apply to veteran trees, where it is recommended that no construction, include the installation of new hard surface, occurs within root protection areas. The Landscape Architect stated that it should not be underestimated just how special and irreplaceable the veteran Oak tree is. He continues to object to the application.
- 4.33 There is a difference in professional opinion between the applicant's arboriculturalist and the Council's Landscape Architect. In weighing these up, officers consider that it has not been adequately demonstrated that the development can take place without resulting in deterioration to the veteran Oak tree. The construction of a single dwelling does not represent a wholly exceptional reason to warrant the potential deterioration of the tree and neither does the need for or benefits of providing one dwelling in this location clearly outweigh the potential deterioration. The application is contrary to paragraph 175(c) of the NPPF, Policy 1 of the JCS and Policy DM4.8 of the SNLP.

Flood risk and drainage

- 4.34 Application 2018/0831 was refused partly on the grounds that the development had not been located so as to minimise flood risk and that safe access to and from the dwelling could not be guaranteed for all flood events. They were considered to be sequentially preferable sites for residential development in the locality and it had not been adequately demonstrated that the need for a self-build dwelling in this location provided sustainability benefits to the community that outweighed flood risk.
- 4.35 The site is adjacent to the River Yare and within Flood Zones 3a and 3b. The dwelling itself will be within Flood Zone 3a while the remainder of the site is within Flood Zone 3b. The dwelling and an escape route will be elevated above the ground so that both are above the 1 in 100 annual probability event (including an allowance for climate change). As a result, the information submitted with the application explains that flood resilience measures have not been proposed and since floodwater can flood beneath the building, the functionality of the flood plain will be maintained.
- 4.36 However, paragraph 155 of the NPPF guides Local Planning Authorities to avoid inappropriate development in areas at risk of flooding by directing development away from areas at highest risk. Where development is necessary in such areas, it should be made safe for its lifetime without increasing flood risk elsewhere. On the basis that the site is within Flood Zone 3a, it is necessary to apply the Sequential Test.
- 4.37 Paragraph 158 of the NPPF explains that the aim of the Sequential Test is to steer new development to areas with the lowest risk of flooding. The site is outside of the development boundary that has been defined for Cringleford and also in the Norwich Policy Area where the latest housing supply figures show that there is in excess of a five year supply of land for housing. In other words, there is no need for this site to be developed when there are sequentially preferable sites for development available elsewhere that are at a lower risk of flooding. As such, the Sequential Test has not been passed and in light of that, there is no need to apply the Exception Test.
- 4.38 In having regard to flood risk matters, the application is contrary to paragraph 158 of the NPPF and Policy 1 of the JCS insofar as it relates to being located to minimise flood risk.
- 4.39 The Water Management Officer is concerned that safe access would not be available to residents in the event of a 1 in 100 year flood event as the escape walkway ends within Flood Zone 3. While recognising that depths at this point will be shallow, she nevertheless asked for the submitted Flood Risk Assessment to be updated. In response the agent has explained that he considers that safe access and egress has been provided and that it is achievable. He explained further that the maximum flood depth at the end of the escape walkway would be 117mm, which the Flood Risk Assessment classifies as a very low hazard. However, the Flood Risk Assessment has not been updated due to the cost of additional consultant fees. Officers are satisfied that the Water Management Concerns have been satisfactorily addressed although this does not alter the fact that the application has not passed the Sequential Test.

Other matters

- 4.40 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.
- 4.41 This application is liable for Community Infrastructure Levy.

5 Conclusion

- 5.1 In having regard to those matters raised by this application, although this application has been determined in the context of paragraph 11 of the NPPF, it is considered that the more up to date figures of the SHMA relating to the NPA effectively diminish the weight that can be attached to the benefits of increasing the housing supply in this area.
- 5.2 The site is outside of the development boundary that has been defined for Cringleford and within a Protected Area as defined by Policy ENV4 of the Cringleford Neighbourhood Plan. The site is also located within Flood Zone 3. It is considered that significant and demonstrable harm will arise from the impact of the development on the character and appearance of the surrounding landscape and it is not been adequately demonstrated that the development will not result in deterioration to the veteran Oak adjacent to the access drive that is the subject of a Tree Preservation Order. Regarding flood risk, it is considered that there are sequentially preferable sites available for residential development elsewhere. The significant and demonstrable harm set out above is not outweighed by the limited benefits that one dwelling will contribute towards the housing supply and potential ecological enhancements. The application is therefore refused as it does not represent sustainable development and is contrary to paragraphs 158 and 175(c) of the NPPF, Policies 1 and 2 of the JCS, Policies DM1.4, DM3.8, DM4.5 and DM4.8 of the SNLP and Policies ENV4 and ENV7 of the Cringleford Neighbourhood Plan.

6 Reasons for Refusal

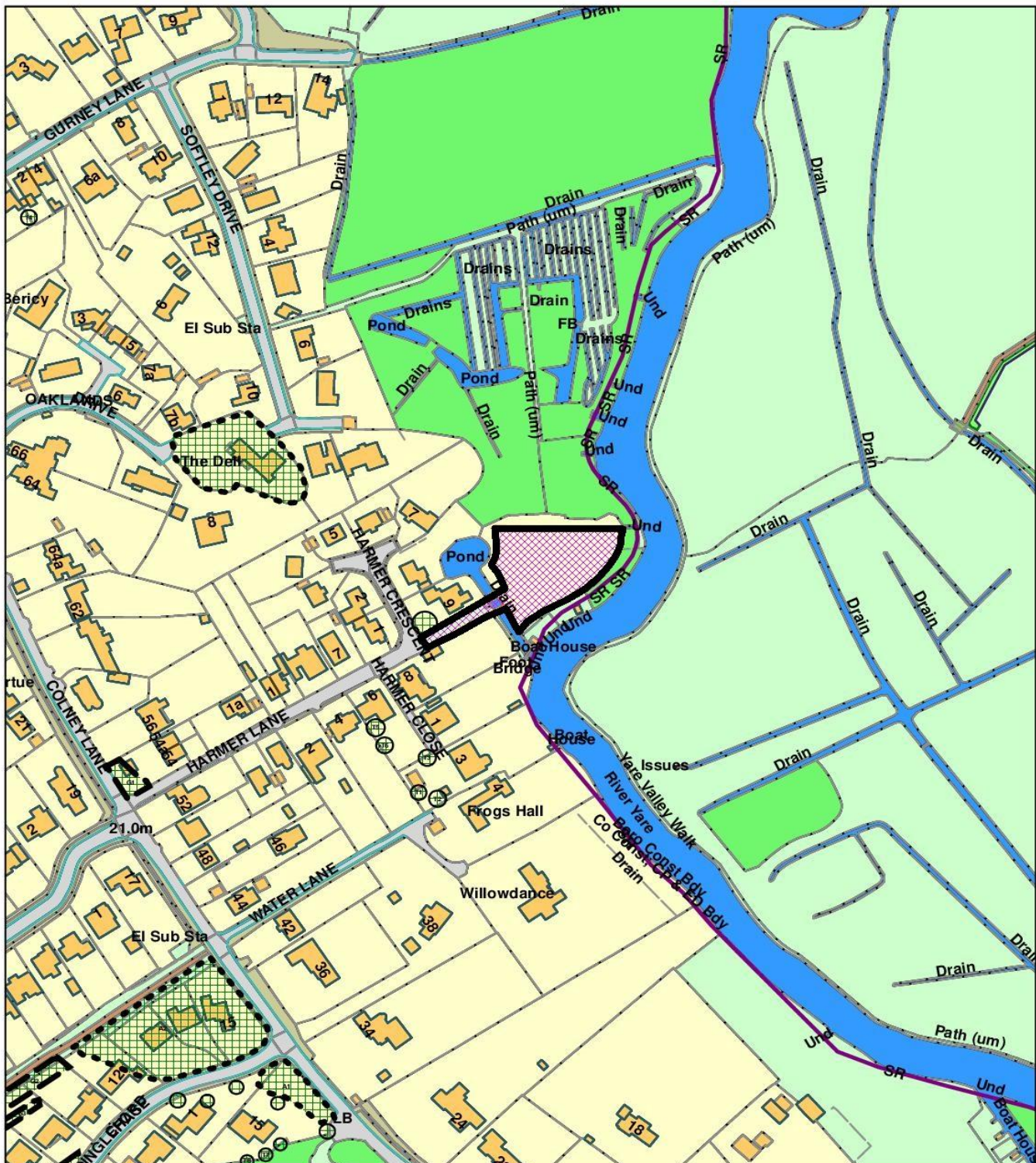
- 6.1 This application will extend the built form towards the River Yare beyond the existing building line. It will intrude upon the openness within the Yare Valley and dilute the role that it plays as a green buffer between the river and the suburban edge. The incursion of the development into the river valley will cause significant harm to the character of the area. The application is therefore contrary to Policies 1 and 2 of the JCS, Policies DM1.4, DM3.8 and DM4.5 of the SNLP and Policies ENV4 and ENV7 of the Cringleford Neighbourhood Plan.
- 6.2 Paragraph 158 of the NPPF explains that the aim of the sequential test is to steer new development to areas with the lowest risk of flooding. The site is outside of the development boundary that has been defined for Cringleford and also in the Norwich Policy Area where the most up to date housing supply figures show that there is in excess of a five year supply of land for housing. It is not necessary for the development to be in this location when there are sequentially preferable sites for development available elsewhere. As such, the sequential test has not been passed and in light of that, there is no need to apply the Exception Test. The development has not been located so as to minimise flood risk and the application is contrary to paragraph 158 of the NPPF and Policy 1 of the JCS insofar as it relates to being located to minimising flood risk.
- 6.3 It has not been adequately demonstrated that the development can take place without resulting in deterioration to the veteran Oak tree. The construction of a single dwelling does not represent a wholly exceptional reason to warrant the potential deterioration of the tree and neither does the need for or benefits of a dwelling in this location clearly outweigh the potential deterioration. The application is contrary to paragraph 175(c) of the NPPF, Policy 1 of the JCS and Policy DM4.8 of the SNLP.

