

# 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      Colman Room

## Agenda

### Date

Wednesday 20 June 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.

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. The Strategy is broadly consistent with the National Planning Policy Framework (NPPF) and accompanying technical guidance and was 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.

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 and Mulbarton Neighbourhood Development Plan made in 2016, and full weight can now be given to policies within these plans when determining planning applications in the respective parishes. Some weight can also be given to the policies in the emerging Neighbourhood Development Plan for Easton. In accordance with legislation planning applications must be determined in accordance with the policies of the Development Plan, unless material considerations which are relevant to planning indicate otherwise.

The NPPF states that the purpose of the planning system is to achieve sustainable development. The core planning principles contained within the NPPF are summarised as:

- To be genuinely plan-led
- To drive and support sustainable economic development
- Seek high quality design
- Conserve and enhance the natural environment
- Encourage the effective use of land
- Conserve heritage assets

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**
- **Be consistent in the application of our policy, and**
- **If we need to adapt our policy, we will do it through the Local Plan process.**

**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 8)
  
4. **Minutes of the Meeting of the Development Management Committee held on 23 May 2018;**  
(attached – page 10)
  
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	2017/1197/D	COLNEY	Land Adj Norfolk And Norwich University Hospital Colney Lane Colney Norfolk NR4 7UY	23
2	2018/0324/H	STARSTON	The Lodge, Low Road, Starston, IP20 9NT	44
3	2018/0325/LB	STARSTON	The Lodge, Low Road, Starston, IP20 9NT	44
4	2018/0804/F	ROYDON	Land Adj To Pumping Station Brewers Green Roydon Norfolk	49
5	2018/0855/O	BARFORD	Haulage Yard, 46 Chapel Street, Barford, NR9 4AB	59
6	2018/0877/O	THARSTON AND HAPTON	Land at Chequers Road Tharston Norfolk NR15 2YA	67
7	2018/0878/H	PORINGLAND	14 Boundary Way, Poringland, NR14 7JD	74
8	2018/0912/F	EAST CARLETON	Former Nursery Site To The West of Low Common Swardeston NR14 8LG	79
9	2018/1047/F	STOKE HOLY CROSS	Tantallon 14 Chandler Road Stoke Holy Cross Norfolk NR14 8RG	91

**6. Sites Sub-Committee;**

Please note that the Sub-Committee will only meet if a site visit is agreed by the Committee with the date and membership to be confirmed.

**7. Planning Appeals (for information);** (attached – page 97)

**8. Date of next scheduled meeting – Wednesday 18 July 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

<b>Fire alarm</b>	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
<b>Mobile phones</b>	Please switch off your mobile phone or put it into silent mode
<b>Toilets</b>	The toilets can be found on the right of the lobby as you enter the Council Chamber
<b>Break</b>	There will be a short comfort break after two hours if the meeting continues that long
<b>Drinking water</b>	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.

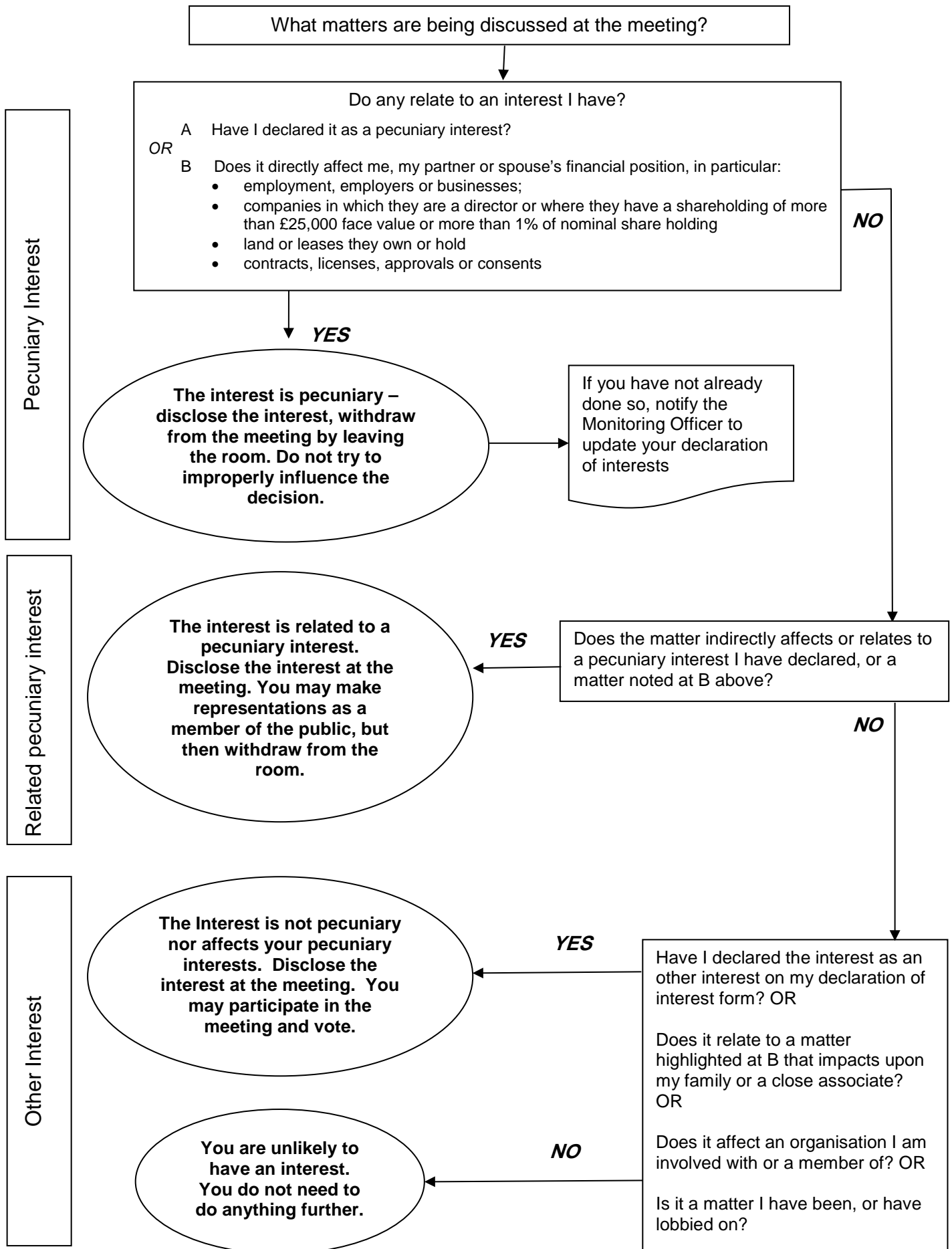
Have you made any statements or undertaken any actions that would indicate that you have a closed mind on a matter under discussion? If so, you may be predetermined on the issue; you will need to inform the meeting, and when it is discussed, you will have the right to make representations to the meeting 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 23 May 2018 at 10.00 am.**

**Committee Members Present:** **Councillors:** V Thomson (Chairman), D Bills, F Ellis, C Gould, M Gray, C Kemp and L Neal

**Apologies:** **Councillors:** B Duffin and G Minshull

**Substitute Members:** **Councillor:** C Foulger for B Duffin

**Officers in Attendance:** The Development Manager (H Mellors), the Development Management Team Leader (R Collins), the Major Projects Team Leader (T Lincoln), the Senior Planning Officers (C Raine and G Beaumont) and the Planning Officer (B Skipper)

The Press and 19 members of the public were also in attendance.

### 389. 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
2018/0554/F (Item 2)	GREAT MOULTON	All	Local Planning Code of Practice Lobbied by MP
2017/2528/F (Item 3)	NEWTON FLOTMAN	V Thomson and L Neal  C Kemp	Local Planning Code of Practice Lobbied by Objector  Local Planning Code of Practice Other interest
2017/2905/F (Item 4)	LODDON	C Gould	Member considered he was pre-determined and stepped down from the Committee for this item and reverted to his role as local member
2018/0340/F (Item 7)	BARNHAM BROOM	All	Local Planning Code of Practice Lobbied by Agent

### 390. MINUTES

The minutes of the Development Management Committee meeting dated 25 April 2018 were confirmed as a correct record and signed by the Chairman.

### 391. 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
2018/0121/O (Item 1)	DITCHINGHAM	L Smith – Agent for Applicant Cllr B Bernard – Local Member
2018/0554/F (Item 2)	GREAT MOULTON	J Parker – Agent for Applicant Cllr M Wilby – Local Member
2017/2528/F (Item 3)	NEWTON FLOTMAN	C Broomfield and S Broomfield – Objectors M Haslam – Agent for Applicant
2017/2905/F (Item 4)	LODDON	Cllr C Gould – Local Member
2018/0340/F (Item 7)	BARNHAM BROOM	B Read – Parish Council H Booth – Applicant F Bootman – Agent Cllr M Edney – Local Member
2018/0564/O (Item 8)	ASLACTON	Cllr P Webb – Parish Council P Robinson – Objector M Philpot – Agent for Applicant
2018/0712/O (Item 9)	WICKLEWOOD	M Thompson – Agent for Applicant S Lamping – 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.

### **392. PLANNING APPEALS**

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

(The meeting closed at 3.55pm)

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Chairman

**Updates for DEVELOPMENT MANAGEMENT COMMITTEE – 23 May 2018**

<b>Item</b>	<b>Updates</b>	<b>Page No</b>
Item 1	No update.	21
Item 2	<p><u>Correction to paragraph 5.1:</u> Delete reference to loss of hedgerow and poor connectivity, which are not harms related to this development.</p> <p>Further to the assessment of the principle of development, which sets out that the Council does not consider the Joint Core Strategy to be out of date and therefore it can be demonstrated that the Council has a five-year housing land supply in the rural policy area. Notwithstanding the above position, if the SHMA housing land supply figure was used and the tilted balance of paragraph 14 of the NPPF thereby triggered, this scheme would in any event result in significant and demonstrable harms as identified in the reason for refusal which outweigh the benefit of delivering one dwelling where a 5 year housing land supply cannot be demonstrated.</p>	30
Item 3	<p>Two further objections received (from one address), summarised below:</p> <p>Lane already used by Mulbarton construction traffic, chicken and mushroom farms. 18 years ago, Highway Authority required upgrading of lane to allow business use. Applicant burning rubbish in yard.</p> <p><u>Officer comment</u> Lane included in construction management plan for Mulbarton for smaller vehicles only. Highway Authority raised no objection to use permitted in 1998 subject to limits on level of activity. NCC Highways have raised no objections to this current proposal.</p> <p>Commercial bonfires are investigated under environmental protection legislation.</p>	37
Item 4	As the boundary wall which is to be replaced is within the curtilage of the listed building and therefore Listed, an informative note will be attached to any planning permission confirming that a separate listed building consent for its demolition and the replacement wall is required, notwithstanding any planning permission granted.	43
Item 5	No update.	51
Item 6	No update.	63
Item 7	<p><u>Forestry Commission</u> The proposed development would cover an area of existing woodland planted under a Forestry Commission Woodland Grant Scheme. According to records the planting year was 2001. The landowner received 15 years of Farm Woodland Payments and although the scheme claim period is now closed the contract is under obligation i.e. to remain woodland, for a further 15 years. The land should remain as woodland therefore until 2031.</p>	68

	<p>If the planning application is approved the Forestry Commission would require there to be compensation for the loss of woodland by planting an equivalent area of woodland elsewhere on the same landholding. If the compensatory planting cannot be agreed then the Forestry Commission would make a reclaim of the grant paid on the area lost.</p> <p><u>NCC Ecology</u> If you are minded to approve this application, we recommend that you condition:</p> <ul style="list-style-type: none"> <li>• Any vegetation clearance needs to be subject to a timing constraint. A model condition is included in these comments below.</li> <li>• No development shall take place until a method statement for bats, badgers, reptiles and hedgehogs has been submitted to the LPA.</li> <li>• Ecological enhancements need to be incorporated into the site's design as outlined in section 6.4 of the Phase 1 Ecological Survey report (Norfolk Wildlife Services; February 2018).</li> </ul> <p>Further to the assessment of the principle of development, which sets out that the Council does not consider the Joint Core Strategy to be out of date and therefore it can be demonstrated that the Council has a five-year housing land supply in the rural policy area. Notwithstanding the above position, if the SHMA housing land supply figure was used and the tilted balance of paragraph 14 of the NPPF thereby triggered, this scheme would in any event result in significant and demonstrable harms as identified in the reasons for refusal which outweigh the benefit of delivering one dwelling where a 5 year housing land supply cannot be demonstrated.</p>	
Item 8	No update.	77
Item 9	<p><u>Correction to the first sentence of paragraph 4.18, which should read as follows:</u> For the current self-build year running from 31 October 2017 to 30 October 2018, the Council's target s to make 97 plots available.</p> <p><u>Correction to paragraph 4.23, which should read as follows:</u> In having regard to the above, on balance it is considered that the location of the site will not minimise the need to travel nor give priority to low impact modes of travel as required by Policy 1 (bullet 7) of the JCS and Policy DM3.10 of the SNLP.</p> <p><u>Further objection received from occupant of Brambles Farm on Milestone Lane:</u> The site is outside of the development boundary, approving the application will set a precedent for future development and that there are sufficient sites for development within Wicklewood without having to build outside of the development boundary.</p>	84

	<p><u>Officer comments</u> These matters have already been addressed in the committee report.</p> <p>Further to the assessment of the principle of development, which sets out that the Council does not consider the Joint Core Strategy to be out of date and therefore it can be demonstrated that the Council has a five-year housing land supply in the rural policy area. Notwithstanding the above position, if the SHMA housing land supply figure was used and the tilted balance of paragraph 14 of the NPPF thereby triggered, this scheme would in any event result in significant and demonstrable harms as identified in the reasons for refusal which outweigh the benefit of delivering one dwelling where a 5 year housing land supply cannot be demonstrated.</p>	
Item 10	<p><u>Further comments received from Parish Council:</u> Objects to the application as five houses is overdevelopment of the site. In addition, the road access at this location is hazardous.</p> <p><u>Highway Authority</u> Recommends refusal. This section of Crownthorpe Road (B1135) has a rather poor alignment and the location is not ideal for a residential development with the vehicle turning movements that will occur. There is a highway safety concern with regard to the proposal in that the development will result in the intensification in use of an access considered substandard by reasons of the inadequate visibility onto the B1135.</p> <p>The B1135 at this point is subject to a 60mph speed limit although it is accepted that the actual vehicle speeds will be constrained to below that level owing to the alignment of the road. However even based on a typical local speed of 40mph, this requires a visibility splay of 120m from a 2.4m setback in both directions. Whilst visibility to the north is potentially acceptable, that to the south is constrained by the frontage hedge to the adjacent property which is growing outwards towards the road edge. Visibility in that direction is limited to only 30 metres when measured from the centre of the site frontage to the nearside road edge. Owing to the limited visibility, turning right out of the site access particularly would present a degree of risk.</p> <p>The proposed development would generate additional traffic movements through a substandard access onto the B1135 at a location where visibility for vehicles exiting on to it is only 25% of the recommended sight distance. The proposal therefore gives rise to conditions detrimental to highway safety and the inconvenience of other highway users.</p> <p><u>Accessibility</u> The location of the site is rather poor in highway terms for access other than in a vehicle. Although the site is close to Wymondham, the alignment of Crownthorpe</p>	92

	<p>Road is such that walking to the site is not a particularly safe or attractive option.</p> <p>Development at this location does not offer the opportunity for people to travel more sustainably as the proposal does not provide high quality access to public transport / safe walking / cycling routes.</p> <p>It is therefore recommended that this application be refused on the grounds of inadequate visibility splays being provided and the site being remote from local service centre provision conflicting with the aims of sustainable development.</p> <p><u>Officer comment</u> In light of the comments of the Highway Authority, the following additional reason for refusing the application is recommended:</p> <p><i>Inadequate visibility splays are provided at the junction of the access with the County highway and this would cause danger and inconvenience to users of the adjoining public highway. The application is contrary to Policy DM 3.11 of the South Norfolk Local Plan.</i></p> <p><u>Historic Environment Service:</u> The development site lies 400m southeast of a known temple site of Roman date and approximately 50m south of a Roman road which connect the temple to Caistor St. Edmund Roman Town. Cropmarks of boundaries and other features of probable Roman date have been mapped west and north of the site and artefacts of Roman date have been found in the immediate vicinity of the site. Further information is required about the date, function and state of preservation of any archaeological features that may be present on the site before an informed planning recommendation can be made.</p> <p>Consequently, we request that the results of an archaeological trial trenching evaluation are submitted prior to the determination of the planning application in accordance with National Planning Policy Framework para. 128.</p> <p><u>Officer comment:</u> Although it is recognised that the applicant may not have been aware of the potential for the site to hold features of archaeological interest until now, this issue is nevertheless a material consideration. Given the harm that officers have identified and the stance taken on the principle of development, it is considered unreasonable to expect the applicant to carry out the works requested by the Historic Environment Service. However, it remains an outstanding issue and officers are of the view that the absence of information relating to archaeological matters should be added to the reasons for refusal:</p>	
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	<p><i>Insufficient information has been provided to allow an informed assessment to be made of the prospective impact on the presence of underground heritage assets. The application is therefore contrary to Policy 1 of the Joint Core Strategy insofar as it relates to considering the impact on the historic environment, Policy DM4.10 of the South Norfolk Local Plan and paragraph 128 of the NPPF.</i></p> <p>Further to the assessment of the principle of development, which sets out that the Council does not consider the Joint Core Strategy to be out of date and therefore it can be demonstrated that the Council has a five-year housing land supply in the rural policy area. Notwithstanding the above position, if the SHMA housing land supply figure was used and the tilted balance of paragraph 14 of the NPPF thereby triggered, this scheme would in any event result in significant and demonstrable harms as identified in the reasons for refusal which outweigh the benefit of delivering dwellings where a 5 year housing land supply cannot be demonstrated.</p>	
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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**                     :     **2018/0121/O**  
        **Parish**                        :     **DITCHINGHAM**
- Applicants Name                :     Mr Andrew Shirley  
 Site Address                       :     Land off Hamilton Way Ditchingham Norfolk  
 Proposal                           :     Outline planning application for residential development of up to 24 dwellings and access
- Decision                           :     Members voted 5-2 (with 1 abstention) for **Approval**

Approved with conditions

- 1 Outline Permission Time Limit
- 2 Standard outline requiring RM
- 3 In accord with submitted drawings
- 4 Roads and footways
- 5 Highway Improvements – Offsite
- 6 Traffic Regulation Order
- 7 Construction Management Plan
- 8 Details of foul water disposal
- 9 Surface Water
- 10 New Water Efficiency
- 11 Renewable Energy - Decentralised source
- 12 Landscaping scheme to be submitted
- 13 Ecology Mitigation
- 14 Archaeological work to be agreed
- 15 Reporting of unexpected contamination
- 16 Fire hydrants

Subject to the completion of a s106 agreement to cover provision of affordable housing, open space and play area.