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2018/1492

Appendix 1

Not Set



Scale 1:2,500

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

4 Appl. No : 2018/1758/RVC
Parish : COSTESSEY

Applicants Name : Mrs Ines Romanelli
 Site Address : 19A Ruskin Road Costessey NR5 0LL
 Proposal : Variation of condition 2 of permission 2017/0240 (Erection of detached two storey dwelling) - fenestration changes

Recommendation : Approval with conditions

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.

1 Planning Policies

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

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

1.3 South Norfolk Local Plan (SNLP)
 DM3.8 Design Principles
 DM3.13 Residential Amenity

2. Planning History

2.1	2013/1971	Proposed new 2 bedroom dwelling	Approved
2.2	2016/2358	Variation of condition 2 of permission 2013/1971 (Proposed new 2 bedroom dwelling) - Layout amended to take account of boundary position at east end of site following amalgamation of sites.	Approved
2.3	2017/0240	Erection of detached two storey dwelling	Approved
2.4	2017/2243	Discharge of condition 3, 4 and 13 from planning consent 2017/0240 - external materials, ground and floor levels, surface water drainage.	Approved
2.5	2010/2079	Proposed new 2 bed dwelling	Approved
2.6	2010/0268	Proposed new 1.5 storey dwelling	Refused

Appeal History

2.7	2010/0268	Proposed new 1.5 storey dwelling	Withdrawn
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3. Consultations

- 3.1 Town / Parish Council
- Recommend refusal on the following grounds:
- Property not built as originally approved
 - Concerns regarding residential amenity relating to the changes due to property type and context of site

- Concerns regarding whether the building dimensions and parking provision are constructed according to the plans
- 3.2 District Councillor Cllr Bell This application should be determined by the Planning Committee.
- The Conditions were put in place to address the concerns of overlooking from the immediate three neighbours.
 - The positioning and size of the windows is detrimental to the residential amenity of neighbours.
 - This is a two-storey house positioned amongst bungalows.
 - These were legitimate concerns acknowledged by the Planning Dept. which the Applicant has chosen to ignore.
 - This is a retrospective application which the Enforcement Officer has brought to the Planning Dept attention.
- 3.3 SNC Water Management Officer No comments received
- 3.4 SNC Community Services - Environmental Quality Team No comments received
- 3.5 NCC Highways No comments received
- 3.6 Other Representations Three neighbour comments from 3 addresses – all objections. Issues raised include:
- Identification of alterations from originally approved plans
 - Residential amenity concerns
 - Colour scheme
 - Water Management

4 Assessment

Background

- 4.1 The application site has permission for a two storey, two-bedroom dwelling and construction is nearing completion. It was brought to the attention of the enforcement team that some of the fenestration details did not accord with the approved plans and conditions and that the changes would result in adverse impact on residential amenity. When enforcement officers visited the site it was discovered that the proposal had not been constructed in accordance with the approved plans, with the addition of a window at ground floor level on the north east elevation and a change to another window on the south east elevation.
- 4.2 Other concerns with regards to non-compliance with conditions have also been raised, with regards to obscured glazed and fixed shut windows. As the triggers for these conditions are 'prior to first occupation' then the applicant is not in breach of these conditions and has time to comply with these conditions prior to first occupation.
- 4.3 If permitted this application would regularise the built development. However, conditions will be required, as per the previous application to protect the amenity of neighbouring properties through the use of obscure glazing and fixed shut windows.
- 4.4 This application received 3 neighbour comments in objection to the proposal along with an objection from Costessey Town Council. These comments raise a number of concerns regarding the development. This application is for fenestration changes only and therefore residential amenity is the main consideration in its determination, the other matters raised

have also been covered below. Please note, a revised plan has been submitted during the course of the application, to ensure we approve the correct development as proposed.

- 4.5 The following conditions from the earlier permission reference 2017/0240 are to be carried over and updated, to protect the amenity of neighbouring properties, as follows:
- The window in the southeast elevation must be fixed and obscured as per condition 10 of the earlier permission;
 - The window in the northwest elevation must be obscured and bottom hung, with a restricted opening mechanism as per condition 11;
 - Condition 2 the plans condition will be updated to reflect the most up to date plans;
 - All other relevant conditions with regards to materials, parking and access, highway encroachment, frontage wall, water efficiency, removal of permitted development rights, surface water drainage and contamination will be updated and added to this permission.
- 4.6 It is acknowledged that conditions 10 and 11 as per application reference 2017/0240 have not yet been complied with but as set out above, compliance is required prior to first occupation. If the dwelling was to become occupied and the conditions not complied with, appropriate enforcement action could be taken at that point.

Impact on Amenity

- 4.7 The two matters, which are the subject of this application are considered as follows:
- The 'high level' window in the southeast elevation will remain in its current position and size; however, it will be obscured and fixed. This application therefore would remove condition 12, but the wording of condition 10 will be updated to include this window and would require it to be obscured and fixed. With this condition updated it is considered that residential amenity is protected to an adequate level. A site visit conducted on 25/09/2018 confirmed that this change has already been made.
- 4.8 The low-level obscured window in the northeast elevation is considered acceptable due to the very low potential for overlooking and amenity impact. This is much smaller than the unobscured window that was removed from the original proposal prior to approval. Due to the proximity to the boundary, a condition is proposed to ensure that it remains obscured in perpetuity to ensure that residential amenity is protected into the future. It is not considered necessary to fix shut this window as it is at ground floor level.
- 4.9 It is therefore considered that through the changes made, the concerns regarding residential amenity of neighbours have been addressed to an acceptable level. The application to vary conditions 2, 10, 11 and 12 hereby considered represents an acceptable alteration to the previously approved plans, being only the insertion of one window and a change to a previously high level window, with regard to residential amenity. Conditions will be reinstated where appropriate and amended where necessary to ensure the protection of residential amenity is maintained, as set out above.

Character of the area

- 4.10 It is not considered that these proposals are materially different from this earlier approved dwelling and would not alter significantly either the character of the area or the street scene in accordance with policy 2 of the JCS and DM3.8 of the SNLP.

*Other Issues**Materials*

- 4.11 The cladding of the dwelling is render as per the original plans and those agreed in the discharge of condition 3 (app ref: 2017/2243). The current colour of this render (the building has been under construction at the time of both site visits) does not form part of this application.

Water Management

- 4.12 The design and position of the soakaway has been completed in accordance with percolation tests and designs submitted as part of the discharge of condition 3 (2017/2234). This was accepted in consultation with the water management officer. Anglian Water are not usually consulted on soakaway applications. Further detail on this is covered by the building regulations process and is separate from this planning permission.

Building/Parking Area Dimensions

- 4.13 The building dimensions and plot positioning, including the boundary walls have been checked and measured by enforcement officers and it is considered that they accord with the previously approved plans and would continue to accord with this latest permission.
- 4.14 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.
- 4.15 This application not liable for Community Infrastructure Levy (CIL) as there has been no change in floorspace proposed.