## Other Applications

- 2      **Appl. No**                               :   **2018/0554/F**  
         **Parish**                                 :   **GREAT MOULTON**
- Applicants Name       : Christine Stannard And Andrea King  
Site Address            : Land To The Rear Of Greendale High Green Great Moulton Norfolk  
Proposal                : Construction of new dwelling house, driveway and garage
- Decision                : Members voted 6-1 (with 1 abstention) for **Approval** (contrary to officer recommendation, which was lost 2-6)
- Approved with conditions
- 1 Full planning permission time limit
  - 2 In accord with submitted drawing
  - 3 New water efficiency
  - 4 External materials to be agreed
  - 5 Retention of trees and hedges
  - 6 Visibility splay dimension in condition
  - 7 Provision of parking, service
  - 8 Full drainage to be sealed system

### Reasons for overturning officer recommendation

Members considered that the proposal would not erode the rural character of the area and, given its proximity to the development boundary for Great Moulton, would represent unsustainable development.

- 3      **Appl. No**                               :   **2017/2528/F**  
         **Parish**                                 :   **NEWTON FLOTMAN**
- Applicants Name       : Mr Karl Lake  
Site Address            : Land at Brick Kiln Lane Newton Flotman Norfolk  
Proposal                : Retention of use of land for storage and crushing of materials and display of finished work in connection with a domestic brick weave and drive replacement business
- Decision                : Members voted unanimously to amend the proposal to give temporary permission to allow 12 months operation and the submission of an Environmental Management Plan. Members then voted unanimously for **Approval of** these proposals
- Temporarily approved with conditions
- 1 Temporary time limit
  - 2 In accord with submitted drawings
  - 3 Environmental Management Plan
  - 4 Reporting of unexpected contamination
  - 5 Retention of parking and turning
  - 6 Boundary treatment to be agreed
  - 7 Restriction on sales

- 4     **Appl. No**                     :     **2017/2905/F**  
        **Parish**                        :     **LODDON**
- Applicants Name        :     Mr Justin Fenwick  
 Site Address             :     Land At Swan Court Loddon Norfolk  
 Proposal                 :     Erection of building to provide three letting rooms, and associated landscaping.
- Decision                 :     Members voted 7-0 for **Approval**
- Approved with conditions
- 1 Full Planning permission time limit
  - 2 In accordance with amendments
  - 3 External materials to be agreed including those for boundary wall and bonding to match
  - 4 Restriction on occupancy of rooms
  - 5 Parking as in approved plan
  - 6 Retaining wall maximum height 1 metre
- 5     **Appl. No**                     :     **2018/0211/O**  
        **Parish**                        :     **COSTESSEY**
- Applicants Name        :     Mr Martin Green  
 Site Address             :     Land South East Of Tandarra Townhouse Road Costessey Norfolk  
 Proposal                 :     Outline application for four dwellings
- Decision                 :     Members voted unanimously for **Refusal**
- Refused
- 1 Landscape impact
  - 2 Trees/Landscape
  - 3 Not sustainable development
  - 4 Inadequate information access/visibility
- 6     **Appl. No**                     :     **2018/0265/H**  
        **Parish**                        :     **COSTESSEY**
- Applicants Name        :     Mr Justin Revell  
 Site Address             :     44 Peter Pulling Drive Costessey NR8 5GP  
 Proposal                 :     Proposed orangery, basement development and all associated works.
- Decision                 :     Members voted unanimously for **Approval**
- Approved with conditions
- 1 Full Planning permission time limit
  - 2 In accord with submitted drawings
  - 3 Annexe use only

- 7      **Appl. No**                               :   **2018/0340/F**  
        **Parish**                                 :   **BARNHAM BROOM**
- Applicants Name       :   Dr Hartley Booth  
 Site Address            :   The Old Hall Honingham Road Barnham Broom Norfolk NR9 4DB  
 Proposal                :   Creation of a new access to The Old Hall and erection of a new lodge (dwelling).
- Decision                :   Members voted 6-2 for **Refusal**
- Refused
1. Out of character/design
  2. Unacceptable amenity Impact due to trees – over shadowing windows and garden area.
  3. Detrimental impact of character of area, removal of trees
  4. Unsustainable development
- 8      **Appl. No**                               :   **2018/0564/O**  
        **Parish**                                 :   **ASLACTON**
- Applicants Name       :   Mr Richard Harrison  
 Site Address            :   Land east of Pottergate Street, Aslacton  
 Proposal                :   Erection of two dwellings on land adjacent to Holly Tree House (outline)
- Decision                :   Members voted 7-1 for **Approval**
- Approved with conditions
- 1 Outline Permission Time Limit
  - 2 Standard outline requiring RM
  - 3 In accord with submitted drawings
  - 4 Details of foul water disposal
  - 5 Surface Water
  - 6 Water efficiency
  - 7 Contaminated land during construction
  - 8 New Access Construction over verge
  - 9 Access gates - configuration
  - 10 Visibility splay, approved plan
  - 11 Provision of parking, not on plan

- |           |                 |          |  |
|-----------|-----------------|----------|--|
| <b>9</b>  | <b>Appl. No</b> | <b>:</b> | <b>2018/0712/O</b>   |
|           | <b>Parish</b>   | <b>:</b> | <b>WICKLEWOOD</b>  |
|           | Applicants Name | :        | Mr Steven Lamping  |
|           | Site Address    | :        | Land South of Milestone Farm, Milestone Lane, Wicklewood   |
|           | Proposal        | :        | Outline planning permission (with all matters reserved) for the development of one detached self-build dwelling with garage and gardens. |
|           | Decision        | :        | Members voted 6-2 for <b>Refusal</b>   |
|           |                 |          | Refused  |
|           |                 |          | 1 Impact on character and appearance of immediate vicinity   |
|           |                 |          | 2 Accessibility of site to local services and facilities   |
|           |                 |          | 3 Does not comply with either of the relevant criteria of Policy DM1.3   |
|           |                 |          | 4 Unsustainable development  |
| <b>10</b> | <b>Appl. No</b> | <b>:</b> | <b>2018/0744/O</b>   |
|           | <b>Parish</b>   | <b>:</b> | <b>WICKLEWOOD</b>  |
|           | Applicants Name | :        | Mr J Cole  |
|           | Site Address    | :        | Land adjacent to The Drift, Crownthorpe Road, Crownthorpe  |
|           | Proposal        | :        | Outline application for five Passive Houses  |
|           | Decision        | :        | Members voted unanimously for <b>Refusal</b>   |
|           |                 |          | Refused  |
|           |                 |          | 1 Proposal does not represent sustainable development, contrary to DM1.3 and NNPF  |
|           |                 |          | 2 Impact on character and appearance of immediate vicinity   |
|           |                 |          | 3 Accessibility of site to local services and facilities   |
|           |                 |          | 4 No information provided on prospective contamination   |
|           |                 |          | 5 Inadequate visibility splays provided at junction  |
|           |                 |          | 6 Insufficient information relating to archaeological matters  |
|           |                 |          | 7 Does not comply with either of the relevant criteria of Policy DM1.3   |

## PLANNING APPLICATIONS AND OTHER DEVELOPMENT CONTROL MATTERS

### **Report of Director of Growth and Business Development**

#### **Major Applications**

1. **Appl. No** : **2017/1197/D**  
**Parish** : **COLNEY**
  - Applicants Name : Bullen Developments Ltd
  - Site Address : Land Adj Norfolk And Norwich University Hospital Colney Lane  
Colney Norfolk NR4 7UY
  - Proposal : Reserved Matters for multi-storey car park, internal access roads, landscaping and associated infrastructure on Hethersett Lane for access, appearance, landscaping, layout and scale, together with the discharge of conditions 4, 5, 19 and 21 relating to outline consent from 2012/1880
  - Recommendation : Authorise Director of Growth & Business Development to approve with conditions
    - 1 In accordance with plan and details
    - 2 Cycle parking
    - 3 Lighting details
    - 4 Roads, cycleway and footway to be delivered prior to occupation of building
    - 5 Off site highway works – details to be approved and delivered.
    - 6 Car parking spaces restricted to 1093
    - 7 Swift boxes

Subject to no new information being received which in officer's opinion is material to the recommendation and subject to the completion of a S106 to ensure that only one Multi Storey Car Park is erected (only 2017/1197 or 2016/2382)

#### 1 Planning Policies

- 1.1 National Planning Policy Framework (NPPF)
  - NPPF 01 : Building a strong competitive economy
  - NPPF 04 : Promoting sustainable transport
  - NPPF 07 : Requiring good design
  - NPPF 08 : Promoting healthy communities
  - NPPF 09: Protecting Green Belt land
  - NPPF 10 : Meeting the challenge of climate change, flooding and coastal change
  - NPPF 11 : Conserving and enhancing the natural environment
  - NPPF 12 : 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 7 : Supporting Communities
  - Policy 9 : Strategy for growth in the Norwich Policy Area

- 1.3 South Norfolk Local Plan Development Management Policies
- DM1.1 : Ensuring Development Management contributes to achieving sustainable development in South Norfolk
  - DM1.2 : Requirement for infrastructure through planning obligations
  - DM1.3 : The sustainable location of new development
  - DM1.4 : Environmental Quality and local distinctiveness
  - DM2.1 : Employment and business development
  - DM2.2 : Protection of employment sites
  - DM3.8 : Design Principles applying to all development
  - DM3.10 : Promotion of sustainable transport
  - DM3.11 : Road safety and the free flow of traffic
  - DM3.12 : Provision of vehicle parking
  - DM3.13 : Amenity, noise, quality of life
  - DM3.14 : Pollution, health and safety
  - DM4.1 : Renewable Energy
  - DM4.2 : Sustainable drainage and water management
  - DM4.4 : Natural Environmental assets - designated and locally important open space
  - DM4.5 : Landscape Character Areas and River Valleys
  - DM4.6 : Landscape Setting of Norwich
  - DM4.8 : Protection of Trees and Hedgerows
  - DM4.9 : Incorporating landscape into design

#### Site Specific Allocations and Policies

COL1 - Land adjacent to Norwich Research Park

- 1.4 Supplementary Planning Documents (SPD)
- South Norfolk Place Making Guide 2012
  - Norwich Research Park Public Realm Strategy Document for planning – approved by discharge of condition consent 2014/2098

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

S66(1) Listed Buildings Act 1990 provides: “In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority, or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.”

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

## 2. Planning History

- |     |           |   |          |
|-----|-----------|---|----------|
| 2.1 | 2012/1880 | Proposed offices, laboratories and academic space for principally research and development activities, buildings for health and health related uses and buildings for further ancillary uses. Associated car parking, access, infrastructure, internal access roads and strategic landscaping | Approved |
|-----|-----------|---|----------|



2.2	2016/2382	Reserved matters following 2012/1880/O - Construction of a four storey car park, internal access roads, two roundabouts and associated road works on Hethersett Lane.	Approved
2.3	2017/1198	Construction of a 350 space surface level temporary car park with associated access.	under consideration
2.4	2017/1277	Discharge of Condition 14 - Joint Phasing Plan for NRP North and South of permission 2012/1880/O	under consideration

### 3. Consultations

3.1	Town / Parish Council	<p>Comments on the following basis:</p> <p>1. Sections of the proposed roads associated with the multi-storey car park appear to lie outside the development boundaries of both the Norwich Research Park and the Colney development Plan. This is unfortunate. Development boundaries must be respected if their use is to retain credibility.</p> <p>2. Yet again the Southern Bypass Protection Zone is being encroached upon. More respect should be accorded the Protection Zone: it is there for a purpose.</p> <p>3. The number of parking spaces in the multi-storey car park (1,142) confirms the high volume of traffic associated with this development. The traffic on roads through Cringleford, notably Round House Way and Colney Lane, is likely to increase considerably. Taken in conjunction with the expected increases in traffic associated with the recently approved sports development proposed by UEA and the NRUFC and the construction of 650 houses anticipated at Newfound Farm, the volume of traffic is likely to cause gridlock on the roads mentioned to the great annoyance of residents and others. Once again Cringleford Parish Council would like to plead that the traffic impact on roads outside the immediate area of development is given serious, rather than perfunctory consideration</p>	
3.2	District Councillors: Cllr Kemp	To be reported if appropriate	
	Cllr Wheatley	To be reported if appropriate	
3.3	Anglian Water Services Ltd	No objection. Surface water strategy does not affect Anglian Water.	
3.4	SNC Conservation And Design	<p>The new design approach is more simplified, more coherent and more contextual in terms of materials used and fitting in with the wider rural context within which the research park sits. I therefore have no objection to the current proposals, but it may be beneficial to condition materials unless exact materials are specified at this stage.</p> <p>Landscaping will be an important consideration.</p>	

3.5 Environment Agency	<p>Comments on original plans: Unable to recommend the discharge of condition 5 at the current time as the submitted information does not contain information relating to foul drainage plans. We have not considered conditions 4,19 and 21 as we did not request these conditions and have no comments to make in regards to the reserved matters.</p> <p>Comments on amended plans: We have received further information from the developer and are satisfied that condition 5 can now be discharged. We have had confirmation that a new sewer has been designed and installed by Anglia Water, which will deal with all foul water flows from the development. Our records show that there is sufficient capacity at the water recycling centre to deal with the discharges from the site.</p>
3.6 SNC Economic Development Manager	<p>South Norfolk's Economic Development welcomes the develop on the NRP Enterprise Zone. If approved this development will support:</p> <ul style="list-style-type: none"> <li>• provide essential car parking within Zone 4 of the park</li> <li>• Open up the Zone 4 of EZ by providing the business rates income to enable the financial model for the SNC infrastructure investment plan to work and</li> <li>• creating a small number of new jobs as a result of this development</li> </ul>
3.7 Historic England	<p>No comment to make. Should be determined in accordance with national and local policy guidance and on the basis of the Council's expert conservation advice.</p>
3.8 SNC Community Services - Environmental Quality Team	<p>No objection – suggest conditions requiring full specification of external lighting; potential contamination condition (in event unidentified contamination is found)</p>
3.9 Historic Environment Service	<p>As indicated in the archaeology note submitted with this application, the revised location of the proposed multi-storey car park sits largely on the site of the existing temporary car park constructed under planning permission 2012/1269. The site of the existing temporary car park was subject to an archaeological excavation in 2013. Consequently no further archaeological work will be required on revised the site of the proposed multi-storey car park. However, the proposed new access roads and associated works will still require archaeological work (monitoring of the groundworks by an archaeological contractor) in accordance with condition 10 of 2016/2382.</p>
3.10 SNC Landscape Architect	<p>Comments on original plans: <u>Impact on existing trees and vegetation:</u></p> <p>Anticipated growth of existing trees in area have not had full consideration.</p> <p>The proximity of T1's canopy to the building also needs to be considered.</p>

It has been identified that some of the excavations for the proposed drainage has implications for T1 with both the proposed foul water drainage for the toilets/kiosk and surface water soakaway breaching the identified root protection area. This is not ideal, and I would like to see if the conflicts can be avoided altogether.

New planting proposals:

The concept for the boulevard route has been accepted under the previously-approved scheme, and the submitted detailed planting plans are acceptable are appropriate for the situation.

The planting to the south of the MSCP should also be part of the Woodland Edge character as set out in the Public Realm Strategy. Whereas the 8-metre wide single verge has been varied to become a three-layered landscape treatment for the boulevard, this will not be possible adjacent to the MSCP. What is proposed, however, is a 4-metre hedge and verge with trees alongside the Fire Appliance Access Road as a continuation of the outer boundary of the boulevard. This is not ideal, but an 8-metre strip would only be achievable if the building were to be reduced in scale. What will be important to ensure, however, is that if the emergency access is to be upgraded in the future that any subsequent construction works do not compromise the boundary planting; to this end, root barriers along the length of the road might be an appropriate consideration.

Comments on amended plans:

Accept impact in growth of existing trees – as already heavily managed

T1 canopy – provide that the NNC Ecologists are satisfied that bat activity will not be compromised by the proximity of the building to this tree, then I am satisfied.

Drainage and services within the RPA of T1 – no objection subject to a condition that requires the arboricultural supervision as proposed by paragraph 6.2 of the submitted Arboricultural Statement.

The revised planting scheme includes root barriers as per my suggestion, which is acknowledged. Notwithstanding this, it should be noted that the planting along the southern boundary of the site, adjacent the MSCP, will not comply with the design principals set out within the approved Public Realm Strategy as the width of planting is less. This will be the boundary of the NRP, so it is unfortunate that more extensive planting will not be possible with the MSCP as proposed.

3.11 NCC Lead Local  
Flood Authority

Comments on original plans:

Holding objection - Confirmation required that infiltration is possible in the location of Swale No. 6 or that the swale is shifted to a location that does have infiltration

Comments on amended plans:

No objection subject to proposal being carried out in accordance with the amended details

3.12	NCC Ecologist	No objection lighting around the building will need consideration in respect of bats
3.13	Natural England -	No objection. Does not affect a SSSI. The Council needs to assess impact on protected species using standing advice. If the proposal is on or adjacent to a Local Site the Local Planning Authority (LPA) should ensure it has enough information to understand its impacts. In terms of biodiversity enhancements, opportunities to incorporate features for wildlife in to the design should be fully explored in line with the NERC Act and Para 118 of the NPPF. Opportunities to enhance the character and local distinctiveness of the surrounding natural and built environment; use natural resources more sustainably; and bring benefits for the local community should be fully explored.
3.14	NCC Highways	<p>No objection with the following comments:</p> <p>It is proposed that the MSCP will be accessed from both the Norfolk and Norwich Hospital access road and from Hethersett Lane. The junction form on Hethersett Lane will be a roundabout as shown indicatively on Drawing Number 60432496-SKE-C-0037-A. Pedestrian/cycle facilities will be included within the detailed design and will be delivered within land which is either within highway or within the applicants control. The precise extent of footway/cycleway improvements will be determined at detailed design. The internal works will be delivered by the developer and will be built to an adoptable standard although at present the Highway Authority will not be adopting them.</p> <p>The delivery of the footway/cycleway from the roundabout to connect to that being delivered as part of the Hethersett North development will be brought forward under a revised phasing strategy which is subject to a separate planning application. Given the work that is underway to deliver a continuous footway/cycleway from Wymondham to Hethersett and then on to the Norwich Research Park, it is important that the links that are the responsibility of NRP South are brought forward as quickly as possible.</p> <p>The Highway Authority is content that the proposed access roundabout will provide an appropriate junction form for access to serve the multi-storey car park and therefore recommends No Objection subject to the following conditions – construction management plan; wheel cleaning; detailed scheme for off site highway works.</p>
3.15	NCC Minerals And Waste Planning Officer	No objection
3.16	Norwich City Council	It is understood from the information submitted that the new multi storey car park is intended to cater for future development of the site. On the basis of the above, no objections are raised in terms of the principle of the development or the impacts on the City Council authority area
3.17	Norfolk Fire Service	No comments received

3.18 Norfolk & Norwich  
University Hospital

Comments on original plans:

Object for the following reasons:

This is considered likely to lead to significant operational difficulties for the

hospital which could impact patient care. These operational difficulties arise from two main factors: -

1. The hospital perimeter road needs to flow as efficiently as possibly bearing in mind that it is utilised by emergency vehicles on a regular basis; and

2. The closer proximity of the proposed MSCP to the hospital compared to the consented siting brings with it very serious concerns that this will affect the flight path and therefore unconstrained access to the helicopter landing pad area by Search and Rescue helicopters which periodically attend at the site with patients needing urgent medical care. (note Whilst Air Ambulance helicopters can access the hospital almost irrespective of how nearby buildings are sited or configured, it is a different matter as far as Search and Rescue helicopters are concerned.) Expert advice is being sought; nearest equivalent service is Cambridge; if SAR operation cannot continue patients would likely have to land at Norwich Airport which has clinical implications to patients.

It ought to be stressed that NNUH does not object in principle to a MSCP and notes that – in part – this is intended to replace the surface car park for 350 vehicles which has temporary consent and which is used by a number of people visiting the hospital and indeed by some Trust staff. It is however the siting and the scale of the proposed car park which gives rise to the concerns expressed. It is of note that the application for RMA now submitted brings the proposed car park far closer to the hospital than was proposed in the earlier consent for the site and this brings with it the potential to cause far greater adverse impact on the hospital.

Comments on amended flight path:

Comments awaited – to be reported orally

3.19 Land Owner Norfolk  
& Norwich University  
Hospital

No comments received

3.20 National Planning  
Case Unit

No comments received

3.21 Norfolk Wildlife Trust

No comments received

3.22 Other  
Representations

Bristow Helicopters – comments on original proposals:

Object –

- Bristow is the provider of UK Search and Rescue on behalf of the Maritime and Coastguard Agency.
- The proposed Multi storey car park will probably change the classification of the aviation environment from 'congested but not hostile' to 'congested and hostile' which would require Bristow's helicopter operations to be conducted under more stringent regulations.

- These regulations include a multitude of factors of which the most obvious is that, in the event of a sudden power loss during the take off, approach or landing, the aircraft can either overshoot and continue to land at another aviation facility or it can complete a safe landing on the Helicopter Landing Site without any individual on the ground or in the aircraft getting hurt and with no damage to the aircraft. All of these flight paths must maintain specified clearances from any obstacles within defined approach and departure arcs
- The only way in which the impact of the combined planning aspirations on compliance with aviation regulations and hence the impact on the utilisation of the Hospital HLS can be established would be by getting an Helicopter Landing Site survey conducted by a suitable qualified aviation surveyor and based on extant aviation regulations.
- It is therefore suggested that it would be in the best interest of the whole community if the findings of an aviation survey of the Norfolk and Norwich Hospital HLS post build were available to permit a considered decision by the planning department.
- The importance of the development is not contested. However the strategic importance of the HLS to patient care in the region is equally important. It would appear that the 2 issues should not be mutually exclusive subject to the proper aviation advice having been sought.

Comments on amended flight path:

Formal comments awaited – to be reported orally

One letter of support from John Innes on the following grounds:

- Car park is well located for the NRP
- Supports expansion of the park

#### 4. Assessment

##### *Background*

- 4.1 The outline application for NRP south approved a set of parameter plans for building heights and site density. It also included full details of the proposed internal hospital road / NRP South access junction improvements. The application was also accompanied by an illustrative masterplan and parameter plans.
- 4.2 This application seeks reserved matters approval for a multi-storey car park (MSCP) on the site pursuant to that outline consent. This is the third building from the NRP south site (the first of which was 2013/0554 Bob Champion Building and second 2015/1076 Quadram building).
- 4.3 It should be noted that this proposal is an alternative proposal to that previously approved (2016/2382) which was for a 742 space MSCP further west in the site. Since that approval it became apparent to the developer through detailed design work that the consent was not the optimum location for the multi storey car park and as such the application now for consideration was submitted in a slightly revised location.
- 4.4 The application seeks approval of access, appearance, landscaping, layout and scale.
- 4.5 The building is located on the location of the existing temporary surface car park serving the NNUH and to the south of the Bob Champion building.

- 4.6 The building measures approx. 95 metres (m) in length x 73m wide with a height of 15.37m. The floorspace is 6913sqm per floor so totalling 27,655sqm across the four floors.
- 4.7 The development proposed is a four storey building, although the ceiling heights are lower than other buildings of the same number of storeys given its nature of being a car park. The form is relatively simple with detailing in the materials.
- 4.8 The application proposes vehicular access to the development to be from a new junction on Hethersett Lane to the west (a roundabout of 36m diameter), and would provide internal connection roads to connect to the hospital perimeter road to the east. The MSCP will have 1093 spaces. The car park exit would utilise the existing car park exit/entrance of the NNUG surface car park which this proposal would replace.
- 4.9 A coffee kiosk is proposed in the north east corner of the plot.
- 4.10 The application has been amended with the following:
- Additional drainage information required to address matters raised by the LLFA
  - A reduction in the number of car parking spaces proposed from 1142 to 1093
  - An alteration to the exit of the MSCP to allow right hand turn as well as left hand turn from the car park exit.
  - Addition of a new fire service access road
- 4.11 Further supporting information has also been received from the applicant in respect of impact on helicopter flight path.

#### *Principle of development*

- 4.12 Outline consent 2012/1880 established the principle of the development and access was approved at that stage. This granted consent for up to 60,387 sqm of use B1(b); 29,849 sqm of C2/D1 and 8930sqm of ancillary and complementary uses.
- 4.13 This application therefore seeks approval of those matters which were previously reserved for this phase of development which are access, appearance, layout, scale and landscaping. Internal access arrangement to the plot is also included.
- 4.14 The outline consent was accompanied by several parameter plans. These include phasing; building heights; land use; plot ratio; landscaping and ecology; bus and vehicular routes; and pedestrian and cycle routes. In terms of land use and plot ratio, as the building and it's use is considered incidental rather than ancillary use it is not counted towards the restrictions of ancillary floorspace of the outline consent. Compliance with the other parameters plans is referred to in the relevant sections of the report below.

#### *Key issues for consideration*

- 4.15 The key considerations for the acceptability of the proposals are highways, amenity, contamination, flood risk, foul water, design and landscaping, ecology, heritage and an other planning material consideration which is helicopter operations into the NNUH.
- 4.16 It should also be noted that matters relating to archaeology, surface water, road, footway and cycleway specifications, construction worker parking, construction traffic route, construction management, travel plan, phasing plan, lighting, materials, fire hydrants, landscaping, tree protection, construction environmental management plan and ecology are required to be agreed through condition.

#### Condition 13 of the outline consent

- 4.17 A total of 1093 parking spaces are proposed under this application for the MSCP. The total floorspace of the car park is 27,655sqm across the four floors. This is not considered to count against the total floorspace being provided, and limited by condition 13 of the outline consent as the proposal is incidental to the main uses as it would not be required if the main consented floorspace was not being provided, not ancillary to. The MSCP is therefore considered to not count against the floorspace restriction on the outline consent.

#### *Highway considerations*

##### Access, parking levels, highway infrastructure and phasing

- 4.18 Principles of the points of access and their relative phasing was set at the outline stage and were required to be detailed through a phasing plan condition. In addition other highway infrastructure was secured through S106 (namely related to this development the NNUH roundabout improvements).
- 4.19 The multi storey car park would have 1093 spaces which would permanently incorporate the existing 350 spaces from the temporary surface car park that the building would replace. It is evident that the existing surface car park is heavily used by the NNUH users, and its permanent retention has been included in updated transport modelling for the junctions as part of this proposal. Its permanent inclusion in the proposed MSCP is considered acceptable in principle. The proposed car park therefore proposes a total of 1093 spaces - 743 spaces technically for NRP and 350 spaces re-provided for the NNUH.
- 4.20 The phasing plan requires certain overarching highway improvements by certain date and level of development. Acceptable parking levels are also identified in the outline parameter plans by highway infrastructure needed to support them. For the purposes of the infrastructure required by parking levels which set parking caps at NRP, the 350 re-provided spaces are not included in the triggers.
- 4.21 The application proposes the MSCP with one roundabout access (Hethersett Lane South) from Hethersett Lane, together with internal access roads to link to the existing access onto the hospital perimeter road. Upgrade to the NNUH roundabout is also committed to be delivered by the landowner through the triggering of the S106 floorspace triggers by the Quadram building. The submitted transport statement identifies that the NNUH roundabout works are required to be in place before the MSCP is in full operation.
- 4.22 Currently parking permitted within the outline consent are:
- Quadram – 125 on plot (208 off plot temporary consent on a surface car park until 2030 or until the land is developed with a building, after which the MSCP delivers all parking requirements for the Quadram)
  - Bob Champion – 41 on plot  
Existing temporary car park – 350 (expires in 2022). Note spaces lost due to erection of MSCP on same site however 350 spaces to be re-provided in MSCP but not counted towards parking caps for NRP.
  - Proposed MSCP – 1093 spaces  
Total car parking approved/proposed to be considered for parking caps/infrastructure for NRP is 1117 (which drops to 909 at 2030).



- 4.23 Parking levels are capped at 428 spaces for phase 1 Highway infrastructure (access from Hospital perimeter road only); 1015 parking spaces for Phase 2 Highway infrastructure (Hethersett lane north and south roundabouts, bus link to NRP north and pedestrian/cycle path to the A47 overbridge on Hethersett Lane to be provided) and to 1950 parking spaces for phase 3 infrastructure (which includes new link estate roads from Hethersett lane roundabouts and provides new junction on the B1118 Watton Road).
- 4.24 It should also be noted that phase 2 highway improvements to support 1015 car parking spaces on site require both Hethersett Lane junctions to be implemented and open for use, the bus link to NRP north and cyclepath on Hethersett lane to be provided. The parameter plans are conditioned under condition 3 of the outline permission to be substantially followed, allowing for flexibility depending on further information that comes forward with any reserved matters application. This application as amended however proposes access from and delivery of one Hethersett Lane roundabout only (at a smaller diameter than envisaged) together with linking access through to the hospital perimeter road.
- 4.25 The MSCP whilst acknowledged to not be a traffic generator in itself per se, is being delivered in advance of the buildings to which it serves and to accommodate parking needs of buildings which would form phase 2 of the development. Therefore, and on the basis of the updated transport modelling, a flexible approach has been taken in order to deliver sufficient highway improvements to accommodate the highway impacts of the early delivery of the MSCP, but also acknowledging that until further buildings are built out on the NRP that the car park may be under occupied or used by those visitors already coming to the area.
- 4.26 In highway terms to make the development acceptable therefore the southern roundabout from Hethersett Lane although at a smaller size than originally envisaged at the outline (36m diameter compared to 40m diameter) together with the link to the hospital perimeter road access and the completion of the NNUH roundabout works are all requirements. A condition is required to ensure that the new Hethersett Lane Roundabout and access road to link to the hospital perimeter road are delivered and opened prior to the first use of the MSCP. However, there are timing issues with the delivery of the NNUH roundabout works due to the need for an alternative access to be in place as set out below.
- 4.27 In respect of the timing of the NNUH roundabout improvements, the provision of the upgrade to the NNUH/Colney land roundabout is already triggered on the occupation of the approved Quadram building which is currently under construction and due to open Autumn 2018. Work on a Section 278 agreement with NCC Highways is underway to give a commuted sum for the highway authority to construct the works.
- 4.28 Clearly it is evident on site that the works for the upgrade to the NNUH roundabout have not yet commenced. A complexity of upgrading this roundabout is that it is the only access into the hospital and so must be kept open at all time for ambulances and hospital staff in particular, along with patients and visitors to the hospital. It would be feasible to upgrade the roundabout and keep traffic moving through, but it would increase the time length of the project and the costs significantly. The provision of the Hethersett Lane south roundabout would provide an alternative access to the hospital whilst these works are undertaken.
- 4.29 Therefore it is considered reasonable to accept that the NNUH roundabout upgrade will not be delivered until shortly after completion and opening of the Hethersett Lane roundabout and the internal access road linking the hospital perimeter road. The Section (S)278 Highway agreement is not yet in place (which would secure the funds and therefore put the delivery of the roundabout works in the control of the Highway Authority), and these works are required to make the MSCP acceptable in highways

terms, but the S106 already in place provides the enforceable mechanism in which to secure the necessary upgrade works.

- 4.30 The bus link and the pedestrian/cycle path on Hethersett Lane would be delivered with a future phase when further floorspace for the NRP is delivered.
- 4.31 In respect of compliance with the Public Realm (PR) strategy the proposed access roads to serve the MSCP respect the access hierarchy approved.
- 4.32 As amended the proposed development is therefore considered to comply with policy DM3.11 of the local plan.
- 4.33 It should also be noted that there is a concurrent planning application under consideration which would provide for a temporary surface car park for the existing 350 spaces displaced during the construction period which would be granted should the current proposals for a MSCP be approved.

#### Travel plan

- 4.34 A travel plan to inform the overarching travel plan will need to be agreed as part of condition 11 and 12 of the outline consent.
- 4.35 Cycle parking for 24 bicycles is proposed. The proposed development is therefore considered to comply with policy DM3.10 of the local plan.

#### Pedestrian and cycle connectivity

- 4.36 A joint phasing plan has been submitted for discharge of condition which essentially updates the previously submitted phasing plan (submitted for previous buildings on the NRP). This set out the agreed pedestrian and cycle connectivity improvements along Hethersett Lane to the A47 Overbridge and the relevant trigger point which is based on floorspace occupied across the NRP (latest delivery is completion of 90,120sqm). From the A47 overbridge south, to Hethersett, the cycle/footway is to be delivered by the obligations on the residential consent for the Hethersett North development.
- 4.37 Whilst the Parish Council request that the cycle/footway is made a requirement of this application to deliver, and Officers would encourage this to be provided now given that the new roundabout is being delivered in this location and the proposal opens up the connection between Hethersett Lane and the hospital perimeter road, given the limited floorspace implemented on the NRP to date (well below the levels set out in the phasing plan and as the MSCP is not a traffic generator in itself) and that the applicant advises that they currently have not drawn down sufficient land in the contract to deliver that cycleway, it has been agreed that the cycleway would be re-considered in the phasing plan - exact trigger points in terms of a floorspace trigger is to be agreed and this will be negotiated with the applicant and the highway authority in the phasing discharge of condition application.
- 4.38 In terms of pedestrian and cycle connectivity through the site, a combined pedestrian cycle path is required along both the boulevard primary access route and primary access route which the internal access routes are designated in the public realm strategy. A combined foot and cycle path is delivered for the majority of the route. Where this is not delivered as part of this proposal, as the land is not drawn down for that phase as yet, the reserved matters for each building on that phase adjacent to the internal road would need to deliver the additional cyclepath. On that basis the proposal is considered to comply with the requirements of the Public Realm strategy.

## Highway Conditions

- 4.39 In respect of conditions, whilst some specific highways conditions are included on this reserved matters consent, the majority of the highway conditions requested by the Highway Authority are already imposed by the outline consent. These will continue to apply, with details of road, footway and cycleway specifications, construction worker parking, construction traffic route, construction management, travel plan and phasing plan to be agreed.

## *Amenity*

- 4.40 Key issues in respect of amenity are fumes, noise, lighting, overshadowing and outlook.

### Fumes

- 4.41 The proposed MSCP is open sided enabling ventilation of exhaust fumes, and it is not considered that there would be any adverse impact on amenity through fumes.

### Noise

- 4.42 The proposals would lead to noise from vehicle movements moving within the car park. No plant or machinery is proposed within the building. Given the distance of the building from the boundaries of its plot and the low level of noise associated with vehicle movements there is not considered to be any adverse impact on amenity of surrounding research park users.

### Lighting

- 4.43 Details have been provided in respect of the lighting strategy, indicating that light overspill has been reduced where possible. Further details of the precise design of lighting along footpaths and roads are required. A condition in the outline consent already requires details to be submitted for each phase (condition 15).
- 4.44 It is noted that whilst measures have been taken to reduce light overspill, the provision of lighting on each level will be visible. Given the prominent position of the car park on the edge of the research park at present this will increase the visual impact of the development. Further development could come forwards around this building, which would in effect screen the development in future. However, it should not be assumed this will be the case. The level of light overspill is not considered to significant enough to merit concern given the backdrop of the MSCP in existing development at the research park.

### Residential amenity

- 4.45 Given the distance to any residential property, it is not considered that the proposal would result in any adverse loss of light, privacy or loss of outlook as a result of the proposal.
- 4.46 The proposed development is therefore considered to comply with policy DM3.13 of the local plan.

### Contamination

- 4.47 Some ground investigations have been undertaken as part of the submission for reserved matters. The report notes that no contamination was found on surrounding recent development sites, and given the previous use of agricultural land this risk is

considered to be low. The proposed use of the site would also be of low sensitivity to contamination, however the report does note that further investigatory works are required. A note on the outline consent covers any contamination found requiring further work to be carried out and reported to the LPA at that time. This is considered sufficient to safeguard from contamination given the low risk of the site.