5 Conclusion

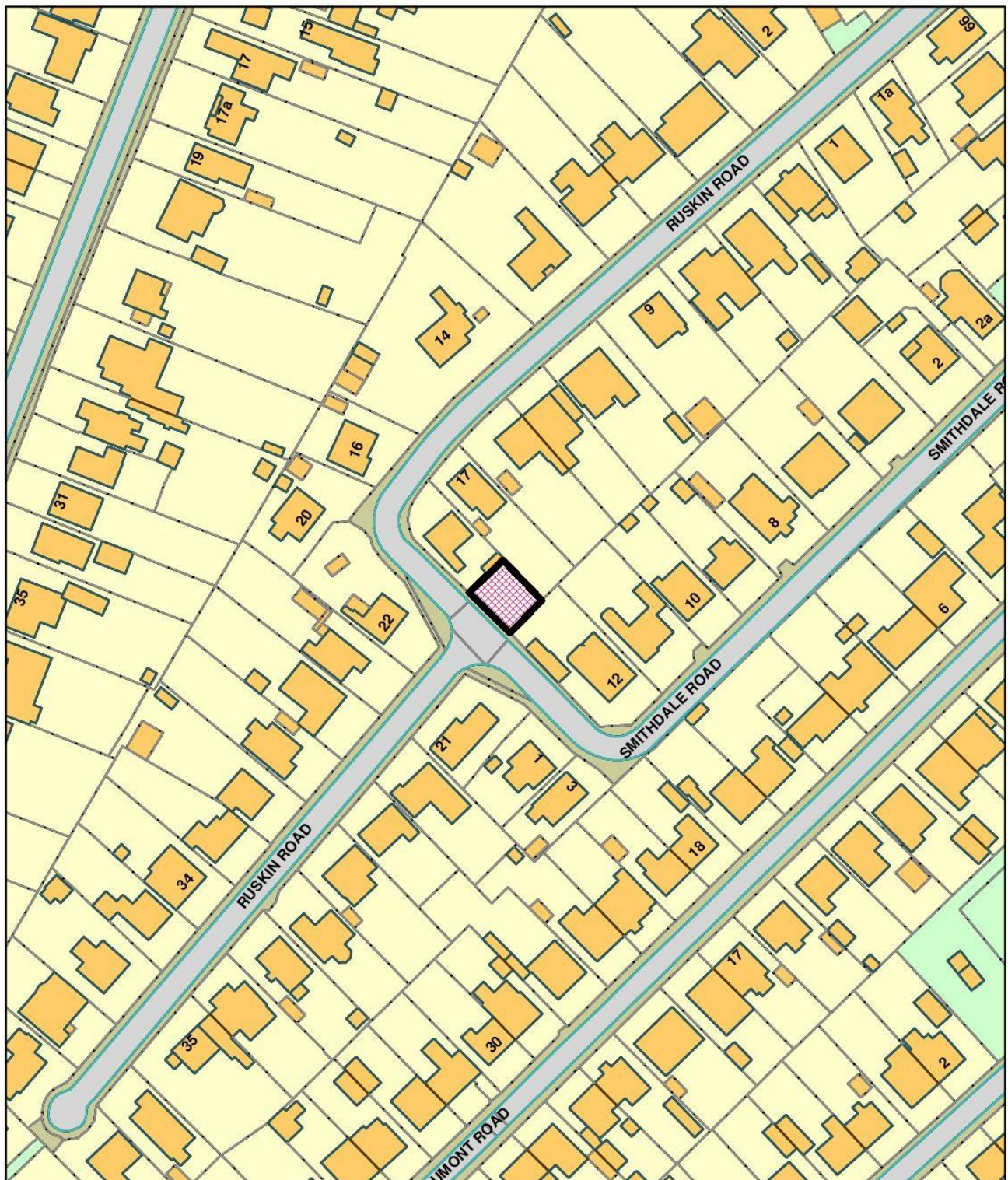
- 5.1 The proposal was not constructed according to the approved plans with regard to fenestration details. This resulted in widows that harmed the residential amenity of surrounding properties. The council has since worked with the applicant to address these issues and the submitted plans now provides an acceptable solution subject to compliance with the conditions as set out above. As such the proposal is recommended for approval.

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2018/1758

Appendix 1

Not Set



Scale 1:1,250

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

- 5 Appl. No : 2018/1884/F**
Parish : DICKLEBURGH AND RUSHALL
- Applicants Name : Mr Derek Lock
Site Address : Land Adjacent To Moorlands Norwich Road Dickleburgh Norfolk
Proposal : Proposed new Passivhaus / carbon negative dwelling
- Recommendation : Refusal
 1. Outside development boundary with no justification under DM1.3
 2. Does not meet the requirements of paragraph 79 of the NPPF
 3. Adverse landscape impact
 4. Flood risk
 5. Lack of ecology information
 6. Not sustainable development in the context of the NPPF

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.

1 Planning Policies

- 1.1 National Planning Policy Framework (NPPF)
NPPF 02 : Achieving sustainable development
NPPF 04 : Decision-making
NPPF 05 : Delivering a sufficient supply of homes
NPPF 09: Promoting sustainable transport
NPPF 11 : Making effective use of land
NPPF 12 : Achieving well-designed places
NPPF 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
- 1.2 Joint Core Strategy (JCS)
Policy 1 : Addressing climate change and protecting environmental assets
Policy 2 : Promoting good design
Policy 3: Energy and water
- 1.3 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
DM3.8 : Design Principles applying to all development
DM3.10 : Promotion of sustainable transport
DM3.11 : Road safety and the free flow of traffic
DM3.12 : Provision of vehicle parking
DM3.13 : Amenity, noise, quality of life
DM4.5 : Landscape Character Areas and River Valleys

2. Planning History

- 2.1 2016/0079 Proposed new Passivhaus / carbon negative Withdrawn
 dwelling

2.2	2016/1268	Proposed new Passivhaus / carbon negative dwelling	Refused and dismissed on Appeal
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3. Consultations

3.1	Parish Council	No comments received	
3.2	District Councillor Cllr Wilby	I would like this planning application to go to committee as this site is outside the village development boundary.	
3.3	Lower Waveney IDB	No comments received	
3.4	Norfolk Rivers IDB	No comments received	
3.5	Waveney Lower Yare & Lotingland IDB	No comments received	
3.6	Waveney Valley Internal Drainage Board	No comments received	
3.7	Upper Yare and Tas IDB	No comments received	
3.8	SNC Water Management Officer	<p>We note that the red line site boundary dissects the site but it would appear that the blue line boundary incorporates amenity land that forms part of the overall site layout. The land between the eastern red-line boundary and the eastern blue line boundary lies within fluvial flood zone 2 and 3 and is identified as being at risk of flooding from surface water. It is likely that flood zone 2 extends into the red line boundary and there is a low risk of flooding from surface water within the red line boundary.</p>	

The government flood map for planning indicates that for the low risk event, surface water flood depths up to the red-line boundary are between 0.3m and 0.9m and above 0.9m at the eastern blue-line boundary, and below 0.3m within the red line boundary. The low risk event is generally accepted as the proxy for the 1 in 100 year climate change event.

In our view a flood risk assessment should be undertaken to demonstrate that the proposed dwelling and its occupiers can remain safe for its lifetime given that the overall site appears to encompass the blue line boundary.

Surface Water Drainage

The application form advises that surface water arising from the proposed development will discharge to a sustainable drainage system. A retention pond and green roofs are shown on the layout drawing but no further information provided. The Design & Access Statement advises that: *"surface water will connect to a retention pond which it is assumed can be fully designed as part of a pre-commencement condition"*. We would suggest a suitable condition be attached to any planning permission granted that ensures a sustainable approach to surface water drainage is achieved.

Foul Drainage

It is noted from the Anglian Water asset maps that currently there is no foul sewer available near this location. The method of non-mains disposal should be the most appropriate to minimise the risk to the water environment. The application form advises that foul drainage will discharge to a package sewage treatment plant.