#### *Flood risk and drainage*

- 4.48 A site specific flood risk assessment has been submitted, which sits within the overall context of the approved masterplan flood risk assessment. The site is within Flood zone 1.
- 4.49 The surface water drainage strategy proposed comprises of infiltration on site with attenuation of runoff provided using a range of SUDS features. It should be noted that surface water will be generated from the hard surface of the MSCP and the new access roads and footways.
- 4.50 The overall strategy is considered acceptable and sufficient information has been provided to enable condition 4 in respect of the surface water drainage condition to be discharged.
- 4.51 The proposed development is therefore considered to comply with policy DM4.2 of the local plan, Policy 1 of the Joint Core Strategy and principles of sustainable drainage identified in the Planning Practice Guidance.

#### *Foul water*

- 4.52 Two toilets are proposed on the ground floor of the car park. It is proposed that flows will be discharged to the onsite foul drainage network which will be installed within the new access roads. This system will be designed and constructed to adoptable standard for future adoption by a drainage undertaker. Details of how the foul water will be disposed of will need to be secured through condition 5 of the outline consent. The proposed development is therefore considered to comply with policy DM4.2 of the local plan.

#### *Layout, scale and design*

- 4.53 The scale, massing and positioning of the building relates well to the overall NRP Masterplan and accords with the agreed parameters. The general design approach of a fixed box design with cedar cladding at various angles, is a pragmatic design approach. The colour palette of red cedar cladding, red brick and glass sections would comply with the Public realm strategy requirement and fit in with the wider rural context within which the research park sits.
- 4.54 Overall the layout scale and design of the building is considered acceptable and in accordance with policy DM3.8 of the local plan.

#### *Landscaping*

- 4.55 In respect of the proposed building plot, the proposed scheme sits within the rural character area identified in the agreed NRP Public Realm Strategy (PRS). It is noted that the multi-storey car park will be particularly visible to the south of the site, particularly given the proposed lighting, before any further development comes forward on the site. As the proposed development fits with the approved parameter plans, the wider visual impact within the landscape is considered to be acceptable.

- 4.56 The MSCP sits adjacent to woodland planting which is a key structural landscape element of the hospital scheme. Increasingly its potential benefit for patients and visitors is being realised, with a circular walk established within its limits. Whilst the proposed MSCP is in close proximity to these trees, and would therefore hinder their growth, these are already heavily managed and there is no objection in this respect.
- 4.57 The submitted arboricultural report and planting scheme adequately address the most significant trees in the locality, requiring arboricultural supervision within the RPA of some of the trees.
- 4.58 In terms of the PR strategy and the landscape strategy, the concept for the boulevard route is acceptable, having layers of landscaping between the road, the cycle way and the proposed building in that area to create the required planted edge to the NRP.
- 4.59 Whereas the 8-metre wide single verge has been varied to become a three-layered landscape treatment for the boulevard, this will not be possible adjacent to the MSCP. What is proposed, however, is a 4-metre hedge and verge with trees alongside the Fire Appliance Access Road as a continuation of the outer boundary of the boulevard. This is not ideal, but an 8-metre strip would only be achievable if the building were to be reduced in scale. What will be important to ensure, however, is that if the emergency access is to be upgraded in the future that any subsequent construction works do not compromise the boundary planting; to this end, root barriers along the length of the road have been included as part of the application.
- 4.60 Overall therefore the proposal is on balance considered acceptable in respect of landscaping according with the main principles of the PR strategy and Policies DM4.8 and 4.9 of the Development Management Policies Document.

#### *Ecology*

- 4.61 The impacts on ecology from this proposal are relatively limited.
- 4.62 Bat roosts are considered to be absent in nearby trees although potential roost features are present, with the likelihood of bats having established roosts since then being low. These trees are not directly affected by works and lie either adjacent to the existing car park or the proposed soakaway location.
- 4.63 Subject to a condition to control lighting on the southern side of that hedge during construction and operation and a demarcated buffer zone in place to protect the potential trees as far as possible, the impact on protected species would be acceptable.
- 4.64 Whilst mitigation measures are suggested to ensure light overspill is reduced and lighting minimised where possible, mitigation to the impact on this protected species is still required.
- 4.65 Skylark territories would also be lost through the proposed development. This in conjunction with the impact on bats is considered to justify the need for mitigation and enhancement of protected species habitat.
- 4.66 In this instance it may be more appropriate to secure improvements for another protected species, as more meaningful improvements can be secured with relatively small impact on the proposed development. It is suggested that swift boxes are provided within the multi-storey car park to provide the required mitigation and this is reflected in the submitted ecology report. A condition is recommended to secure these improvements.

- 4.67 Light spill and impacts from the open sided carpark have not fully been addressed to demonstrate how the impacts will be reduced as far as is practicable (i.e. motion sensor lighting only or hours of operation etc.) As such for this reason, but also in respect of general amenity issues it is considered necessary to require a condition to control the type and timing of lighting of the building.
- 4.68 The proposed development is therefore considered to comply with policy 1 of the Joint Core Strategy.

#### *Heritage*

- 4.69 There are no identified heritage assets in the immediate setting on the proposed multi-storey car park. The Environmental Statement accompanying the original outline consent for this site considered the impact of all proposed development on heritage assets near the site. It was considered that the impact of the proposed development on surrounding heritage assets would be mitigated by the proposed landscape planting and siting of buildings identified within the approved parameter plans. The proposed multi-storey car park and access roads are not considered to introduce any new impacts that have not previously been assessed under the Environmental Statement. As such the proposal is considered to accord with policy DM4.10 of the local plan and paragraphs 129 and 132 of the NPPF. The requirement to consider the desirability of preserving the building or its setting or any features of special architectural or historic interest under Section 66 of the Listed Building Act 1990 is also considered to be met.
- 4.70 The Environmental Statement submitted with the outline consent also assessed the impact on any archaeological heritage assets. This concluded that there would be no adverse impact on any heritage assets, and subsequent information submitted with this application also reached the same conclusion. As such the proposed development is considered to be in accordance with policy DM4.10 of the local plan and paragraphs 129, 132 and 139 of the NPPF.

#### *Impact on Hospital helicopter landing site*

- 4.71 The proposed multi storey car park (MSCP) is located on the eastern edge of the NRP adjacent to the NNUH temporary surface car park and NNUH site.
- 4.72 The proposed building has no impact on the Air Ambulance's flight path but it is evident that the proposed building is within the current flight path of the Search and Rescue (SAR) helicopters that provide this service to the NNUH. Whilst not a 'safeguarded' helipad or flight path (as the helicopter landing site is private and therefore not licenced by the Civil Aviation Authority (CAA)) the operator of the SAR, and therefore in turn the NNUH, objected to the proposed MSCP due to its potential impact on the ability of the SAR helicopters to operate into the site safely. If this is not resolved this may mean that the operator takes the decision to cease the operation of the SAR into the NNUH. Last year the SAR landed 11 times at the NNUH.
- 4.73 The Council and the applicant have been working with the NNUH and the helicopter operator (with engagement with the CAA and various helicopter aviation experts) for throughout the application to understand and seek technical information in support of the concerns raised and to find solutions to the issue to enable both the safe operation of SAR into the NNUH and to allow the NRP to continue to grow in accordance with the approved outline consent and site allocations document.
- 4.74 Set out below is further detail of the potential impacts on the helicopter landing site and what solutions have been sought to provide a context for the conclusions and the balance that officers have reached on this matter.

- 4.75 Whilst hospital landing sites are not regulated and licensed, as they are private, there are mandatory regulations on the flight operators themselves and these are required by the CAA.
- 4.76 The operator and the CAA together with various technical experts engaged, all acknowledge that there are widespread issues with operators' ability to comply with regulations at hospital landing sites across the country that have not been addressed by the Government or the CAA. This is as a result of the increased regulation imposed on civil operation of the SAR contract compared to the regulations imposed when the military operated the same contract (noting that the same/similar size of aircraft and environment was operated by the military without issue under the military contract for SAR until 2015 when the contract ceased). It is clear therefore that there are tolerable risks accepted in the current operation of SAR into hospital landing sites outside of the stringent application of the regulations whilst maintaining safe operation. The requirement to comply with these more stringent regulations is the rationale for the safety issues now being raised.
- 4.77 The erection of a multi storey car park in the location proposed, would not, in the opinion of the helicopter operator, due to its location within the flight path, meet the requirements of the regulations and this is due to its environment being defined as both hostile and congested in technical terms meaning that a greater performance compliance is required. The height of the proposed MSCP building (in its location) and the loss of a 'forced' landing area are the issues.
- 4.78 'Congested' is defined by whether the site is in a built up area, and 'hostile' amongst other things, but relevant to this site, is defined by an environment in which a safe forced landing cannot be accomplished because there is an unacceptable risk of endangering persons or property on the ground. These environmental conditions dictate the performance class that the aircraft are required to perform within. When the environment is 'congested' only, Performance Class 2 is the compliance standard where a 12.5% gradient to the take off is required and to which Officers understand there is the ability to forgo the need for a forced landing area with specific CAA approval. When the environment is considered to be both 'hostile' and 'congested' Performance Class 1 is required which requires a significantly shallower take off gradient to be kept clear (4.5%) and requires forced landing areas.
- 4.79 It is still not agreed by all parties as to whether the current operation into the site should be Performance Class 1 or Performance Class 2. However, it is evident that the existing flightpath used is approaching and departing at a gradient of 12.30% to clear an existing tree line on the boundary of the hospital site (which the proposed car park would sit behind and would not exceed in height), and so clearly the helicopter operates safely at present at these gradients, and there appear to be acceptable tolerable risks outside of regulation compliance. However, it remains the case that the existing problem should not be exacerbated and the development of the NRP would affect the ability to maintain forced landing areas required.
- 4.80 It should be noted that the NRP has outline consent (application in 2015 and granted in 2016) which included the amount of development, a masterplan with a layout of buildings in this location and a building heights parameters plan (to which this building is in compliance). The principle of the further development on the NRP is therefore already established. It was not identified at the time of the grant of the outline consent of any constraint or potential future conflict with the proposed NRP site and the safe operation of helicopters into the NNUH site, although the military operated the contract around this time (note less stringent regulations); and the landing site is unlicensed and not safeguarded meaning there was no statutory requirement for the Civil Aviation Authority to be consulted. Notwithstanding, officers consider that whilst this is a new matter being considered at the reserved matters stage, after the principle has already been established, given the significant level of information available now, this is a new material planning consideration.
- 4.81 Work has been ongoing to explore the technical solutions to enable all parties to come to a considered view including the flight operator as to whether there are reasonable alternatives available to overcome the identified conflict.

- 4.82 Options explored include:
1. Whether smaller aircraft could be used (S92 used) – the current contract is with Bristow who only have the S92 and so not a feasible option.
  2. Raising height of helicopter landing site (by mounding) so as to increase clearance of the flight path required and the conflict with some of the buildings around the site – drawback: may need fire officer if classed as elevated and not ideal operationally – not explored to any advanced level.
  3. Relocation of the helicopter landing site for the SAR only (existing would remain in place for East Anglian Air Ambulance) within the hospital grounds, on the roof of building, or immediate surrounds and then a short land ambulance transfer to A&E (which is the situation at Addenbrooke's) – issues/considerations: Clinical implications for the patients being brought in by the SAR (on average one per month based on Maritime and Coastguard Agency figures) due to delays of additional land ambulance transfer time (and availability of ambulances); Offshore long distance journey and so short land transfer time would be very small percentage of the overall journey time.
  4. Whether the car park could be amended/re-located – there are options in this respect, however it is preferable to seek solutions to ensure both can be delivered as has longer term implications for other buildings also coming forward on the NRP which is an established Enterprise Zone. Without a solution now to address conflict, land in this area could become sterilised for development.
  5. New flight path approach to existing helicopter landing site – It is evident that the flight path to the helipad has had a number of changes over time and is a feasible option to explore. Based on the survey and data presented by Bullen and their aviation expert a new flight path across the existing NNUH surface carpark was proposed. This is the most feasible and deliverable option and is set out further below.
- 4.83 An alternative flight path is proposed across the NNUH car park and Bullen land (a solution that sterilises the least area of land and largely avoids buildings within the flight path). This is based on a ground survey and compliance with the more restrictive Performance Class 1 regulations.
- 4.84 The operator has carried out a ground survey, assessed the data and has a test flight planned (to confirm the acceptability of the proposed path). The test flight, which officers understand to be the final stage in the assessment of the proposed flight path which assesses the downwash of the aircraft on damage to vehicles/structures on the ground and in turn any likely injuries, is planned to take place shortly but an unacceptable result could mean that the flightpath is unacceptable. Once agreement is reached with all parties regarding the acceptability of the flight path, the measures for its delivery would need to be continued to be discussed and implemented (some minor structures may need to be removed), but it should be noted that there are not any further onerous or lengthy processes that the operator needs to complete before being able to put the new path into operation. Safeguarding of the flight path, matters of safety of the aircraft during construction of the proposed building will need further consideration.
- 4.85 At present the formal comments of the NNUH and operator on the alternative flight path proposed are therefore outstanding. However the alternative flight path proposal has been under consideration for verification since August 2018. However, it is generally informally being accepted by all parties that the flight path is likely to be an acceptable solution subject to the final outstanding technical checks i.e. the flight test being completed. Furthermore, and fundamentally, there is no technical objection being presented that would indicate that this will not be an acceptable solution.
- 4.86 The test flight is, as set out above, planned to take place shortly prior to Committee consideration of the application and any comments received from the operator or the NNUH will be orally updated to the Committee.



- 4.87 However, Officers consider that there is sufficient information at the time of writing this report to demonstrate there are reasonable alternatives for SAR landings (approx. 11 a year) that are likely to be able to be brought forward that would address the conflict of the existing flight path and proposed building and would maintain the ability to provide the SAR service to the NNUH. As such this would not be a reasonable ground on which to continue to delay determination of the application nor would it represent significant harm on which to substantiate a refusal of planning permission.

*Proposed coffee kiosk*

- 4.89 Policy DM2.6 is permissive of A3 (café) uses within settlements where development does not give rise to unacceptable environmental impacts including noise, odour and general disturbance.
- 4.90 In this case a small coffee kiosk is proposed in the north east corner of the plot. It is small in scale, ancillary to the MSCP and the NRP as a whole, is not a traffic generator in itself and so would have no highway impact and due to its location and limited scale would not give rise to any unacceptable environmental impacts including noise, odour and general disturbance.
- 4.91 The proposal is therefore considered to comply with SM2.6 and no conditions are considered necessary to control its use.

*Compliance with conditions on outline consent*

- 4.92 As part of the reserved matters application for the multi-storey car park, a discharge of the following conditions attached to the outline planning permission for NRP South is also being sought:

Condition 4 – surface water drainage;  
Condition 5 – foul water drainage;  
Condition 16 – materials;  
Condition 19 – landscaping; and  
Condition 21 – tree protection.

- 4.93 Other conditions from the outline that will need to be formally discharged for the application proposals through a separate discharge of condition application include:  
Condition 6: Road, footway and cycleway specifications  
Condition 7: Phasing of footways and cycleways  
Condition 8: Construction worker parking  
Condition 9: Construction traffic management plan and traffic route  
Condition 10: Wheel cleaning  
Condition 11: Overarching site wide Travel Plan  
Condition 12: Relevant plot Travel Plan  
Condition 15: External Lighting  
Condition 17: Fire hydrants  
Condition 22: Construction Environmental Management Plan  
Condition 23: Archaeology  
Condition 24: Ecological Management Plan
- 4.94 A Joint Phasing Plan has been submitted under condition 14 which is still under consideration.
- 4.95 As set out in the relevant sections of the report, satisfactory information has been submitted for conditions 4, 5, 16, 19 and 21 for those to be discharged for this reserved matters consent. Condition 23 is also complied with through the information provided in the reserved matters.

## *EIA*

- 4.96 The outline planning application for NRP South was subject to an EIA which covered the following topics: air quality, archaeology, climate change and renewable energy, ecology, flood risk, drainage and water resources, landscape and visual impact, noise, transport and cumulative impacts.
- 4.97 These reserved matters proposals have been considered against the Environmental Impact Assessment (EIA) Regulations 2011 in the context of the ES submitted with the outline consent. The environmental, social and economic impacts have all been considered and it is not considered there is a need for any addendum to the ES as a result of this reserved matters application. All matters are adequately addressed as detailed in the above report and conditions relating to the outline consent.