- | | | |
|------|---|--|
| 3.9 | SNC Community Services - Environmental Quality Team | No objection subject to conditions with regards to contamination. |
| 3.10 | NCC Highways | Whilst no objections are raised to this proposal for an additional dwelling, the visibility splays shown on the submitted drawing are incorrect. As the site is located within a 40 mph speed limit. As such, vision splays of 2.4m x 120m are required in both directions. This can be dealt with by condition as well as matters of provision of access and gates. |
| 3.11 | NCC Ecologist | An Ecological Surveys Protected Species & Habitat Surveys report (Anglian Ecology; June 2015) has been submitted in support of this application. Due to the time that has elapsed since the site visit was undertaken, we would like confirmation from a suitably qualified ecologist that the habitats on the site remain the same and the mitigation measures in the report remain valid. Update HSI assessments are required on ponds in close proximity to the site. It is not clear from the documents submitted if there will be impacts on any of the trees on site. If any trees are to be directly impacted by the development proposals a Preliminary Roost Assessment is necessary at this stage prior to the planning application being determined. |
| 3.12 | SNC Conservation And Design | No comments received |
| 3.13 | Richard Bacon MP | No comments received |
| 3.14 | Other Representations | <p>Dickleburgh Village Society</p> <p>Object on the grounds of:</p> <ol style="list-style-type: none"> 1. To protect features of historic, aesthetic or landscape value to the Parish. 2. To monitor the planning processes which are relevant to the Parish to ensure that any new developments enhance the character of the village and its immediate surrounds. 3. The protection of wildlife and it's habitat. <p>We believe that this development would seriously compromise the natural landscape values of Dickleburgh Moor, as the proposed development is adjacent to the Moor, being sandwiched between the Norwich Road & the Moor. Dickleburgh Moor is a dominant part of the landscape and heritage of the village of Dickleburgh, particularly when viewed from Rectory Road, Norwich Road and Semere Green Lane.</p> <p>There are also various Public Rights of Way that crisscross the Moor itself. We believe that this proposed development seriously compromises this natural landscape.</p> |

The Otter Trust has been working with various interested parties to restore Dickleburgh Moor as a wetland and we understand Natural England have upgraded the site in relation to its importance for breeding and wintering birds. This is adding massively to the significance of the Moor itself. We believe that the proposed development, again compromises this.

Finally, an earlier proposal for planning permission was refused on the same site in 2016 for a similar development. It appears that whilst some of the reasons for the refusal have been partially addressed, with changes made for this development by the applicant, others remain.

The Otter Trust

Object.

The Otter Trust own the property to the East and North of the applicant's land, we are in the process of reflooding Dickleburgh Moor and have noted that this falls within the natural flood zone of our site. We expect that the applicants land will fall within Flood Zone 3 and that ½ of this site will be prone to occasional seasonal flooding, we cannot therefore support any new buildings on the peripheries of our land.

I have noted that the Biological Survey is valid for 2 years and was dated June 2015! As noted is my letter regarding the last application, our site is of significant biological interest and is currently part of a two-year monitoring process in partnership with Natural England and the Norfolk Wildlife Trust.

In response to the public consultation, 7 objections have been received, a summary of the key points are as follows:

- the land was never intended to be built upon
- change the nature of housing stock locally
- detrimental landscape impact on Dickleburgh Moor
- adverse impact upon Public Right of Way
- out of character with other properties
- set a precedent for further development
- there are 14 sites identified for housing development in Dickleburgh
- outside of development boundary
- detrimental impact upon setting of listed buildings
- similar to the previously refused scheme
- detrimental impact on wildlife
- overshadowing
- dwelling is too large
- detrimental archaeological impact
- does not meet the requirements of paragraph 55 (now 79) of the NPPF.

4 Assessment

Background

- 4.1 Dickleburgh is identified as a Service Village within the Joint Core Strategy (JCS). It has been identified as suitable for small scale housing growth within the range of 10-20 dwellings in infill sites and at an allocated site, subject to form, character and servicing constraints. The development boundary has been drawn to include the main built form of the village, and excludes the detached ribbon development at Dickleburgh Moor (Site

Specific Allocations & Policies Document). The site lies outside of the identified development boundary, in an area designated as countryside for the purposes of development.

- 4.2 The site is located to the east of Norwich Road and is adjacent to one dwelling to the south. Dickleburgh Moor is located to the east of the site. A row of dwellings are located immediately opposite the site, in contrast to the few scattered dwellings to the east of Norwich road in this part of the village. Several trees and hedges are on the site along the boundaries, although the site is relatively open adjacent to the road. A Public Right of Way (PROW) runs along the northern boundary just outside of the site.
- 4.3 The site as shown in red is predominantly within Flood Zone 1, with a small section of the south-east corner falling within Flood Zone 2. The area shown in the blue line contains areas within Flood Zone 1, 2 and 3. The site is also at risk from flooding from surface water.
- 4.4 Permission was refused for a dwelling on the site (2016/1268) and an appeal subsequently dismissed. The Inspectors decision is included as Appendix 2. It is considered appropriate to consider whether the current scheme has assessed the areas of concern raised by the Council previously and endorsed by the Planning Inspector.
- 4.5 It is evident that the previous scheme was submitted with a view to meeting the provisions of paragraph 55 of the NPPF as a dwelling of exceptional quality or innovative design. Paragraph 55 having now been superseded by paragraph 79, which sets out a similar provision, namely:

the design is of exceptional quality, in that it:

- is truly outstanding or innovative, reflecting the highest standards in architecture, and would help to raise standards of design more generally in rural areas; and

- would significantly enhance its immediate setting, and be sensitive to the defining characteristics of the local area.

- 4.6 The current scheme proposes a revised design, however, as with the previous scheme, whilst it represents an attractive scheme, providing exceptionally energy efficient accommodation that may well inspire others in terms of design and construction generally, like the previous scheme it is still considered to fall short of the standard required by paragraph 79 of the revised NPPF, which requires a dwelling to be truly outstanding and innovative and sensitive to the defining characteristics of the local area.
- 4.7 It is evident that since the previous decision, the Strategic Housing Market Assessment (SHMA) indicates a less than 5 year housing land supply in the Rural Policy Area (RPA) and this is relevant in the context of determining whether there are any overriding benefits mindful of the requirements of criterion 2d) of Policy DM1.3 of the SNLP which is applicable to residential schemes outside of a development boundary where no justification under criterion 2d) can be made, as is the case here.
- 4.8 Therefore, a new dwelling on the site would present some benefit, which is enhanced through the acknowledgement of the SHMA figure. In accepting that new housing in the RPA would present a level of benefit, it is necessary to establish what harm, if any, exists. With this in mind the following assessment is made:

Access to facilities and services

- 4.9 As with all such housing proposals it is necessary to look at whether a range of key services and facilities can be easily accessed by means other than the private car, in this instance, it is evident that the site does not have good pedestrian access links to the

services available in Dickleburgh and as such there would be a reliance on the use of the private car.

Highway matters

- 4.10 The Highway Authority (NCC) has assessed the scheme and, whilst noting the incorrect visibility splays on the plan, has no objection subject to conditions relating to specification of the access, access gates, bollard, etc, visibility splays and the laying out of parking and turning. This would meet the requirements of Policies DM3.11 and DM3.12 of the SNLP.

Character and Appearance of the locality

- 4.11 In terms of impact upon the character and appearance of the locality, it is evident that the scheme would result in the introduction of significant new built form into Dickleburgh Moor which the Inspector described as ""an attractive area of open countryside within which development plan policy deliberately restricts new building".
- 4.12 It is considered that this scheme would have a detrimental impact on Dickleburgh by introducing built form into a landscape where its dominant characteristic is one of being open.
- 4.13 For this reason it is considered that the scheme fails to meet the requirements of Policies DM3.8 and DM4.5 of the SNLP.

Neighbour amenity

- 4.14 With regard to neighbour amenity, it is evident that the proposed dwelling is sufficiently distanced from the neighbouring properties so as to safeguard light and outlook. The separation distances coupled with the position of the room openings within the proposed dwelling relative to the neighbouring properties is such that no significant overlooking would occur. For this reason the requirements of Policy DM3.13 of the SNLP are met.

Flood risk

- 4.15 On a point of clarification none of the works/structures indicated on blue land are being considered as part of this application as they do not form part of the application site. It is evident that the extent of the application site (red line) means that the site is in flood zone 1 and as such it is considered reasonable to assess whether it is possible to secure an acceptable surface water drainage strategy. It is considered that the site size (red line only) would be likely to be capable of accommodating a surface water drainage system to meet the needs of the scheme and at the same time not compromise the ability to provide an adequate private amenity space to accompany the proposed dwelling. This could be secured through an appropriately worded condition and therefore is not considered to be a reason for refusing planning permission in accordance with policy 14 of the NPPF.

Ecology

- 4.16 It is evident that the submitted reports are out of date. In the absence of updated information, it is considered that there is insufficient information available to be satisfied that the scheme would not cause harm to biodiversity and the proposal is therefore considered contrary to policy 15 of the NPPF.
- 4.17 Under Section 143 of the Localism Act the council is required to consider the impact on local finances. This can be a material consideration but in the instance of this application the other material planning considerations detailed above are of greater significance.
- 4.18 This application is liable for Community Infrastructure Levy (CIL)

5 Conclusion

- 5.1 It is considered that the benefit of the scheme, predominantly the creation of a single new dwelling where there is noted to be a need using the SHMA housing land supply figure would not override the identified concerns relating to its poor links to a range of key services and facilities other than by the private vehicle and the adverse landscape impact the scheme it would have on Dickleburgh Moor. As such, the scheme would not fulfil the requirements of Policy DM1.3, and at the same time would also fail to meet the requirements of Policies DM3.8, DM3.10 and DM4.5. In the context of the NPPF, for the same reasons the scheme would also not be considered to represent a sustainable development.