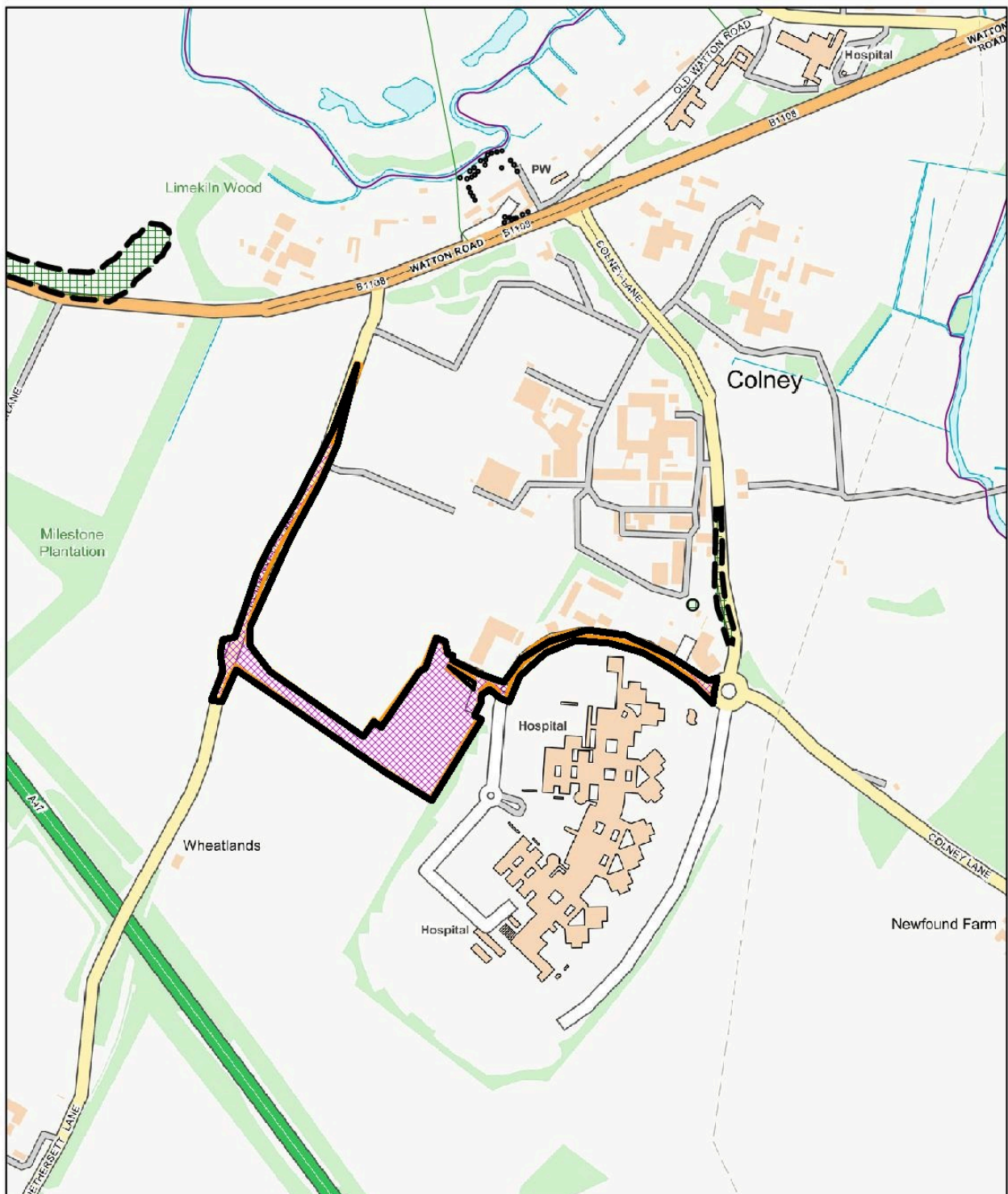
## *Financial considerations*

- 4.98 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.
- 4.99 This application is not liable for Community Infrastructure Levy (CIL) as is pursuant to an outline consent which was granted prior to the introduction of CIL.

## 5. Conclusion

- 5.1 The reserved matters for this building within the NRP development complies with the overall parameters set in the masterplan and is appropriate in its access, appearance, layout, scale and landscaping. A number of conditions are set out in the report to make the development acceptable.
- 5.2 A significant new material consideration is the potential impact on the operation of the Search and Rescue (SAR) helicopters into the NNUH, as set out in the report there are reasonable alternatives to address the conflict of the proposed building and the flight path, as such this would not be a reasonable ground on which to continue to delay determination of the application nor would it represent significant harm on which to substantiate a refusal of planning permission.
- 5.3 The proposal is considered to comply with the development plan which is not outweighed by any material consideration.
- 5.4 Delegated authority to approve is sought subject to no new information being received which in officer's opinion is material to the recommendation and subject to a S106 Agreement to ensure only one MSCP is erected (only 2017/1197 or 2016/2382)

Contact Officer, Telephone Number    Tracy Lincoln 01508 533814  
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## Other Applications

2.     **Appl. No**               :    **2018/0324/H**  
       **Parish**               :    **STARSTON**

Applicants Name   :   Mr Robert Taylor  
Site Address       :   The Lodge, Low Road, Starston, IP20 9NT  
Proposal           :   Single storey rear extension

Recommendation   :   Approval with conditions

- 1 Full planning permission time limit
- 2 In accordance with submitted drawings
- 3 Matching materials

3.     **Appl. No**               :    **2018/0325/LB**  
       **Parish**               :    **STARSTON**

Applicants Name   :   Mr Robert Taylor  
Site Address       :   The Lodge, Low Road, Starston, IP20 9NT  
Proposal           :   Single storey rear extension

Recommendation   :   Approval with conditions

- 1 Listed building time limit
- 2 In accordance with submitted drawings
- 3 Matching materials

### 1     Planning Policies

#### 1.1   National Planning Policy Framework (NPPF)

NPPF 07 : Requiring good design

NPPF 12 : 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

#### 1.3   South Norfolk Local Plan (SNLP) Development Management Policies

DM 3.6 : House extensions and replacement dwellings in the countryside

DM 3.8 : Design principles

DM 3.13 : Amenity, noise and quality of life

DM 4.10 : Heritage assets

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

S16(2) Listed Buildings Act 1990 provides: "In considering whether to grant listed building consent for any works the local planning authority or 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."

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

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

## 2. Relevant Planning History

2.1	2014/0928	Installation of external rendered insulation	Approved
2.2	2014/0172	Replacement of 4 windows	Approved
2.3	2007/2597	Demolition of existing flat roof extension/conservatory and outbuildings. erection of a new extension and carport	Approved

## 3. Consultations

3.1	Starston Parish Council	Provide a neutral response to this planning application.	
3.2	District Councillor: Cllr Hudson	To be reported, if appropriate.	
3.3	SNC Conservation and Design	Moving the extension to the west elevation means that it will no longer jut out and detract from the important and key views of the lodge with regard to the eastern approach along Low Road and the junction point. Being a lodge, some architectural attention was given to the positioning of the building, its design, and how it addresses the junction. This extension to the rear west side of the existing extension will preserve that important relationship. My only suggestion would be for the extension to be slightly set back from the building line to break up the massing.	
3.4	Other Representations	None	

## 4. Assessment

### *Background*

- 4.1 The Lodge is a grade II listed dwellinghouse, originally a stuccoed lodge built circa 1840, located in the Starston conservation area and in the countryside. The householder planning application and associated application for listed building consent seek permission for the erection of a single storey extension adjoining the rear of an existing rear extension of the original dwellinghouse which had been granted planning permission in 2008.

### *Principle of development*

- 4.2 The extension of the existing dwellinghouse and within its existing curtilage is acceptable in principle, in accordance with policy DM3.6 of the SNLP, which requires that the design and scale of the resultant development must be compatible to the area's character and appearance and the landscape setting.

### *Heritage and Design*

- 4.3 It is officers' consideration that the key view of The Lodge is that of the front / east elevation seen from along the road approaching Starston. This view, with prominent architectural features (such as the gable end and chimneys) forming symmetry in an elevated position and in line with the approaching road, is considered to be of significant importance with respect to the listed building and is therefore desirable to preserve. The existing extension granted planning permission in 2008 is considered to have been successfully designed so as to have no impact on this view in particular.
- 4.4 The proposal has been amended on officer's advice so that the proposed extension entirely projects from the rear / east elevation and is slightly set back from the side elevation.
- 4.5 The setting of listed buildings requires consideration under the development management policies and sections 16(2) and 66(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. The impact of the proposal has been assessed by the Senior Conservation and Design Officer and it is considered that the development will preserve the setting of the listed building as the extension will not detract from the important and key views of the lodge, in particular with regard to the eastern approach along Low Road and the details of architectural interest on the front elevation, and being to the rear and West of the existing extension will preserve the important relationship between the lodge and the road junction. As such, it is considered that the proposal would accord with section 12 of the NPPF and policy DM4.10 of the SNLP. Equally in consideration of the Council's duties under the Act it is considered that for the reasons set out above that the proposal will preserve the special interest and setting of the listed building.
- 4.6 The impact on conservation areas requires consideration under the development management policies and S72 Listed Buildings Act 1990 requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of conservation areas. It is considered that the character and appearance of the Starston conservation area would not be adversely affected as the development is of a design and materials in-keeping with the property and the area, and further, due to its scale and being set back from the highway with a degree of screening provided by hedgerow and trees, it will not be readily visible from the public realm. As such, it is considered that the proposal would accord with section 12 of the NPPF and policy DM4.10 of the SNLP. Equally in consideration of the Council's duties under the Act it is considered that for the reasons set out above the character and appearance of the conservation area will be preserved with this proposal.
- 4.7 For the above reasoning, it is considered that policies 12 of NPPF, 1 and 2 of the JCS and policies DM3.6, DM3.8 and DM4.10 of the SNLP, relating to design principles and protecting heritage assets, are satisfied and S.66(1) and S.72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

### *Residential amenity*

- 4.8 With regards to impact upon residential amenity, there is not considered to be an adverse impact on privacy, daylight, direct sunlight or outlook by virtue of The Lodge being located considerably distant from any other residential property. It is also considered that adequate private amenity space will be retained at the dwellinghouse. Therefore policy DM3.13 of the SNLP is considered to be satisfied.

## Other issues

4.9 Under Section 143 of the Localism Act the council is required to consider the impact on local finances. This can be a material consideration but in the instance of this application the other material planning considerations detailed above are of greater significance.

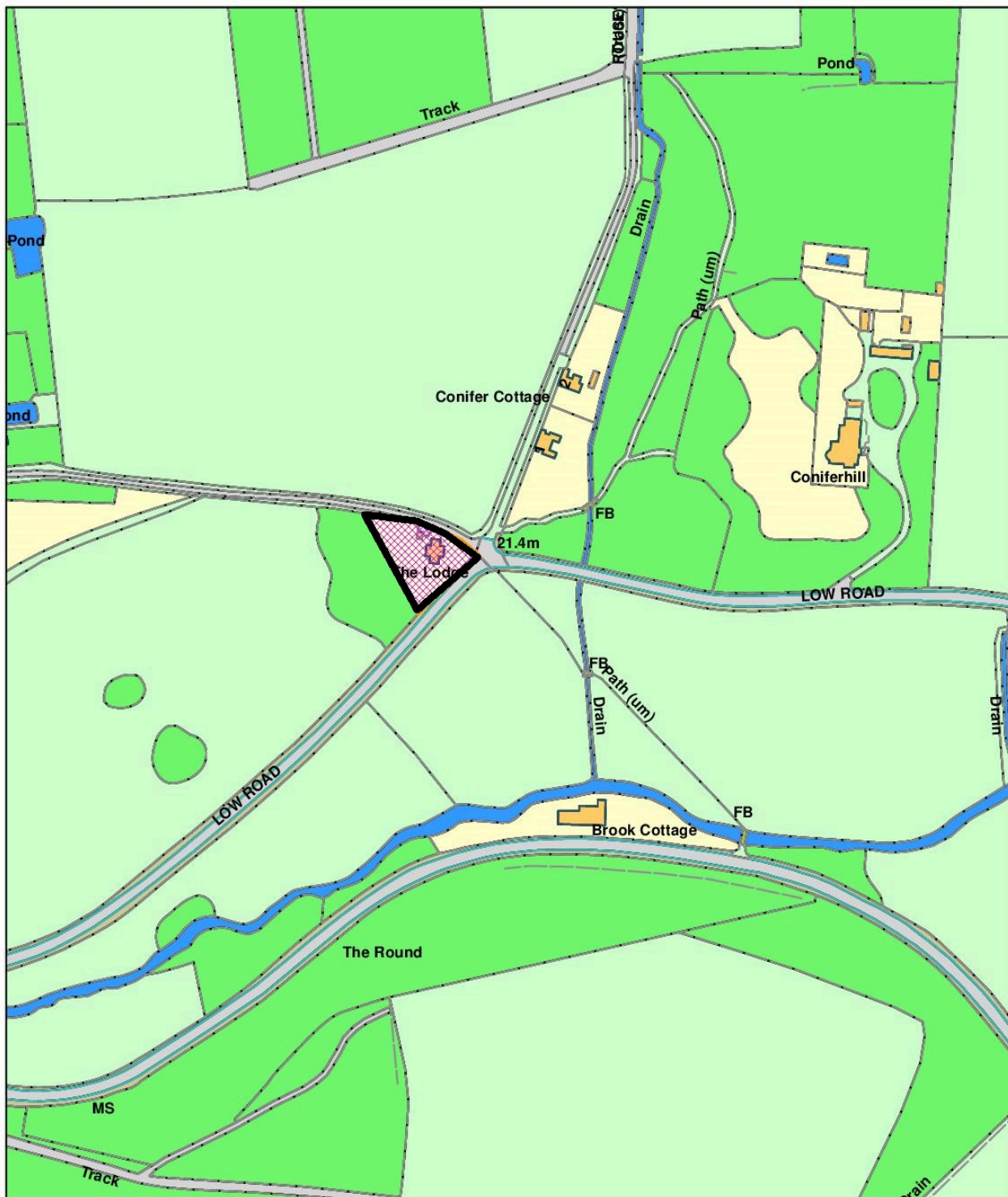
4.10 This application is not liable for Community Infrastructure Levy (CIL).

## 5 Conclusion

5.1 The design is in keeping with the property and that the proposal will preserve the special interest and setting of the listed building and the surrounding character and appearance of the conservation area. As such the proposals accords with Policies 7 and 12 of the NPPF and the criteria set out within policies DM3.6, DM3.8, DM3.13 and DM4.10 of the SNLP, policies 1 and 2 of the Joint Core Strategy and S.66(1) and S.72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Contact Officer, Telephone Number	David Jones 01508 533832
and E-mail:	djones@s-norfolk.gov.uk







4. **Appl. No** : **2018/0804/F**  
**Parish** : **ROYDON**

Applicants Name : Mr & Mrs P Murton  
Site Address : Land Adj To Pumping Station Brewers Green Roydon Norfolk  
Proposal : Erection of residential dwelling and new vehicular access and parking area to Forest School Centre

Recommendation : Approval with conditions:

- 1 Full Planning Permission time limit
- 2 In accord with submitted drawings
- 3 Boundary treatment to be agreed
- 4 Reporting of unexpected contamination
- 5 External materials to be agreed (dwelling and garage)
- 6 New Access Construction over verge
- 7 Visibility splay dimension in condition
- 8 Provision of parking, service
- 9 Foul drainage to main sewer
- 10 Surface Water
- 11 Access and Parking (forest school) before occupation of dwelling
- 12 Travel Plan

## 1 Planning Policies

### 1.1 National Planning Policy Framework (NPPF)

NPPF 01 : Building a strong competitive economy  
NPPF 03 : Supporting a prosperous rural economy  
NPPF 04 : Promoting sustainable transport  
NPPF 06 : Delivering a wide choice of high quality home  
NPPF 07 : Requiring good design  
NPPF 08 : Promoting healthy communities  
NPPF 10 : Meeting the challenge of climate change, flooding and coastal change  
NPPF 11 : Conserving and enhancing the natural environment  
NPPF 12 : 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 4 : Housing delivery  
Policy 5 : The Economy  
Policy 6 : Access and Transportation  
Policy 7 : Supporting Communities  
Policy 15 : Service Villages

### 1.3 South Norfolk Local Plan Development Management Policies

DM1.1 : Ensuring Development Management contributes to achieving sustainable development in South Norfolk  
DM1.3 : The sustainable location of new development  
DM3.8 : Design Principles applying to all development  
DM3.10 : Promotion of sustainable transport  
DM3.11 : Road safety and the free flow of traffic  
DM3.12 : Provision of vehicle parking  
DM3.13 : Amenity, noise, quality of life  
DM3.13 : Amenity, noise, quality of life

DM3.14 : Pollution, health and safety  
 DM3.16 : Improving level of community facilities  
 DM4.2 : Sustainable drainage and water management  
 DM4.3 : Facilities for the collection of recycling and waste  
 DM4.8 : Protection of Trees and Hedgerows

- 1.4 Supplementary Planning Documents (SPD)  
 Place Making Guide (SPD)

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

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

2. Planning History

- 2.1 None relevant

3. Consultations

- |     |   |  |
|-----|---|--|
| 3.1 | Town / Parish Council                     | <p>We consider the application should be Approved with reservations for the following reasons:</p> <ol style="list-style-type: none"> <li>1. We consider that the designated Parking Area is currently too small for the intended usage and needs to be much larger.</li> <li>2. The narrow track to the Riding School is too narrow as only single track &amp; needs to be double track for the volume of traffic.</li> <li>3. The surface for the access road is considered inadequate for the amount of intended usage.</li> <li>4. If the above access and parking concerns are not addressed we believe this will lead to parking issues on the roadside and verge which are close to Common Land.</li> </ol> <p>If permission is granted, we suggest conditions to secure additional car parking and a wider access.</p> |
| 3.2 | District Councillor<br>Cllr David Goldson | <p>I am strongly in favour of the scheme in principle. However, I have concerns about the vehicular access and parking arrangement to the Forest School site. My views are similar to those expressed by the Parish Council.</p> <p>Experience of the parking problems at Roydon Primary School lead me to believe that congestion will occur at peak times, with the danger that vehicles may park on the road verges.</p> <p>The problem can be overcome by widening the track leading to the Forest School. I recommend that the thoroughly worthwhile scheme should be approved, subject only to the above.</p>  |
| 3.3 | NCC Highways                              | <p>The application as submitted includes a new means of access to serve the site from Brewers Green. Whilst the location that is shown for the new access should be acceptable, the details submitted do not include any visibility splays for safe vehicle exit.</p>  |

Brewers Green is subject a 30 mph speed limit. As such vision splays of 2.4m x 43 m should be provided. Subject to the above, there are no objections to the proposed dwelling.

The parking area for a Forest School Centre appears to be satisfactory, although without any formal details regarding numbers of pupils and visitors, it is difficult to provide comments regarding that aspect of the proposals. An overflow parking area which can be used for open days etc with grassmesh or similar may be prudent. In addition to some secure cycle parking facilities.

Approve subject to conditions with regards to access, visibility and car parking and turning.

3.4 Water management officer

The application form advises that foul drainage from the proposed new dwelling will discharge to a septic tank / package sewage treatment plant. We OBJECT to this approach. Building regulations require that an adequate system of drainage should be provided to carry foul water from within a building to a public sewer. Only when a public sewer is not available should other means be considered.

We note from the Anglian Water asset maps that there is a foul sewer located in Brewers Green with a pumping station adjacent to the site. Building Regulations Approved Document H advises of the hierarchy for foul drainage disposal with connection to the main public sewer as the first option unless it can be demonstrated that it is not reasonably practicable. Consideration should be given to the location of the dwelling in relation to the pumping station adjacent to the site and the potential for odour nuisance and/or noise disturbance. It is our understanding that new dwellings should be sited a minimum of 15m from any sewage pumping station facility. The applicant is advised to contact Anglian Water for further advice.

A condition is therefore suggested to ensure foul drainage is checked and approved and not discharged other than to the main sewer. A surface water drainage condition is also required.