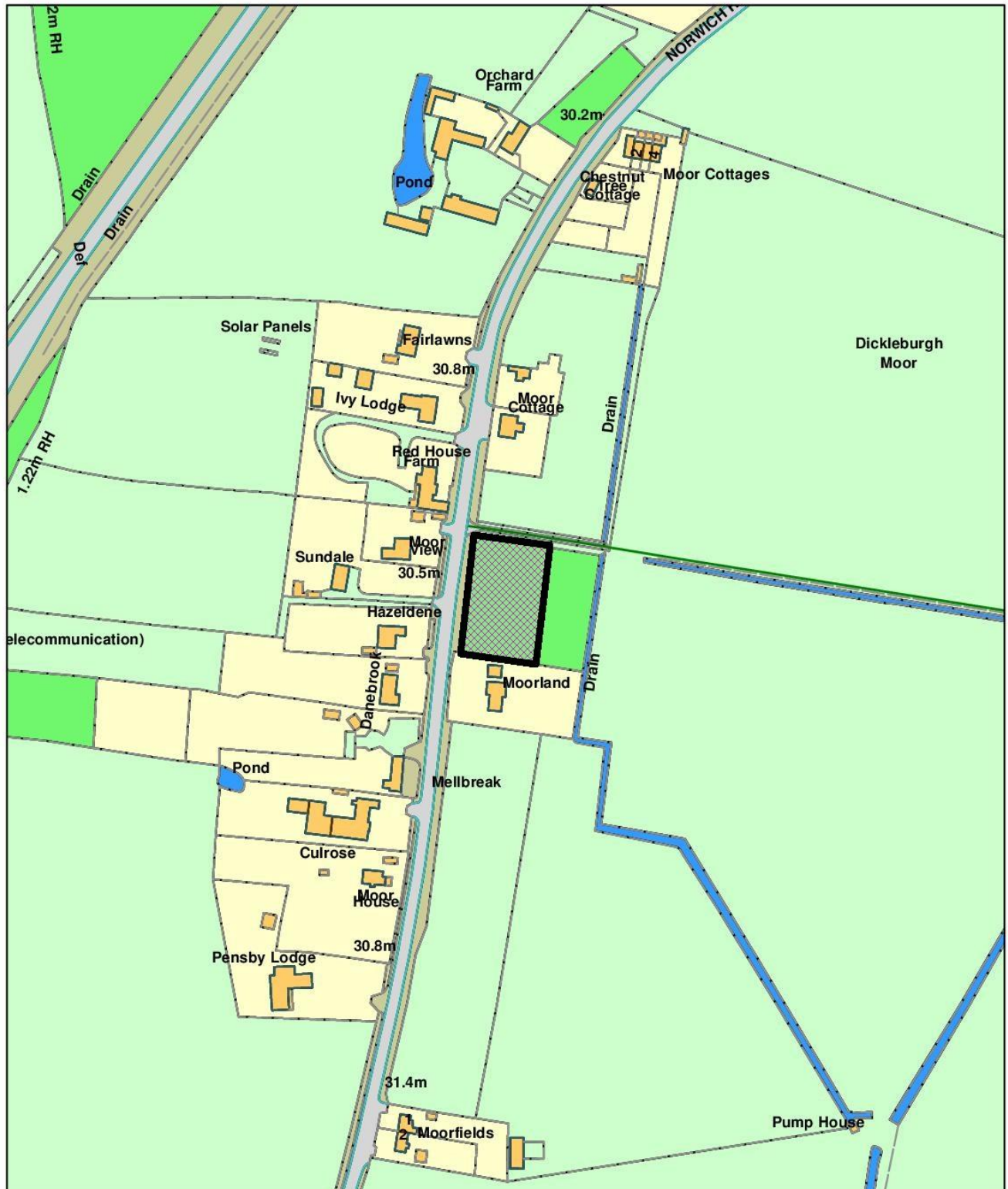
6. Reasons for Refusal

- 6.1 The proposed development is in a site outside of any development boundaries and does not comply with any other specific housing in the countryside policy within the Local Plan or present any overriding economic, social or environmental benefits and as such it is contrary to Policy DM1.3 of the South Norfolk Local Plan Development Management Policies.
- 6.2 The proposal does not satisfy the requirements of paragraph 79 of the National Planning Policy Framework (NPPF), particularly in relation to it not being truly outstanding or innovative, it not significantly enhancing its immediate setting or being sensitive to the defining characteristics of the local area.
- 6.3 The site is undeveloped grassland and borders Dickleburgh Moor. It contributes to the characteristics of the area and its general grain and pattern, which comprises ribbon development along the western side of Norwich Road and allows for long, large views over the Moor to the east. The proposed development would be out of keeping with the open nature of this part of Dickleburgh and would not enhance or conserve the landscape character. The proposal is therefore contrary to Policy 2 of the Joint Core Strategy and DM 4.5 of the South Norfolk Local Plan Development Management Policies Document.
- 6.4 The development does not support sustainable transport objectives as set out in Policy DM3.10 of the South Norfolk Local Plan Development Management Policies Document in that there would be an over reliance on the private vehicle.
- 6.5 Insufficient information has been submitted to be satisfied that the scheme would not cause harm to biodiversity and therefore the scheme is contrary to Policy DM4.4 of the South Norfolk Local Plan Development Management Policies Document and policy 15 of the NPPF.
- 6.6 The proposed development does not represent sustainable development, having regard to the three tests set out in the NPPF, by virtue of the harm to the character of the area and the immediate setting, together with the risk from flooding, which outweigh the modest benefit of one additional dwelling as a self-build dwelling in the rural policy area, which includes accounting for the SHMA housing land supply figure which indicates a less than 5 year supply. For this reason the scheme is contrary to the aims of the NPPF to secure sustainable development, acknowledging the advice in paragraph 11.

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2018/1884

Appendix 1



Scale 1:2,500

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

APPENDIX 2

Appeal Decision

Site visit made on 13 December 2016

by Paul Jackson B Arch (Hons) RIBA

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

Decision date: 13 January 2017

Appeal Ref: APP/L2630/W/16/3156435

Land adjacent to Moorlands, Norwich Road, Dickleburgh, IP21 4NR

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr & Mrs Derek Lock against the decision of South Norfolk District Council.
 - The application Ref 2016/1268, dated 24 May 2016, was refused by notice dated 29 July 2016.
 - The development proposed is a new Passivhaus /carbon negative dwelling.
-

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are as follows:
 - The effect of the proposed development on the character and appearance of the area and whether there is adequate justification for the proposed dwelling, in the light of development plan policies which seek to restrict residential development in the countryside, having regard to guidance within paragraph 55 of the National Planning Policy Framework (the NPPF); and
 - Whether the proposal is in accordance with the policies set out in the development plan and the NPPF in terms of minimising flood risk.

Reasons

Policy background

3. The development plan for the area includes the Greater Norwich Development Plan Partnership Joint Core Strategy for Broadland, Norwich and South Norfolk of 2011 (CS) and the South Norfolk Development Management Policies Document (DMPD) and Site Specific Allocations and Policies Document, both adopted in October 2015. The CS policies referred to in the reasons for refusal seek to address climate change and promote sustainability and good design generally.
 4. Policy 1.3 of the DMPD advises at 1) that all new development should be located so that it positively contributes to the sustainable development of South Norfolk as led by the Local Plan. The Council will work with developers to promote and achieve proposals that are: (a) located on allocated sites or within
-

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the development boundaries of settlements defined on the policies map, including service villages such as Dickleburgh; and (b) of a scale proportionate to the level of growth planned in that location, and the role and function of the settlement within which it is located. At 2) the policy says that permission for development in the countryside outside settlements will only be granted where specific DMPD policies allow for development outside of development boundaries or the project otherwise demonstrates overriding benefits in terms of economic, social and environment dimensions as addressed in Policy 1.1. In this latter respect, policy 1.1 advises that the Council will take a positive approach that reflects the presumption in favour of sustainable development, together with a responsibility to meet objectively assessed needs.

5. Policy 4.5 indicates amongst other things that all development should respect, conserve and where possible, enhance the landscape character of its immediate and wider environment. Development proposals that would cause significant adverse impact on the distinctive landscape characteristics of an area will be refused.
6. Paragraph 55 of the NPPF says that 'To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. For example, where there are groups of smaller settlements, development in one village may support services in a village nearby. Local planning authorities should avoid new isolated homes in the countryside unless there are special circumstances, one of which is the exceptional quality or innovative nature of the design of the dwelling. It goes on to say that such a design should:
 - be truly outstanding or innovative, helping to raise standards of design more generally in rural areas;*
 - reflect the highest standards in architecture;*
 - significantly enhance its immediate setting; and*
 - be sensitive to the defining characteristics of the local area.*
7. In terms of design more generally, paragraph 63 says that '*in determining applications, great weight should be given to outstanding or innovative designs which help raise the standard of design more generally in the area*'.