3.5 Other Representations

None

4 Assessment

*Principle of development*

- 4.1 The proposed application is for a new dwelling and a forest school. The application includes vehicle access and buildings in association with that use. A forest school, as described in the application, seeks to support children's development through child led play and learning in a woodland environment. Forest School supports children in developing a meaningful relationship with nature, encouraging them to develop environmentally sustainable attitudes. Activities can include den building, woodland art, fire lighting, tree climbing, identifying trees and plants, mud play, stories, singing and bug hunts. The information submitted states that a forest school benefits children in terms of confidence, social skills, language and communication, motivation and concentration, physical skills and knowledge and understanding.

- 4.2 The application site for a dwelling and forest school is located outside the designated Development Boundary for Roydon, within the Countryside and the rural policy area. Policy DM1.3 states that all new development should be located so that it positively contributes to sustainable development. Part 2 of that Policy goes on to say that permission for development in the Countryside outside of the defined development boundaries will only be granted if specific development management policies allow for it; or where overriding benefits can be demonstrated in terms of economic, social and environmental dimensions.
- 4.3 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).
- 4.4 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.
- 4.5 In this regard, consideration should be given to Policy DM1.3 which makes provision for development to be granted outside of Development Boundaries, such as this, where one of two criteria are met: either 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.
- 4.6 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.
- 4.7 Of particular relevance to applications for housing development, 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.
- 4.8 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.
- 4.9 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.
- 4.10 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.

- 4.11 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.

*Economic*

- 4.12 **Forest School**  
Policy 3 of the NPPF supports the development of a rural economy and DM3.16 requires new community facilities within the Countryside to demonstrate evidence of the need for new facilities; good accessibility to the community to be served; and that no alternative sites are available within a settlement with a development boundary. The applicants have submitted evidence of need, a business plan, heads of terms and market/accessibility with their application for the Forest School.
- 4.13 The applicant's business plan set outs that 'Into The Wild Wood Forest School' has been running since April 2016, working with school and pre-school aged children. This application is for the next step of the proposal to open a forest school centre, in a permanent location to allow more sessions to be run and expand for the local community. The forest school would be available for local schools and nurseries including pupils with additional needs including nursery places, educational visits, breakfasts clubs, after school clubs, holiday clubs, homeschool groups and parent and child sessions. Primarily children aged 2-11.
- 4.14 The application states that there are currently only two providers of Forest School childcare within Norfolk – one in Norwich (The Children's Garden) and another in Marsham (Dandelions), therefore access to this sort of facility in South Norfolk would offer parents greater choice at local level. If permitted, it is intended that Into The Wild Wood will continue to work with local schools and nurseries.
- 4.15 The business plan set out how the project is to be set up and funded and details its aims for expansion. The main start up cost would be constructing the, allowing the site to function all year round. In terms of funding, the applicant states that the initial start up costs will be covered by money Into The Wild Wood has accrued over the last year, grant funding and own funds. Any expansion is expected to be funded by grant funding. By Year 3 it is expected to extend hours of provision to give greater wrap around care; employ a second forest school leader to run forest school sessions; and run annual celebratory events for the wider community. By five years + access grant funding and necessary training to run groups to support children with mental health difficulties; explore possibility of creating two distinct areas within the site that allow for the nursery element of the business to operate 5 days a week, whilst continuing school and pre school group visits.
- 4.16 Based on the information as submitted, the applicant has demonstrated that there is a need, including demonstrating support from the Norfolk County Council. With the applicant the applicant has submitted a travel plan and plans showing local footpaths and walking and cycling routes to promote accessibility to the site. Although, there may be other sites available, the type of use proposed would likely need to be located outside a designated development boundary and given the justification submitted and other accompanying information then this part of the application is considered in accordance with Policies 3 of the NPPF and DM3.16 of the South Norfolk Local Plan.

4.17 Dwelling

There are some benefits in terms of employment during construction but these would be short term. The new dwelling could, to a modest degree, support local services and facilities. The delivery of a dwelling in this location would however support the delivery of the Forest School, through the provision of land to create a highways authority acceptable access to the site and car parking, as well as the provision of temporary shelter. Therefore, the proposed dwelling would assist with the delivery of a community facility and a business which would bring economic benefit to this location.

*Social*

4.18 Forest School

The proposal would have social benefits in terms of providing childcare to local people and a healthy experience to all ages of children supporting their learning and development, as detailed above.

4.19 Dwelling

The dwelling would make a modest contribution to housing land supply, taking into consideration the diminished weight that can be applied to the oversupply of housing as identified in the Joint Core Strategy and the evidence as set out in the SHMA.

- 4.20 The application submission explains that part of the premise of having a new dwelling would be to provide a new and improved access and car parking to the Forest School to the rear of the site, a bridge over the ditch, shelter and a water supply. In principle this is supported and could be considered an overriding benefit from providing one dwelling. It is considered that the construction/occupation of a dwelling would need to be secondary to the commencement of the Forest School to ensure that this is a benefit of the development in this location. This can be addressed by a suitably worded condition to ensure the access and car parking for the forest school is made available prior to first occupation of the dwelling hereby approved.

*Design*

- 4.21 The site is located not far from the settlement boundary of Roydon, although still outside. Snow Street comprises of a sporadic pattern of development with continuous clusters of small numbers of dwellings separated by green spaces.

4.22 Forest School

The forest school requires very limited buildings to operate. There is to be a toilet block and later (subject to funding) a roundhouse. A roundhouse has a reciprocal frame roof, which required no central support, usually turf covered sitting on 8-13 posts. The intention is the structure sits naturally in the landscape being built almost entirely of natural materials. In the interim a frame shelter will be erected to provide some shelter. The site is set significantly back from the public highway and the proposed buildings are single storey and low key and therefore unlikely to be visible in the street scene. Given the scale of the buildings proposed and the significant tree planting which has taken place, these are unlikely to be significantly visible in the wider rural context and therefore unlikely to affect its character in accordance with Policy 7 of the NPPF, 2 of the JCS and DM3.8 of the Local Plan.

- 4.23 The proposed new and improve access has been designed to run adjacent to the eastern side of the field, on the advice of officers and the Highways Authority to allow improved visibility at the point of access, as well as to limit the impact on the rural area, certainly from the east views to the access will be obscured by the presence of the existing hedge. The proposed car parking is modest in size, set well away from the public highway and planting is proposed to the south, surrounded by hedgerow, to avoid views in the wider rural context. The proposals are therefore unlikely to have a significantly detrimental impact on the character of this area.

4.24 Dwelling

The design of the new dwelling is a fairly modest one and half storey dwelling, with stepped forward projecting gable and low eaves, modest fenestration and detailing such as plinth and chimney, which would add interest in the street scene, particularly given its location at the front field. The proposal is considered to complement its nearest neighbour although unlikely to be viewed in its direct context. Vehicular access to the new dwelling is off the proposed new access for the Forest School, to limit the impact of multiple accesses in the street scene. Subject to the use of good quality materials then the proposal could appear sympathetic in the street scene.

- 4.25 The proposals are therefore considered in accordance with Policies DM3.5 and DM3.8 of the South Norfolk Local, Policy 7 of the NPPF and Policy 2 of the NPPF.

Residential Amenity

- 4.26 Paragraph 17 of the NPPF and policy DM3.13 of the Local Plan aim to protect the amenity of neighbouring properties and future occupants.

4.27 Forest School

The forest school is sufficient located away from residential properties so as not to impact their amenity. The access to the site, although located in-between residential properties is sufficiently screened by vegetation and distanced and the use of the access is not considered so significant with the adoption of the proposed green travel plan for the Forest School as to impact the amenity of neighbouring properties.

4.28 Dwelling

The site is of a sufficient size and located so as not to impact the amenity of neighbouring properties from overlooking, overshadowing or noise. The proposed dwelling includes sufficient amenity space and car parking to protect the amenity of future occupants in accordance with Policies DM2.12 and DM3.13 of the Local Plan.

Self-build

- 4.29 The proposed dwelling is proposed to be self-build. Under paragraph 50 of the National Planning Policy Framework (2012) requires Councils to plan for people wishing to build their own homes. This can be a material planning consideration for this application as self-build has been identified as the method of delivering the site. Whilst an indication of self-build has been given by the applicant it should also be noted that at this stage it cannot be certain that the method of delivering this site will be self-build. In the instance of this application the other material planning considerations detailed above are of greater significance.

*Environmental*

Connectivity

- 4.30 There are a number of footpaths which connect to Roydon and other services and facilities. The applicant has also submitted, as part of the application, a green travel plan, which is supported and can be conditioned as part of any approval. The travel plan sets out that the forest school will; encourage larger groups to attend by mini bus; make available to participants information with regards to the location of the footpaths and nearest public transport nodes; provide safe and secure storage on site to limit the need for staff to travel backwards and forwards with equipment; provide safe cycle storage; provide a 'walking bus' from Roydon Primary School or Brewer Green; give priority booking to residents in Roydon; create a list of people willing to car share. They also commit to review the policy annually. Therefore, the site is considered to have some walking and cycling links, which are already established and therefore likely to be used. These elements are supported by policies 4 of the NPPF, 6 of the JCS and DM3.10 of the SNLP.

## Parking

- 4.31 The highways authority have been consulted as part of the application and raise no objections to the access, subject to a condition to ensure appropriate visibility, which would be applied to any subsequent planning approval.
- 4.32 **Forest School**  
The Parish Council and Ward Councillor have raised concerns about insufficient parking within the application site and the width of the access. The Highways Authority have raised no objection to the width of the access and with the proposed passing bays along the length of the access and the green travel plan the width of access is considered sufficient to serve the forest school. The Highways Authority make reference to having insufficient information with regards to numbers of pupils and visitors to calculate appropriate car parking. The County's adopted car parking standards for nurseries requires 1 parking space per full time member of staff and 1 space per class room. As well as cycle parking, which can be conditioned. The proposal includes 12 parking spaces with adequate turning behind. The application assumes groups sizes of a maximum of 25 and a maximum of four staff, therefore requiring a maximum of 5 parking spaces and cycle parking. There is therefore sufficient parking on site and with the presence of passing bays the proposal is considered acceptable in this regard in accordance with Policies DM3.11 and DM3.12 of the Local Plan. The necessary safe cycle parking will be the subject of a condition.
- 4.33 **Dwelling**  
There is sufficient parking and turning shown to suitably serve the dwelling in accordance with Policies DM3.11 and DM3.12 of the Local Plan.
- 4.34 **Trees**  
  
Policy DM4.8 seeks to protect trees and hedgerows. The significant amount of planting which has occurred already to the forest school element of the site, which is supported. Further planting is also proposed, to screen the car parking etc and therefore the proposal is considered in accordance with DM4.8.
- 4.35 The construction of the proposed access, may include the removal of some scrubby vegetation to make way for the necessary access and visibility. Given the presence of an existing access in this location and the need to provide good visibility then this is supported at this time.

## Drainage

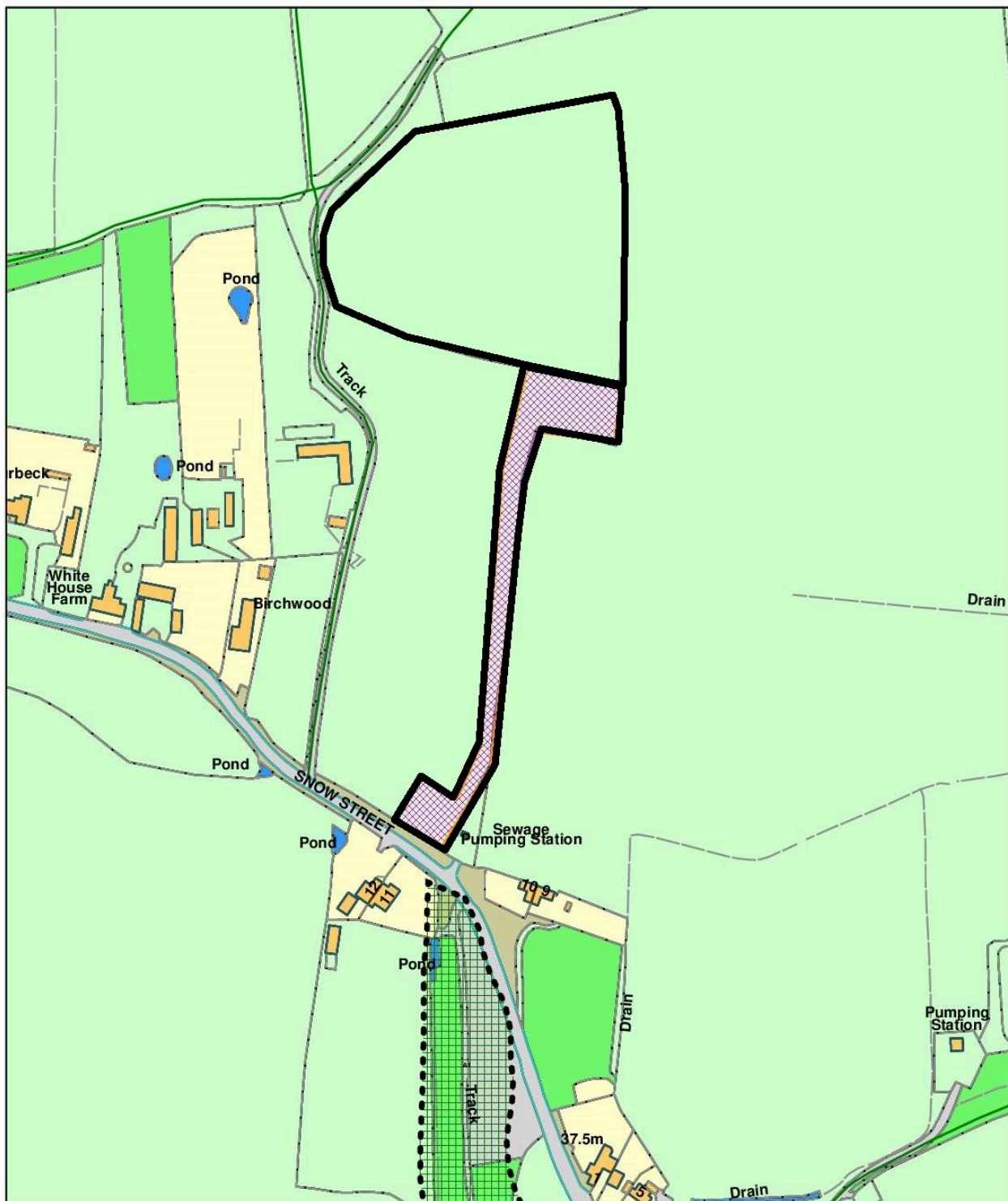
- 4.36 **Dwelling**  
The water management officer has objected to the proposals on the grounds the new dwelling will discharge to a septic tank / package sewage. However, it is considered that this matter can be adequately dealt by condition, as can surface water drainage and therefore the application is considered in accordance with Policy 11 of the NPPF.
- 4.37 Under Section 143 of the Localism Act the council is required to consider the impact on local finances. This can be a material consideration but in the instance of this application the other material planning considerations detailed above are of greater significance.
- 4.38 This application is liable for Community Infrastructure Levy (CIL).



5. Conclusion

- 5.1 The proposed development would provide overriding benefits from the provision of a forest school and the facilitation of this, as well as not impacting the character of the area or the amenity of neighbouring properties. Taking into consideration the diminished weight given to the five year supply as set out in the SHMA and the applicants proposals for access to the forest school, then the proposal is considered acceptable, subject to conditions and is therefore recommended for approval in accordance with national and development plan policies as outlined in the assessment above.

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5.     **Appl. No**                 :     **2018/0855/O**  
       **Parish**                 :     **BARFORD**

Applicants Name     :     Mr & Mrs Rodney Brown  
Site Address         :     Haulage Yard, 46 Chapel Street, Barford, NR9 4AB  
Proposal             :     Change of use from haulage yard to residential development

Recommendation    :     Approval with conditions

- 1    Outline – 5 year supply
- 2    Standard outline requiring reserved matters
- 3    Relevant drawing
- 4    Phasing plan
- 5    Updated tree protection details
- 6    Surface water drainage
- 7    Ground and finished floor levels
- 8    Contaminated land - submit scheme
- 9    Implement approved remediation
- 10   Reporting of unexpected contamination
- 11   Water efficiency

1     Planning Policies

1.1   National Planning Policy Framework (NPPF)

NPPF 01 : Building a strong competitive economy  
NPPF 03 : Supporting a prosperous rural economy  
NPPF 06 : Delivering a wide choice of high quality home  
NPPF 07 : Requiring good design

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 5 : The Economy  
Policy 15 : Service Villages

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  
DM2.2 : Protection of employment sites  
DM3.1 : Meeting housing requirements and needs  
DM3.8 : Design principles applying to all development  
DM3.10 : Promotion of sustainable transport  
DM3.11 : Road safety and the free flow of traffic  
DM3.12 : Provision of vehicle parking  
DM3.13 : Amenity, noise, quality of life  
DM3.14 : Pollution, health and safety  
DM4.2 : Sustainable drainage and water management  
DM4.5 : Landscape Character Areas and River Valleys  
DM4.8 : Protection of trees and hedgerows

1.4   Supplementary Planning Documents (SPD)

Landscape Character Assessment

## 2. Relevant Planning History

2.1 None

## 3. Consultations

- |     |  |   |
|-----|--|---|
| 3.1 | Parish Council   | No objections. However consideration should be given to surface water drainage and lack of footpath to the site. It was agreed that if approved, the development should count towards the village allocation within the GNLP.   |
| 3.2 | District Councillor:<br>Cllr Dewsbury                        | To be reported if appropriate.  |
| 3.3 | NCC Highways   | No objections subject to the imposition of a planning condition relating to the provision and retention of parking and turning areas.   |
| 3.4 | SNC Water<br>Management Officer                              | If surface water drainage details are not agreed prior to determination, request the imposition of a planning condition that requires this information to be submitted for approval.  |
| 3.5 | SNC Community<br>Services -<br>Environmental<br>Quality Team | No objection subject to the imposition of a planning condition that requires further investigations into prospective contamination of the site to be carried out.   |
| 3.6 | Arboricultural Officer                                       | The Arboricultural Impact Assessment is fit for purpose. However, the trees will only be protected effectively if the Arboricultural Method Statement is followed closely. Request the imposition of a condition that requires all approved tree protection measures to be installed and retained before and during the construction phase. |
| 3.7 | Other<br>representations                                     | None received.  |

## 4. Assessment

### *Background*

- 4.1 This application seeks outline planning permission with all matters reserved for four dwellings on a former haulage yard on land adjacent to 46 Chapel Street in Barford.
- 4.2 The application is referred to Committee for determination as it proposes residential development outside of a development boundary in the South Norfolk Rural Policy Area (RPA) and the loss of employment land.
- 4.3 The main issues to be considered in the determination of this application are the principle of development in this location, the loss of employment land, whether the site can accommodate the proposed development and the impacts on the character and appearance of the area, residential amenity and highway safety.
- 4.4 The application site is an unused haulage yard (sui generis Use Class) that comprises a Nissen hut alongside the eastern boundary that was previously used as the workshop for the haulage business, a small office building in the northeast corner and an extensive area of hardstanding largely made up of tarmac chippings. At present, part of the hardstanding is used for storing caravans belonging to friends and family members of the applicants. Levels decline steadily from front to back and boundary treatments include hedges and

trees along the side and rear boundaries and a close boarded wooden fence along the front/northern boundary.