The site and surroundings

The appeal site lies on the east side of Norwich Road at Dickleburgh Moor, a small detached area of ribbon development. There is a distinct gap between the northern edge of the settlement area of Dickleburgh and Dickleburgh Moor and the Council advises in Section 5 *Service Villages* that further residential development in Dickleburgh Moor would be detrimental to the rural character of the area. The site consists of undeveloped grassland with trees on the boundary. Houses along Norwich Road near the appeal site are mostly located on the west side and are mixed in plot area, size, design and appearance. The site backs onto the Dickleburgh Moor, an open area of historic grassland, formerly a glacial lake and now used for hay.

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Paragraph 55:

Whether the proposed dwelling would be truly outstanding or innovative, helping to raise standards of design more generally in rural areas

8. Houses that comply with 'passivhaus' principles remain relatively uncommon but are not particularly innovative. The design principles and construction of dwellings (and indeed other types of building, including conversions) that are carbon neutral or even carbon negative are understood by designers. There are examples of dwellings of this kind in many parts of the country and literature on them is easily available. This proposal incorporates some accommodation built to 'passivhaus' construction standards only, for aesthetic reasons and in order to avoid a restrictive building form and add zones which accommodate the needs of a family through time (the Lifetime Homes principle). However it is difficult to find anything particularly innovative in this concept. The adaptation of energy saving principles to an individual design brief, together with sustainable choices of construction methods and materials, is common practice for a bespoke house, particularly one that is intended to be self-built. The concept of 'whole house energy' is also commonly adopted.
9. Turning to whether it would be truly outstanding, this requirement should be seen in the context of raising standards of design more generally. Nothing in the design, construction, detailing or materials put forward, individually or collectively, extends the sum of existing knowledge. That is not to say that the dwelling would not be attractive in architectural terms or that it would not be a very good example that should inspire others. It would achieve these objectives. It would be innovative to a degree, compared to the vast majority of new construction, but the paragraph 55 requirement is deliberately set at a higher level. Otherwise, many isolated sites in the open countryside would be occupied with buildings. Whilst the principles adopted are to be strongly encouraged, there is little to suggest that the project would be truly outstanding or innovative.

Whether it would reflect the highest standards in architecture

The use of attractive sustainable materials to produce an pleasant living environment which complements its setting and reflects the client's brief is the essence of a high standard of architecture. The project satisfies this requirement.

Whether it would significantly enhance its immediate setting; and

Whether it would be sensitive to the defining characteristics of the local area

10. The immediate setting consists of a field with trees and scrub on the boundary which forms part of Dickleburgh Moor, an attractive area of open countryside within which development plan policy deliberately restricts new building. The large gaps between houses along Norwich Road provide wide, long views across the Moor for local residents, holidaymakers, motorists, cyclists and pedestrians, as noted in the South Norfolk Place-Making Guide supplementary planning document which supports the CS. In principle, the introduction of building in this environment would obstruct those views and diminish the experience for passers-by and those who live locally.
11. The new building is sited to respond to the road and the pattern of existing ribbon development and would noticeably increase the amount of built form. It would also be significantly larger in the street scene than most other buildings

Appeal Decision APP/L2630/W/16/3156435

in the vicinity. It has not been explained how the development responds to the immediate valued landscape setting, beyond being inspired by Norfolk buildings generally and being of a higher standard of architecture than houses nearby. The architecture would arguably enhance the setting in terms of built development, but it is unclear how it is sensitive to the key characteristics of the landscape. This is particularly important where development is deliberately restricted. Moreover, the design of the proposed dwelling would be acceptable in many locations including sites within a settlement area. It has not been shown how it would significantly enhance the unique landscape setting of this site bordering Dickleburgh Moor. In essence, it would compromise the perception of the open moorland setting which is the dominant characteristic of the area.

12. I conclude that the development would be attractive in its own right, providing exceptionally energy efficient accommodation that may well inspire others in terms of design and construction generally. However, it would not meet the criteria set by paragraph 55, which require a dwelling that is truly outstanding and innovative and sensitive to the defining characteristics of the local area, necessary to justify building a new dwelling in the countryside.

Flood risk

13. The site excludes the areas most at risk in flood zones 2 and 3. Within flood zone 1, measures could in principle be adopted by means of appropriate conditions to ensure that no additional surface water flooding occurs. In considering this matter, I note that the adjacent property *Moorlands* is recently built on the site of a smaller bungalow, now demolished. As far as can be ascertained at the site visit and from the application drawings, the floor level of *Moorlands* is considerably higher than that proposed for the new building of 29.3 AOD. The drawings indicate that the proposed ground floor level would also be substantially below the level of the road which is around 30.5 AOD. There is no flood risk assessment advising the level at which the ground floor of the building should be set to avoid an unacceptable risk, but if the building needed to have a higher floor level, that would significantly increase its bulk and visibility seen from the road. The Design and Access Statement advises that *'like the adjacent 'Moorlands' it is proposed therefore that the building be raised slightly to ensure it is unaffected by any possible flooding in the future'*. The lack of firm information on this point indicates that the visual impact on the area and the open countryside could well be greater than the drawings suggest. This adds to my concerns on the impact of the scheme in the wider landscape.

Other matters

14. The local village provides a school, church, garage, shop and other facilities and is within 1 kilometre or relatively easy cycling and walking distance, but many shopping trips would need to be carried out elsewhere requiring a car journey. Whilst the site has some sustainability merits, they do not amount to justification for a new house outside the settlement area.
15. The Council has a housing land supply well in excess of the requirement set out in the NPPF and housing need therefore does not weigh in the scheme's favour. Nevertheless, the fundamental aim or 'golden thread' running through the NPPF is a presumption in favour of sustainable development, which has 3 dimensions: economic, social and environmental. Having regard to the

Appeal Decision APP/L2630/W/16/3156435

development plan and the core principles of the NPPF, this proposal would fall short of meeting the environmental dimension of sustainability because of its impact on the intrinsic character and beauty of the countryside.

16. With regard to the Council's policies on land for self-build projects, I do not disagree that the silence on this matter in the development plan means that the second limb of paragraph 14 comes into play. However, in the light of the excessive level of supply of land on approved sites, the development needs to be considered against all the policies in the NPPF including those that seek to protect the countryside and prevent isolated homes in rural areas. Looking at the situation in the round, the benefits of this single dwelling are significantly and demonstrably outweighed by the adverse impacts.

Conclusion

17. Although I have not found that the development would necessarily cause an unacceptable risk of flooding, it is unclear whether the building would be at the level indicated on the drawings. The development would conflict with the environmental sustainability aims of CS policies 1 and 2 and DMPD policies 1.3 and 4.5 which seek to protect the character and appearance of the area. It falls short of the requirements set out in the NPPF at paragraph 55. For all the above reasons, the appeal should be dismissed.

Paul Jackson

INSPECTOR

6 Appl. No : 2018/2019/F
Parish : WORTWELL

Applicants Name : Mrs Riches
 Site Address : Land West Of 2 High Road Wortwell Norfolk
 Proposal : Outline planning for 3 detached self-build dwellings with all matters reserved

Recommendation : Approval subject to conditions

- 1 Time limit - Full - 5 Year Land Supply
- 2 In accord with submitted drawings
- 3 Visibility splay, approved plan
- 4 Provision of parking, service
- 5 Reporting of unexpected contamination
- 6 New Water Efficiency

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.