- 4.5 Neighbouring properties include a 1½ storey detached dwelling to the north, agricultural land to the north, east and south and a former caravan site with the applicants' own dwelling beyond to the west. The applicants ceased operating the caravan site when they retired in 2017.
- 4.6 The site is located to the east of Barford and is outside of the development boundary that has been defined for the village. However, the access into the site from the County highway is approximately 35 metres outside of the development boundary with the access into the wider site a further 30 metres from the junction with the highway.
- 4.7 Barford is defined as a Service Village by Policy 15 of the JCS and for the purposes of housing supply, is in the RPA.

*Principle of development*

- 4.8 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).
- 4.9 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 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.
- 4.10 Of particular relevance to applications for housing development is paragraph 49 of the NPPF. This states that: 'housing applications should be considered in the context of the presumption in favour of sustainable development; and that, relevant (Local Plan) policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites'. Where policies in the Local Plan are not considered to be up-to-date, paragraph 14 of the NPPF requires decision-taking to approve applications for housing unless the adverse impacts of granting permission 'would significantly and demonstrably outweigh the benefits' when assessed against the policies of the NPPF as a whole.
- 4.11 The 2017 Greater Norwich Area Housing Land Supply Assessment, published as Appendix A of the Joint Core Strategy Annual Monitoring Report, affects the Council's position with regard to the five year housing land supply. The JCS housing requirement for the South Norfolk RPA is now several years old (the JCS was adopted in March 2011, with amendments in January 2014) and the evidence on which the requirement is based has now been superseded.
- 4.12 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.

- 4.13 The SHMA is significant new evidence that is also a material consideration. The SHMA indicates that the Objectively Assessed Need 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 Objectively Assessed Need, 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.
- 4.14 The increased Objectively Assessed Need 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 for residential development.
- 4.15 On the basis of the above, the assessment below 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 role, social role and environmental role) and the diminished weight that can be attributed to housing land supply as set out above. These three headings form a convenient basis for structuring the assessment of the proposal against development plan policies.

*Economic Role*

- 4.16 The NPPF confirms 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."*

- 4.17 Policy DM2.2 of the SNLP seeks to safeguard land and buildings currently in or last used for an employment use. However, proposals leading to a loss of such sites are permitted where:

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

*or*

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

- 4.18 In support of the application, the applicants' agent explained that 14 lorries ran out of the haulage yard from 1968 to 2000. As drivers retired and contracts ended, the number of lorries gradually reduced over time and when the applicant retired in 2017, two were in operation. The agent set out that the site was offered for sale as a haulage yard through Brown & Co and although there were expressions of interest from two prospective purchasers, the site was deemed to be too small without the adjacent caravan site being included. The caravan site did not form part of the sale and subsequently, no further efforts have been made into marketing the site.
- 4.19 The applicants are seeking to meet the requirements of criterion (b) of Policy DM2.2 and the agent considers that environmental and community benefits will arise in the site no longer being used as a haulage yard. These are set out as being (i) articulated lorry movements no longer passing through Barford, including past the village primary school, to

access the B1108 to the south of the village and their return journeys; (ii) the contribution that the development will make to the housing supply.

- 4.20 Whether these benefits are overriding will be considered in the round later in this appraisal but officers would advise that the applicants do not have to meet criteria (a) and (b) of Policy DM2.2, only one of them.
- 4.21 Although any new non-haulage employment use at the site will require planning permission and would need to be considered on their own merits, the loss of the site for employment purposes will be a loss to the local economy. To some extent this will be counterbalanced by the short-term economic benefits as part of any construction work and in the longer term by local spending from the future occupants. It is therefore considered that the scheme would bring forward a limited level of economic benefit.

#### *Social Role*

- 4.22 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."*

- 4.23 The site is at the far eastern end of the village approximately 35 metres outside the defined development boundary. Barford Primary School is within walking distance and the village also has a village hall, pub and a number of commercial concerns that provide local employment opportunities. It is a generally sustainable location for some small scale growth and this is reflected by its allocation as a service village by the JCS.
- 4.24 Given the existing appearance of the site, the presence of a dwelling to the north and the relationship with the applicants' dwelling to the west, this proposal will not represent an encroachment into the open countryside. Along with the existing dwelling at number 48 Chapel Street, it will book-end development at the eastern end of the village. With that and its accessible location in mind, the application is considered to comply with Policy 1 of the JCS.
- 4.25 Paragraph 17 (bullet 8) of the NPPF encourages the effective re-use of previously developed land provided it is not of high environmental value. In this case, the site is not of high environmental value and officers consider that the contribution that will make towards the supply of housing and the widening of opportunities for home ownerships represents an effective use of previously developed land.

#### *Design*

- 4.26 The indicative layout suggests that four dwellings can be accommodated on site although given the outline nature of the application, a meaningful assessment cannot be made of the appearance of the dwellings at this stage. Nevertheless, the pattern of development along Chapel Street is varied. Dwellings include bungalows, houses and 1½ storey dwellings of varying age and appearance and sitting at different orientations to Chapel Street. Cul-de-sacs serving residential development are also present. This development will provide a small cul-de-sac and the potential exists for appropriate designs to come forward at a later stage for consideration.

#### Residential amenity

- 4.27 The nature of the application is such that no details of the appearance of the dwellings have been submitted, which would include the position of windows and the scale of the dwellings. This will be assessed more fully at reserved matters stage. However, it is considered possible that a form of development can be devised that pays regard to residential amenity of the 1½ storey dwelling to the north at 48 Chapel Street. The applicants' own property at number 46 is sufficiently distant for the likely impact on its amenity to be neutral. At this stage, it could be said that the application accords with Policy DM3.13 of the SNLP 2015.

#### Highways and access

- 4.28 Despite access not being included for consideration as part of the application, the extent of the red line shown on the location plan and the reality of the situation on the ground suggests that the existing access onto the Chapel Street will be used. This access has been used by articulated lorries in the past and benefits from good visibility splays in both directions and the speed limit on this section of Chapel Street is subject to a 30mph speed limit. The Parish Council has raised concerns over the lack of a footpath to the site. The nearest footpath is on the immediate approach to the primary school and although pedestrians will need to walk in the road, opportunities exist to step onto verges next to the road if the need arises. In its capacity as Highway Authority, Norfolk County Council has not objected to the application and thus the application complies with Policy DM3.11 of the SNLP.

#### Environmental role

- 4.29 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."*

#### Landscape

- 4.30 The site is within Yare/Tiffey Rural River Valley landscape character area. A series of landscape characteristics have been identified in this area but those that are of relevance to this proposal include the tranquil rural character and distinct small attractive villages with strong vernacular qualities. Amongst other items, a development consideration in this area includes that the vernacular quality of the villages should be respected and new buildings should respect this. The site is on previously developed land on the edge of the village. While the appearance of the site will change, arguably a suitably designed residential scheme will represent an enhancement both to the site and to the appearance of the area and allow the proposal to comply with Policy DM4.5 of the SNLP.

#### Trees

- 4.31 A number of trees are located on or adjacent to the side and rear boundaries. An assessment has been made of these based on the indicative layout and the Council's Arboriculturalist has not objected to the application subject to the submitted information being secured by a planning condition. It is accepted that a form of development can be accommodated that will have an acceptable impact on these trees although the layout of the site may change at reserved matters stage. Taking account of that, it would be more appropriate to require the submission of updated tree protection details at a later stage. An appropriately worded planning condition to this effect will secure compliance with Policy DM4.8 of the SNLP.



## Contamination

- 4.32 Since the application proposes a more sensitive end-use than the haulage yard, which included the maintenance and refuelling of articulated lorries, a contamination desk study was submitted. It identified possible contamination from asbestos potentially contained within roofing materials and hydrocarbons from storage tanks and vehicles. Having reviewed the desk study, the Environmental Quality Officer has not objected to the application subject to the imposition of planning conditions that require further details to be submitted of the potential for contamination and how this will be remediated. These conditions are necessary to make the development acceptable and for the application to comply with Policy 3.14 of the SNLP.

## Drainage

- 4.33 The use of an appropriately worded planning condition in relation to the submission of details of surface water drainage will contribute to the application complying with Policy 1 of the JCS and Policy DM4.2 of the SNLP.

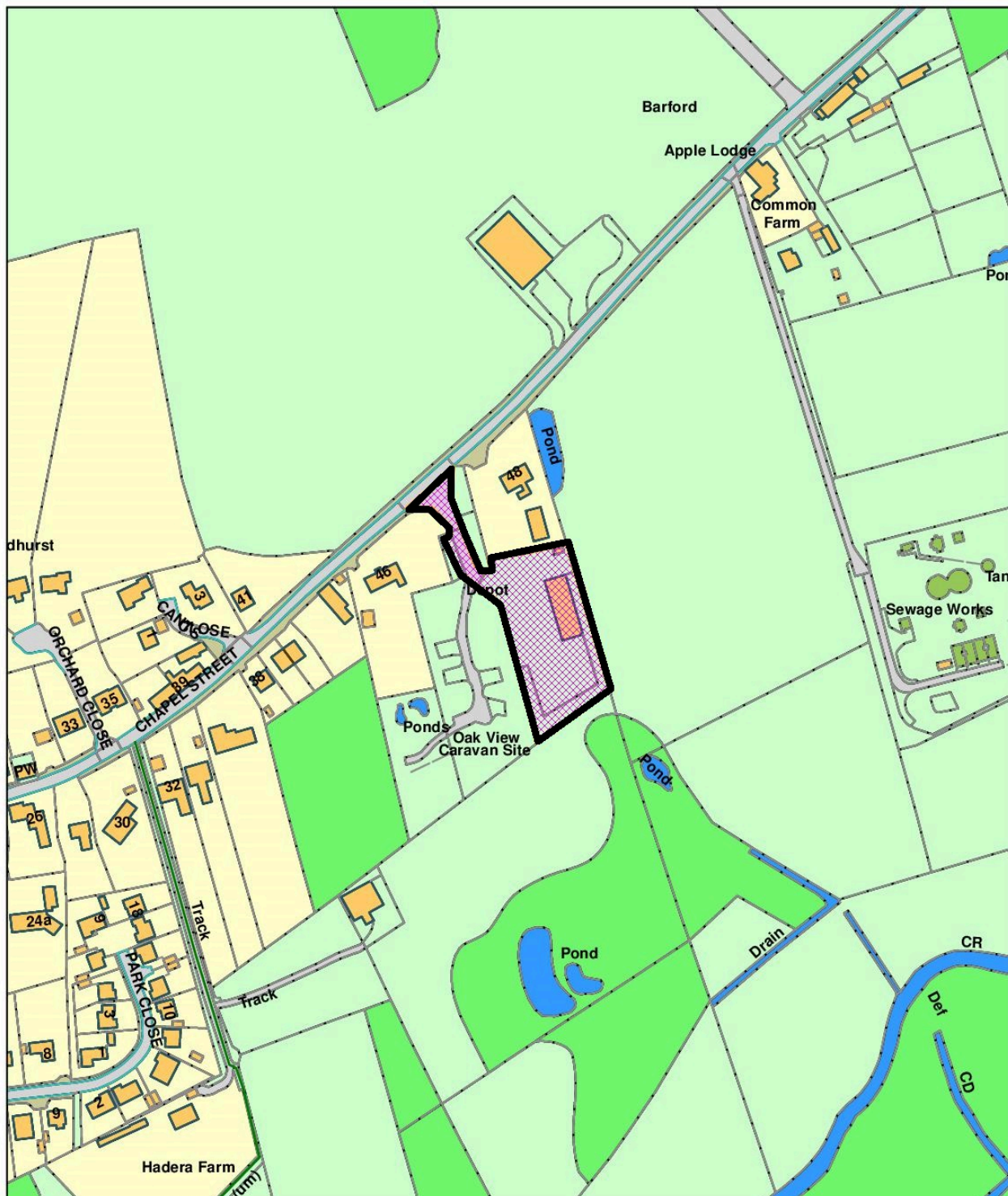
## *Other matters*

- 4.34 Members should be aware that 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 the planning considerations appraised above are of greater significance.
- 4.35 This application is liable for Community Infrastructure Levy.

## 5 Conclusion

- 5.1 Using evidence that was used in the drafting of the JCS, the Council is able to demonstrate that it has a 62.5 year supply of land for housing in the RPA. However, the more up to date evidence within the SHMA sets out that there is a deficit in housing supply. Although the development plan has primacy in decision making, the SHMA is nevertheless a material consideration and the deficit that it identifies in the RPA weighs in favour of approving the application.
- 5.2 Although the site is outside of the development boundary and involves the loss of employment land, it is considered that there will be overriding benefits arising that outweigh these policy considerations. These benefits include the provision of four dwellings that will contribute towards the housing supply in a generally sustainable location, enhancing the appearance of the site by removing a large and unattractive Nissen hut that is visible from public view and the removal of the ability to resume movements by articulated lorries through Barford as they travel to and from the B1108 to the south of the village.
- 5.3 No other harm has been identified and on balance, it is considered that the benefits arising from the development are overriding (complying with Policies DM1.3 and DM2.2 of the SNLP) and significantly and demonstrably outweigh any perceived harm caused. Therefore, the recommendation is that outline planning permission is granted.

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6.     **Appl. No**                 :     **2018/0877/O**  
        **Parish**                 :     **THARSTON AND HAPTON**
- Applicants Name     :     Darren & Samantha Whymark  
 Site Address         :     Land at Chequers Road Tharston Norfolk NR15 2YA  
 Proposal             :     Outline permission (with all matters reserved) for four detached dwellings with gardens and garages.
- Recommendation    :     Approval with conditions
- 1 Outline - 5 Year Land Supply  
                                   2 Standard outline requiring RM  
                                   3 In accord with submitted drawings  
                                   4 Standard Outline Condition  
                                   5 Visibility splay dimension in condition  
                                   6 Highway Improvements - Offsite  
                                   7 Surface Water

# 1     Planning Policies

- 1.1     National Planning Policy Framework (NPPF)  
        NPPF 04 : Promoting sustainable transport  
        NPPF 06 : Delivering a wide choice of high quality home  
        NPPF 07 : Requiring good design  
        NPPF 10 : Meeting the challenge of climate change, flooding and coastal change  
        NPPF 11 : 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 6 : Access and Transportation  
        Policy 9 : Strategy for growth in the Norwich Policy Area  
        Policy 10 : Locations for major new or expanded communities in the Norwich Policy Area  
        Policy 14 : Key Service Centres
- 1.3     South Norfolk Local Plan Development Management Policies  
        DM1.1 : Ensuring Development Management contributes to achieving sustainable development in South Norfolk  
        DM1.3 : The sustainable location of new development  
        DM3.8 : Design Principles applying to all development  
        DM3.10 : Promotion of sustainable transport  
        DM3.11 : Road safety and the free flow of traffic  
        DM3.12 : Provision of vehicle parking  
        DM3.13 : Amenity, noise, quality of life  
        DM3.14 : Pollution, health and safety  
        DM4.3 : Facilities for the collection of recycling and waste  
        DM4.8 : Protection of Trees and Hedgerows  
        Site Specific Allocations and Policies
- 1.4     Long Stratton Area Action Plan  
        LNGS2 : Land west of Tharston Industrial Estate  
        LNGS5 : General Green Infrastructure requirements for new developments within Long Stratton AAP Area  
        LNGS9 : Accessibility

1.5 Supplementary Planning Documents (SPD)  
South Norfolk Place Making Guide

2. Planning History

2.1	2005/2413	Proposed business park	Withdrawn
2.2	2005/0496	Proposed continuation of use of land as an animal sanctuary, including ancillary staff facilities in caravan	Approved
2.3	1988/1245	Extension of Stud Farm with Additional Stables and Indoor Riding School building	Approved
2.4	1987/3504	Extension to Stable Block, Erection of Indoor Riding School building and detached dwelling to stud farm	Refused

3. Consultations

3.1	Town / Parish Council	No comments received.
3.2	District Councillors: Cllr Des Fulcher	Can be determined by Planning Services as a delegated decision.
	Cllr Kevin Worsey	To be reported, if appropriate.
3.3	SNC Water Management Officer	No objection subject to a condition with regards to surface water drainage.
3.4	NCC Highways	No objection subject to conditions with regards to agreeing access, parking and turning, visibility splays and footway link required.
3.5	Other Representations	None received.

4. Assessment

*Background*

- 4.1 The proposal is for outline planning permission with all matters reserved for four new dwellings on land off of Chequers Road, Tharston. The application site lies outside the designated development boundary but abutting it and within the Norwich Policy Area. Long Stratton/Tharston is identified as a Key Service Village within the JCS, where it states, land will be allocated for residential development.
- 4.2 The site is a green open site, largely screened from view by dense vegetation on the eastern (front) boundary of the site. There is a 2-metre close boarded fence on the northern boundary of the site, which separates the site from the employment uses to the north of the site. There is dense vegetation to the southern boundary of the site. The site was previously largely used for equestrian.
- 4.3 The employment site to the north comprises of various employment uses, the applicant who owns the unit directly adjacent to the north of the site has a car sales/display and repairs business, there are also printers, roofing and building materials suppliers amongst other users. There is an allocation for a 2.5 hectare

extension to the west employment site, as identified in the Long Stratton Area Action Plan (AAP)

- 4.4 This application has been reported to Development Management Committee as there are exceptional circumstances which warrant consideration of the proposal by committee.