1 Planning Policies

- 1.1 National Planning Policy Framework (NPPF)
 NPPF 02 : Achieving sustainable development
 NPPF 04 : Decision-making
 NPPF 05 : Delivering a sufficient supply of homes
 NPPF 09: Promoting sustainable transport
 NPPF 11 : Making effective use of land
 NPPF 12 : Achieving well-designed places
 NPPF 14 : Meeting the challenge of climate change, flooding and coastal change
 NPPF 15 : Conserving and enhancing the natural environment
- 1.2 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
- 1.3 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
 DM3.8 : Design Principles applying to all development
 DM3.10 : Promotion of sustainable transport
 DM3.11 : Road safety and the free flow of traffic
 DM3.12 : Provision of vehicle parking
 DM3.13 : Amenity, noise, quality of life
 DM4.5 : Landscape Character Areas and River Valleys

 DM4.8 : Protection of Trees and Hedgerows

2. Planning History

2.1 None relevant

3. Consultations

- | | | |
|-----|-------------------------------|--|
| 3.1 | Town / Parish Council | No comments received |
| 3.2 | District Councillor Cllr Gray | 1. Outside development boundary and contrary to JCS housing requirement.
2. But SHMA reassessment needs to be given weight.
3. Are there over-riding benefits re DM1.3?
4. Highways need to assess whether sufficient visibility splays can be achieved without removal of long sections of the important hedgerow. |
| 3.3 | NCC Highways | Comments awaited |
| 3.4 | SNC Water Management Officer | Comments awaited |
| 3.5 | Other Representations | None received to date |

4. Assessment

Background

- 4.1 The application site comprises of a rectangular shaped parcel of land which form part of a larger agricultural field located to the south of High Road outside of the development limit for Wortwell. To the east is a neighbouring detached single storey dwelling. To the south and west is the remainder of the field. The site frontage is vegetated and on the opposite side of the road is a residential development.
- 4.2 The scheme seeks outline planning permission for three detached self-build dwellings. All matters are reserved; however, an indicative plan has been provided which indicates a single vehicular access into the site with a linear arrangement of three detached single storey dwellings.

Principle

- 4.3 Whilst Wortwell is designated as a service village by policy 15 of the JCS, the site lies outside of the defined development boundary. Wortwell is within the Rural Policy Area (RPA).
- 4.4 Members are advised that a key material consideration in regards housing land supply is the Central Norfolk Strategic Housing Market Assessment (SHMA), the most recent version of which was published in June 2017. This is significant new evidence. There is a 4.38 year housing land supply against the SHMA assessment of the Objectively Assessed Need (OAN) for housing in the RPA. The following paragraphs explain why this effectively enhances the weight attached to the benefits of increased housing supply.
- 4.5 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).

- 4.6 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.
- 4.7 In this regard, consideration should be given to Policy DM1.3 which makes provision for development to be granted outside of Development Boundaries, which is the case here, where one of two criteria are met: either where specific development management policies allow; or, where there are overriding benefits in terms of economic, social and environmental dimensions of sustainable development, as set out in Policy DM1.1. Where development proposals do not accord with the development plan consideration should be given to whether there are material considerations that otherwise indicate that development should be approved.
- 4.8 Of particular relevance to applications for housing development in this reality that the JCS housing requirement for the South Norfolk Rural Policy Area is now several years old (the JCS was adopted in March 2011, with amendments in January 2014). Moreover the evidence on which the requirement is based has now been superseded.
- 4.9 In June 2017 an updated Strategic Housing Market Assessment (SHMA) was published for Central Norfolk (the Greater Norwich authorities plus, North Norfolk and Breckland). The SHMA assesses the Objectively Assessed Need for housing between 2015 and 2036 using the most recent evidence available. Unlike the evidence underpinning the JCS, the SHMA also includes an assessment of the contribution made by student accommodation in line with the Planning Practice Guidance.
- 4.10 The SHMA is significant new evidence that is also a material consideration in the determination of planning applications. The SHMA indicates that the Objectively Assessed Need (OAN) for housing in the South Norfolk RPA is significantly greater than the annual housing requirement under the adopted JCS: an annual requirement of 326 homes per annum in the SHMA compared to 132 homes per annum in the JCS. Moreover, when measured against the SHMA assessment of OAN the housing land supply in the South Norfolk RPA falls from 62.5 years supply under the JCS to 4.38 year housing land supply, a potential shortfall of 232 units, against the SHMA.
- 4.11 The increased OAN and housing land supply deficit in the South Norfolk RPA that is apparent in relation to the most up-to-date evidence of housing needs should be given weight in the decision making process. This factor weighs in favour of the approval of applications.
- 4.12 It is considered that it is still appropriate to use the JCS housing requirement can still be used having regard to the revised NPPF given that the JCS is less than 5 years old.
- 4.13 Taking account of the above, the following assessment seeks to establish the overriding benefits of the scheme and any harm that would be caused in the context of the relevant development plan policies and the NPPF, with reference to the three dimensions of sustainable development (economic role, social role and environmental role). These three headings form a convenient basis for structuring the assessment of the proposal against development plan policies.
- 4.14 Sustainable development has three dimensions which are economic, social and environmental. These should not be considered in isolation as they are mutually dependent. The NPPF also sets out themes for delivering sustainable development but considers that its meaning of sustainable development be taken as the NPPF as a whole.

Economic role

- 4.15 The NPPF highlights the economic role as:

"contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure."

- 4.16 In terms of the economic role, the construction of 3 dwellings in this location would help to enhance economic viability through local spending by future occupants. The proposal would also provide some short term economic benefits during construction work. It is therefore considered that this proposal would bring forward a modest economic benefit.

Social role

- 4.17 The NPPF confirms the social role as:

"supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being."

- 4.18 The proposed scheme would provide housing in a location where the JCS identifies a housing land supply in excess of requirements. However, the most recent evidence of the updated SHMA increases the objectively assessed need for housing in the RPA which would reduce the housing land supply to 4.38 years. This new evidence is a material consideration in determining this application. Consequently, greater weight is to be afforded to the benefits of housing delivery in the planning balance in respect of DM1.3.
- 4.19 Mindful of the need for housing to have "accessible local services" as set in the social role of the NPPF, whilst the application site is outside of the development boundary, it is not considered to be in an isolated location, with the site having access to a continuous footpath on the opposite side of High Road which provides connectivity to the facilities within Wortwell.

Neighbour amenity

- 4.20 Given that all matters are reserved it is not possible to comment in detail, however, it is evident from the indicative submission that a scheme that dwellings could be located and designed so as to avoid any significant loss of light, outlook or privacy. The requirements of Policy DM3.13 of the SNLP therefore can be met.

Design/visual impact

- 4.21 Given that all matters are reserved it is not possible to comment in detail, however, it is evident from the indicative submission that a linear arrangement of detached properties would be acceptable in the context of the existing dwellings immediately to the east. It is also evident that the site would only extend the built form as far as that established on the opposite side of High Road. The use of a single access into the site would avoid any significant removal of hedgerow along the site frontage.
- 4.22 It is considered that the requirements of Policies DM3.8 and DM4.5 of the SNLP can be met.

Highways

- 4.23 Given that all matters are reserved it is not possible to comment in detail, however, it is evident from the indicative submission that a single access onto High Road is likely. The Highway Authority has been consulted and their comments are awaited and these will be reported to the Development Management Committee via the update. It is envisaged that there would be no objection to accessing the site via the adjacent High Road carriageway. It is evident from the indicative scheme that sufficient on-site parking and turning could be secured at reserved matters stage and therefore the requirements of Policies DM3.11 and DM3.12 can be met.

Self-Build

- 4.24 Paragraph 63 of the National Planning Policy Framework requires Councils to plan for people wishing to build their own homes. This can be a material planning consideration for the application and the submitted Planning Statement explains that this is an application for a self-build dwelling. Although this is a consideration in the determination of the application, it cannot be certain that the method of delivering this site will be as self-build and that in this case, therefore this is considered material and can be afforded limited weight in this case.
- 4.25 In terms of the social role, given the site lies in close proximity to a footpath that offers a continuous link to facilities in Wortwell which is a designated service village and the evidence of the updated SHMA which is a material consideration in determining this application, it is considered that this proposal would bring forward a social benefit on the basis of its contribution to the supply of homes with accessible local services.

Environmental role

- 4.26 The NPPF confirms the environmental role as:

"contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy."

- 4.27 Any scheme at reserved matters would be capable of providing a linear form of development consistent with that which lies to the east and immediately opposite and would only require a modest degree of hedgerow removal from the site frontage. It is considered that a scheme would not lead to significant adverse harm to the character and appearance of the countryside.

Flood risk

- 4.28 It is evident that the site lies within flood zone 1 when using the Environment Agency maps and therefore no additional flood risk information is considered necessary at this time in accordance with policy 14 of the NPPF.
- 4.29 In terms of the environmental role, it is considered that this proposal would satisfy the environmental role.
- 4.30 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.
- 4.31 This application is liable for Community Infrastructure Levy (CIL)

Conclusion

5 Conclusion

- 5.1 Having due regard to the above assessment made in the context of having a 5 year land supply, but taking account of the new evidence of the updated SHMA which is a material consideration, it is considered that the benefits of 3 self build dwellings represent a level of benefit relative to the lack of any clear harm being created by the scheme means that the scheme can be considered to represent a sustainable development in the context of the NPPF and also one that complies with the requirements of criterion 2 d) of Policy DM1.3 of the SNLP in providing overriding benefits as required of a scheme outside of a development limit.

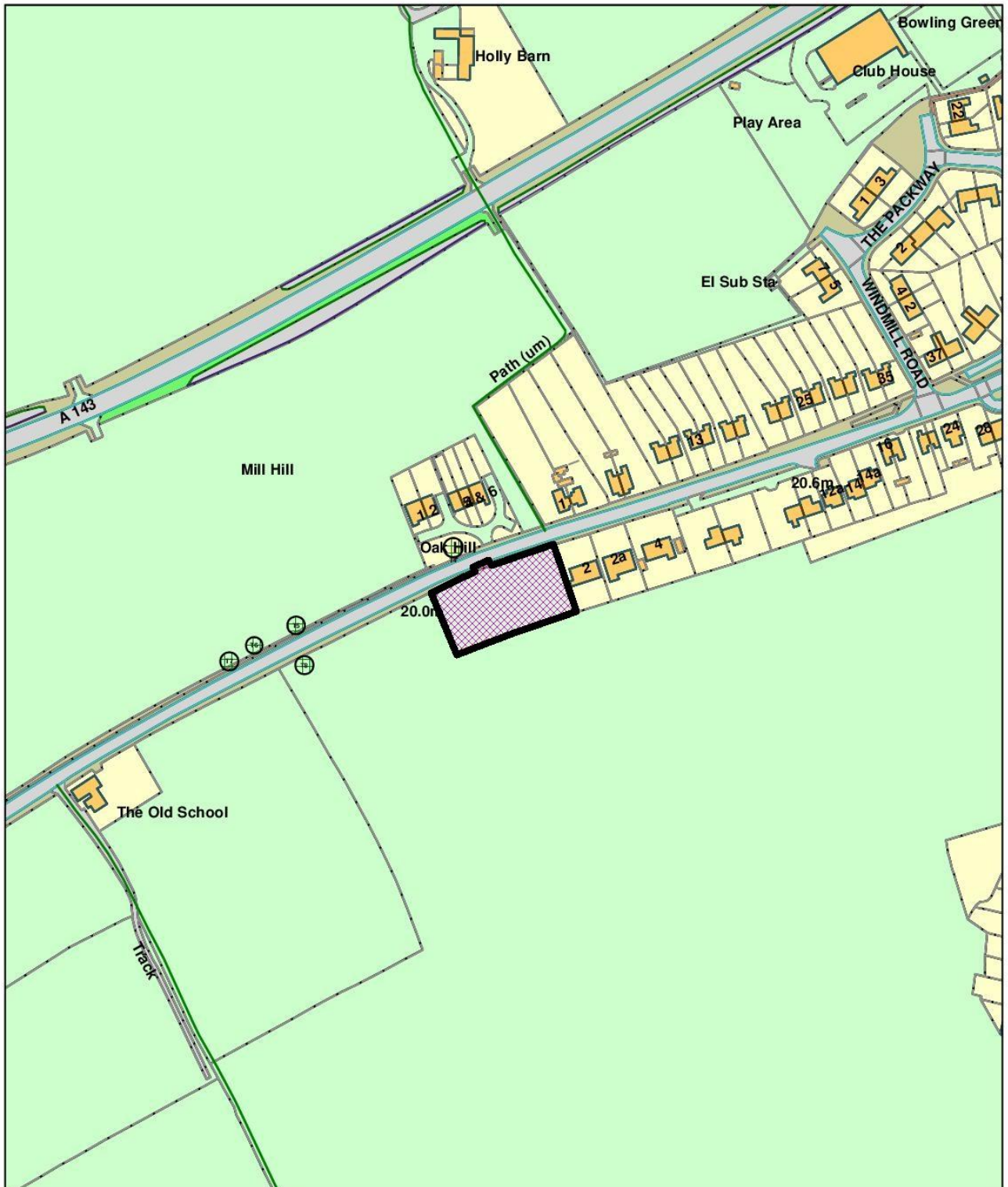
6 Reasons for Approval

- 6.1 It is considered that the scheme complies with the requirements of the relevant planning policies identified above and is therefore recommended for approval, subject to the conditions as set out above and any other material planning considerations being raised during the consultation period.

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2018/2019

Appendix 1



Scale 1:2,500

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

ENFORCEMENT PROCEEDINGS – PROGRESS REPORT
Report of the Director of Growth & Localism

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 negotiation to secure future of the listed building
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
CROWNTHORPE Land adjacent to The Drift Crownthorpe Rd 2011/8025	Formation of Access	16.11.2011	Enforcement Notice served Compliance date 27.10.13 New land owner seeking to comply
WYMONDHAM Copper Beeches Crownthorpe Road 2015/8005	Standing of residential mobile home	22.07.2015	Enforcement Notice served Compliance date 4 months after the mobile home is no longer occupied by specified occupier

LOCATION	ALLEGED BREACH	DATE OF COMMITTEE AUTHORITY	ACTION TAKEN
DENTON Rainbows End Norwich Road 2016/8183	Change of use of land for the keeping of dogs	07.12.2016	Enforcement Appeal dismissed and Notice upheld Planning application being determined to regularise use
WICKLEWOOD Church Farm 56 Church Lane 2017/8224	Change of use of agricultural building to a mixed use for agriculture and as an events venue	06.12.2017	Enforcement Notice served and appealed
SILFIELD Poplar Farm Silfield Road 2016/8314	Change of use of agricultural land to mixed use as agricultural land and land for the storage and breaking of motor vehicles, storage of motor vehicle parts and other items not connected with agriculture	22.02.2018 Delegated authority	Enforcement Notice served Not complied with Seeking legal advice regarding further action
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 served Not complied with Seeking legal advice regarding further action
STARSTON Land at Woodside Stables Wood Lane	Change of use of land and stables building to residential use	14.05.2018	Enforcement Notice served and appealed

Enforcement Statistics

	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018 As of 25.09.18
No. of complaints	439	370	349	324	309	347	321	332	319	353	215
Enforcement Notices issued	40	23	18	12	17	4	3	12	6	2	4
Breach of Condition Notices issued	2	0	3	0	0	1	0	0	0	1	0
Section 215 Notices issued	5	2	3	1	1	0	1	0	0	0	0
Temporary Stop Notices issued	1	2	3	0	0	0	0	0	0	0	0

Enf-Proc
25.09.18

Planning Appeals**Appeals received from 1st September to 28th September 2018**

Ref	Parish / Site	Appellant	Proposal	Decision Maker	Final Decision
2018/0106	Diss El Hanan Stuston Road Diss IP22 4JB	Mr J Lau	Demolition and erection of 2 Dwellings with integral garages, parking and turning areas	Delegated	Refusal

Planning Appeals**Appeals decisions from 1st September to 28th September 2018**

Ref	Parish / Site	Appellant	Proposal	Decision Maker	Final Decision	Appeal Decision
2017/1852	Cringleford 40A Newmarket Road Cringleford NR4 6UF	Christopher, Pauline And Katrina Tusting, Murphy And Sigs...	Outline planning permission for 9 No. houses including Access only	Delegated	Refusal	Appeal dismissed
2017/2543	Wymondham Land Rear Of 16 And 18 Bellrope Close Wymondham Norfolk	Mr T O'Callaghan	Construction of single bungalow dwelling	Delegated	Refusal	Appeal Allowed

Planning Appeals

Appeals decisions from 1st September to 28th September 2018

2017/0814	Morley Land Adj To The Swallows Home Farm Lane Morley St Peter Norfolk	Mr Toby Dobson	New dwelling.	Delegated	Refusal	Appeal dismissed
2017/2686	Tharston And Hapton Land North Of Picton Road Tharston Norfolk NR15 2YD	Mr Tom Mayes	The erection of 3 No. dwellings with associated access and car parking areas	Development Management Committee	Refusal	Appeal Allowed
2017/2105	Surlingham Land At Green Farm The Green Surlingham Norfolk	Mr Thomas Stiff	Installation of 2 holiday pods and associated access and parking	Delegated	Refusal	Appeal Allowed
2017/2141	Brooke 49 High Green Brooke NR15 1JA	Mr Anthony Spurgeon	Replacement of 49/49A, High Green with erection of two new dwellings	Development Management Committee	Refusal	Appeal dismissed

Planning Appeals

Appeals decisions from 1st September to 28th September 2018

2017/2373	East Carleton Land To The West Of Scotts Hill East Carleton Norfolk	Mr & Mrs Graham Browne	Construction of 1 x new, 3 bedroom residential dwelling. Part demolition of existing stabling and alterations to remaining stables.	Delegated	Refusal	Appeal dismissed
2017/2427	Colney Bob Champion Research And Educational Building James Watson Road Colney NR4 7UQ	Mr Andrew Burbidge	Non-illuminated "NHS" sign	Delegated	Refusal	Appeal dismissed