*Principle of development*

- 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, such as this, 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.
- 4.8 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.
- 4.9 Of particular relevance to applications for housing development in this regard is paragraph 49 of the NPPF. This states that: *'housing applications should be considered in the context of the presumption in favour of sustainable development; and that, relevant (local plan) policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites'*. Where policies in the Local Plan are not considered to be up-to-date, paragraph 14 of the NPPF requires decision-taking to approve applications for housing unless the adverse impacts of granting permission, *'would significantly and demonstrably outweigh the benefits'*, when assessed against the policies of the NPPF as a whole.
- 4.10 The 2017 Greater Norwich Area Housing Land Supply Assessment, published as Appendix A of the Joint Core Strategy 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 relevant policies for the supply of housing in the NPA cannot be considered up-to-date and applications for housing should continue to be determined within the context of paragraph 14 of the NPPF, taking into consideration the narrow interpretation set out in the judgment *Suffolk Coastal District Council (Appellant) v Hopkins Homes Ltd and another (Respondents) Richborough Estates Partnership LLP and another (Respondents) v Cheshire East Borough Council (Appellant)*.
- 4.11 The narrow interpretation states:

*limited to policies dealing only with the numbers and distribution of new housing and excluding any other policies of the development plan dealing generally with the disposition or restriction of new development in the authority's area.*

- 4.12 The JCS housing requirement is, however, now several years old (the JCS was adopted in March 2011, with amendments in January 2014). The evidence on which the requirement is based has now been superseded. 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.
- 4.13 The SHMA is significant new evidence that is also a material consideration in the determination of planning applications. A housing land supply of 8.08 years can be demonstrated against the SHMA assessment of OAN, a surplus of 5,368 units. The abundant housing land supply 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 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 14.
- 4.14 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 role, social role and environmental role). These three headings form a convenient basis for structuring the assessment of the proposal against development plan policies.

#### *Economic Role*

- 4.15 The proposal will have some economic benefit from the delivery of four dwellings during construction in terms of employment and from the support the occupants of these dwellings would give to local services and facilities.

#### *Social Role*

- 4.16 As set out above the proposal will make a limited contribution to the supply of housing in the Norwich Policy Area, however, this is given diminished weight in the decision-making process due to the evidence as set out in the SHMA.

#### *Design*

- 4.17 Policies 6 and 7 of the NPPF, Policy 2 of the JCS and DM3.8 of the SNLP all seek to improve the quality and design of new developments.
- 4.18 The application is for outline planning permission with all matters reserved. Therefore, the design of the scheme is still to be determined. However, the applicant has submitted indicative plans showing the proposed dwellings/street scene. The proposed dwellings are similar in appearance to other modern dwellings in close proximity to and visible from the highway outside the application site, which could be considered acceptable in this location. The two dwellings to the north and south of the application site are indicatively shown to have double garages to the front of the application site, which it would be a shame to break the green open frontage of this site. In addition, the proposed access into the site creates a view into the site in between dwellings. It would be good if the access was in front of one of the dwellings to provide some street frontage/ visibility in the street scene. These matters of design could be addressed at reserved matters stage if the application is granted permission.

- 4.19 The indicative layout shows the retention of the green frontage of the site, which is currently a high hedgerow and trees and contributes significantly to the character of the area, especially in combination with the area TPO opposite the application site. Part of the hedgerow will need to be removed to make way for the new access. The exact position of the access will be determined at reserved matters stage and can be informed by the location of significant trees to ensure these are protected in accordance with Policy DM4.8 of the SNLP. The loss of any of this green frontage is regrettable, however, an access at a mid-point of the site would improve visibility and highway safety in comparison to the location of the existing access which is on the bend at the southern most point of the site.
- 4.20 Subject to the detailed design to be submitted in combination with the access and landscaping all to be agreed at reserved matter stage then the proposal would be considered in accordance with relevant adopted national and development plan policies with regards to design.

#### Residential Amenity

- 4.21 There is an indicative layout submitted with the application that shows there is sufficient space within the application site to accommodate four dwellings, car parking and adequate amenity space without compromising the future amenity of occupants. There are no nearby existing neighbouring properties to warrant refusal of this application on amenity grounds in accordance with Policy DM3.13 of the SNLP.
- 4.22 The site is however located to the south of an existing established area of employment, with an allocation for growth to include B1, B2 and B8 uses. There is therefore the potential for noise and disturbance from business within this employment area to the new properties and their gardens. Comments have been sought from Environmental Quality in this regard, which will be reported to Committee if appropriate.
- 4.23 There is also significant vegetation to the east and south of the application site. However, there is sufficient space within the site to avoid unacceptable levels of shading from this vegetation and to ensure its long-term survival in accordance with Policies DM3.13 and DM4.8 of the SNLP.

#### Self-build

- 4.24 The applicants have indicated within the submission that one of the dwellings will be self-build (the other three for open sale). Under paragraph 50 of the National Planning Policy Framework (2012) requires Councils to plan for people wishing to build their own homes. This can be a material planning consideration for this application as self-build has been identified as the method of delivering the site. Whilst an indication of self-build has been given by the applicant it should also be noted that at this stage it cannot be certain that the method of delivering this site will be self-build. In the instance of this application the other material planning considerations detailed above are of greater significance.

#### *Environmental Role*

#### Highways and access

- 4.25 As set out above the access to the site is considered acceptable by the highways authority, subject to the proposed imposition of conditions, which would be added to any subsequent approval. The proposal is therefore considered in accordance with Policy DM3.11 of the Local Plan. There is sufficient space within the application site to accommodate sufficient car parking and the proposal is considered in accordance with Policy DM3.12 in this regard.

- 4.26 The application site lies outside of but adjacent to the development boundary of Tharston. There is an existing footway running on this side of road from the north which stops just before you reach the application site. The Highways Authority are requesting a condition to ensure the footway continues to link to the application site. This will make it more appealing for walking and the distance is not considered prohibitive for cycling, which is through a largely residential area. The proposal is therefore considered in accordance with policy 4 of the NPPF, 6 of the JCS, DM3.10 of the SNLP and Policy LNGS9 of the Area Action Plan.
- 4.27 Policy LNGS2 of the AAP does require that if development of the allocation for an extension to the industrial estate takes place that walking and cycling opportunities are maximised and retention of the footpath, which could all improve the accessibility of the application site.

#### Trees

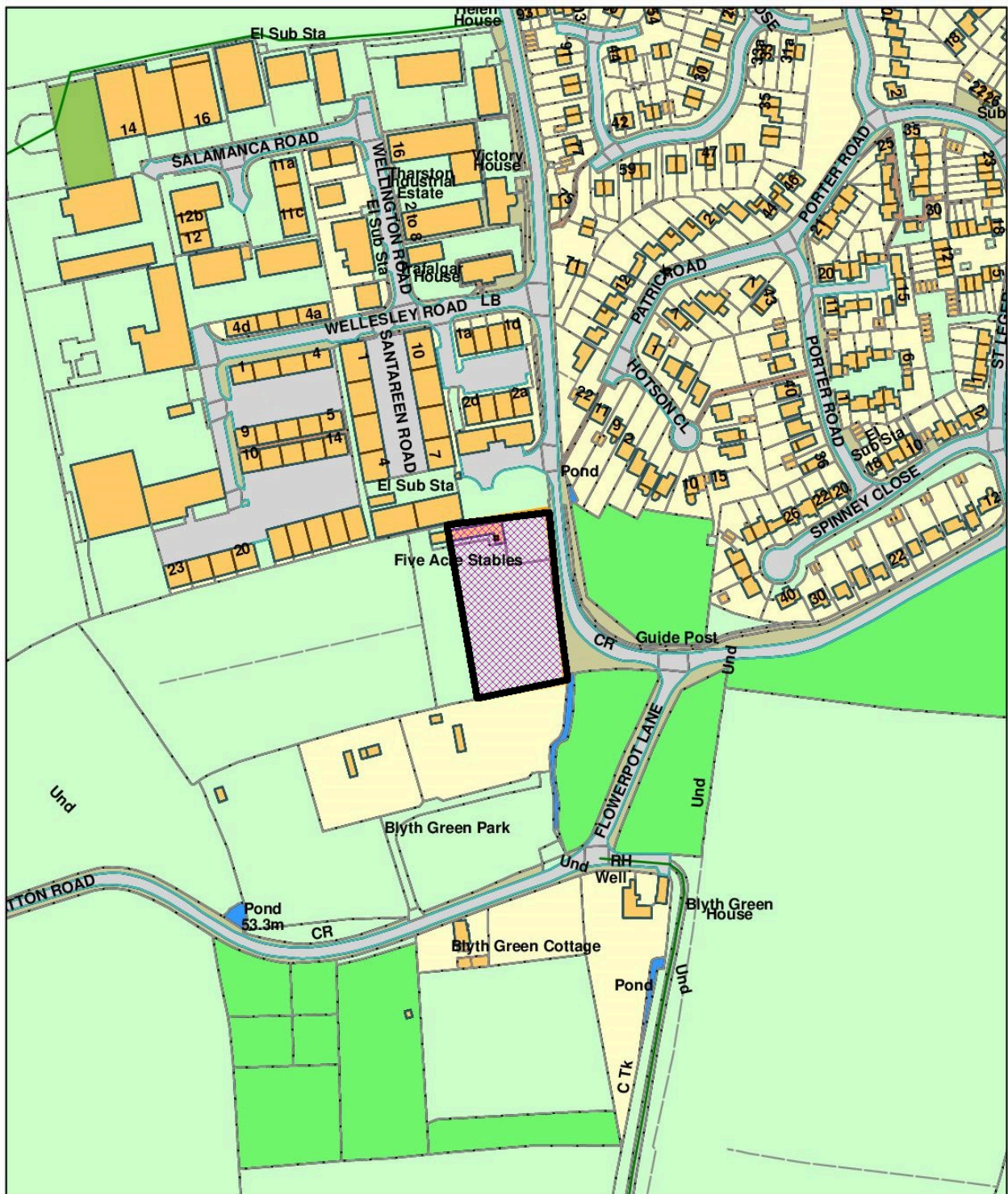
- 4.28 There are significant trees and hedgerow to the north, south and east boundaries of the application. The proposal does include the removal of some hedgerow to create an access into the application site and for visibility, which is unfortunate as this is a green corner leading out of Tharston.
- 4.29 The applicants state that other additional planting is to occur within the application site, including the existing access is to be closed off and the entrance replanted. The applicants are proposing significant additional planting of native trees along the northern boundary of the site to provide screening from the development to the north. It is also proposed that a new native species hedgerow is planted as a soft boundary treatment at the rear of the application site along the western boundary. In addition, the existing planting surrounding the site will be retained. Landscaping is a reserved matter and can be adequately dealt with at this stage. However, with the additional planting proposed it is likely that we will support the application in this regard. The proposed planting to the north would contribute to Green Infrastructure and ecology as required by Policy LNGS5 of the Long Stratton Area Action Plan
- 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) at reserved matters application stage.

## 5 Conclusion

- 5.1 Although located outside the designated boundary for Long Stratton/Tharston, the proposal would make a positive contribution to housing land supply both in economic and social terms, even taking into consideration the diminished weight which can be given to a lack of a five-year housing land supply based on the evidence in the SHMA. The proposed location of the site and conditions will improve linkages to enable development of this scale in this location. Subject to matters of design, access, landscaping and scale to be agreed at reserved matters application stage then this application is considered acceptable with no significant or demonstrable harm and in accordance with relevant national and development plan policies.

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

7.     **Appl. No**                 :     **2018/0878/H**  
       **Parish**                 :     **PORINGLAND**

Applicants Name     :     Mr & Mrs Franklin  
Site Address         :     14 Boundary Way, Poringland, NR14 7JD  
Proposal             :     Ground floor kitchen extension, first floor bedroom extension with balcony and internal alterations.

Recommendation    :     Approval with conditions  
                              1 Full planning permission time limit  
                              2 In accordance with submitted drawings  
                              3 Privacy screen to be provided and retained

1     Planning Policies

1.1    National Planning Policy Framework (NPPF)  
       NPPF 07 : Requiring good design

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

1.3    South Norfolk Local Plan (SNLP) Development Management Policies  
       DM 3.4 : Residential extensions, conversions within settlements  
       DM 3.8 : Design principles  
       DM 3.13 : Amenity, noise and quality of life

2.     Relevant Planning History

2.1    None

3.     Consultations

3.1    Parish Council                 Responded; no comments.

3.2    District Councillors:  
       Cllr Overton                 To Committee for reasons concerning potential overlooking and not being in keeping.

       Cllr Neal                     To be reported, if appropriate.

3.3    Other  
       Representations             A member of the public sent two letters of objection:

Original proposal:

- Overlooking with private areas, including neighbouring gardens and a first floor rear bedroom, being overlooked in a way not currently possible and to an unacceptable level;
- First floor balcony appears out of character with the properties in the area.

Revised proposal:

- Does not remove the issue of overlooking previously private areas;
- Any current hedges are temporary and should be discounted;
- Someone could “crane” their neck around privacy screen and get a view into number 14;
- Still out of character with the area;
- Once allowing a balcony in an established residential area that has no balconies could create multiple issues across the area.

## 4 Assessment

### *Background*

- 4.1 This application seeks planning permission to extend a detached house in Poringland, which is located within the development boundary that has been defined for the village.
- 4.2 The three elements to the proposed development are a first-floor extension above an existing single storey side part of the house, a rear single storey extension and a first-floor balcony to the rear of the proposed side extension.
- 4.3 The application site is towards the bottom of a cul-de-sac and is bounded by three residential properties to the sides and open agricultural fields to the rear.
- 4.4 In accordance with the adopted scheme of delegation, this application is being decided by Committee having been call-in by a Ward Member (see paragraph 3.2 above).

### *Principle of development*

- 4.5 The principle of extending the dwelling within its curtilage is acceptable subject to consideration being given to its design, any impact on the amenities of neighbouring properties and the maintenance of suitable amenity and utility space and adequate access and parking. These criteria are set out in Policy DM3.4 of the SNLP.

### *Design*

- 4.6 Regarding the side and rear extensions, the scale, form, choice of materials and overall design details are all considered appropriate and are in keeping with the existing dwelling and neighbouring properties, which are of modern construction.
- 4.7 However, concerns have been raised with regard to the inclusion of a balcony element in that such an inclusion is not in-keeping and is out of character with the area. Although none of the residential properties in the vicinity have a first-floor balcony, any application for such a balcony should be assessed on an individual basis taking into account the specific circumstances of the location and proposal, including assessment with respect to impact on residential amenity.
- 4.8 In this case, a balcony of the position, scale, design and materials proposed is not considered to be incongruous within this domestic setting and by virtue of its position to the rear, it will not be visible from a highway or any other public place. Its impact on the amenity of neighbouring properties are further considered below.
- 4.9 For the above reasoning, it is considered that on design matters, policy 2 of the JCS and policies DM3.4 and DM3.8 of the SNLP are satisfied.

### *Residential Amenity*

- 4.10 It is considered that there will not an adverse impact on daylight, direct sunlight or outlook by virtue of the scale and positions of the elements of development proposed.
- 4.11 However, concerns regarding the potential for overlooking from the balcony element and therefore loss of privacy for neighbouring residents have been raised.
- 4.12 Following officer advice to the agent, to overcome potential overlooking from the north-west side of the balcony towards the rear gardens and rear dwelling elevations of neighbouring properties at numbers 8 and 12 Boundary Way it was requested that the original proposal was amended to include a 1.8 metre high obscured-glazed privacy screen to be installed on the north-west side of the balcony. With that in mind, addressed below are officers'

considerations concerning the potential for overlooking from the balcony, with the privacy screen in place, for each neighbouring residential property.

- 4.13 Number 8 Boundary Way, a single storey detached dwelling to the northwest: it is considered that there would be no direct overlooking from the balcony into the garden of this property – at an extreme, someone standing in the south-east corner of the balcony would see the southern corner of the garden of number 8, notwithstanding fencing, hedging and trees. Someone leaning over the balcony rail and looking sideways would possibly be able to peer over the fence into a small part of the garden of 8 but not at the rear wall (or windows) of the dwelling itself.
- 4.14 The distances to the boundary and (line of) the rear wall of the dwelling at number 8 are 13 metres and 32 metres respectively.
- 4.15 Number 12 Boundary Way, a two-storey detached dwelling to the north: with the side privacy screen it is considered that there would be no overlooking potential to either the garden or towards the dwelling itself, save a person “craning” their head around the privacy screen. Such craning could offer a wider view with respect to neighbouring properties at 8 and 12. However it is considered that this is the case with any window or Juliet balcony positioned at the rear and by a side wall, including any inserted under permitted development.
- 4.16 Number 16 Boundary Way, a two-storey detached dwelling to the east: the maximum view afforded from the balcony is limited in the first instance due to the rear wall of the dwelling of number 14. The view would not include the dwelling at number 16 and no “craning” would be possible in this instance.
- 4.17 The distance to the boundary is 14 metres (with the rear extension proposed and existing conservatory present along that line) and the boundary has an established deep and high hedge as well as a garage building within the curtilage of number 16, which screens a considerable part of the ground of the garden of 16 that is closest to number 14.
- 4.18 The height of the privacy screen, at 1.8 metres from the platform level, is 10cm higher than the requirement in the General Permitted Development Order with respect to opening side windows of a dwelling.
- 4.19 It is suggested that a condition is attached requiring the installation of a side privacy screen before first use of the balcony, and thereafter its retention, and for the screen to be in accordance with the details shown on the submitted drawing and with a level of obscurity of Pilkington privacy level 5 (or equivalent) which is the highest level of obscurity.
- 4.20 The proposal, amended in accordance with officer advice to include a 1.8m high privacy screen and with recommended condition 3 requiring prior installation and thereafter retention of the privacy screen, is considered to have an acceptable impact on residential amenity and therefore considered to be compliant with policies DM3.4 and DM3.13 of the SNLP.

Suitable amenity and utility space and adequate access and parking

- 4.21 These are not affected by the application and officers are satisfied that the application accords with criteria (c) and (d) of policy DM3.4 of the SNLP.

## Other issues

4.22 Under Section 143 of the Localism Act the council is required to consider the impact on local finances. This can be a material consideration but in the instance of this application the other material planning considerations detailed above are of greater significance.

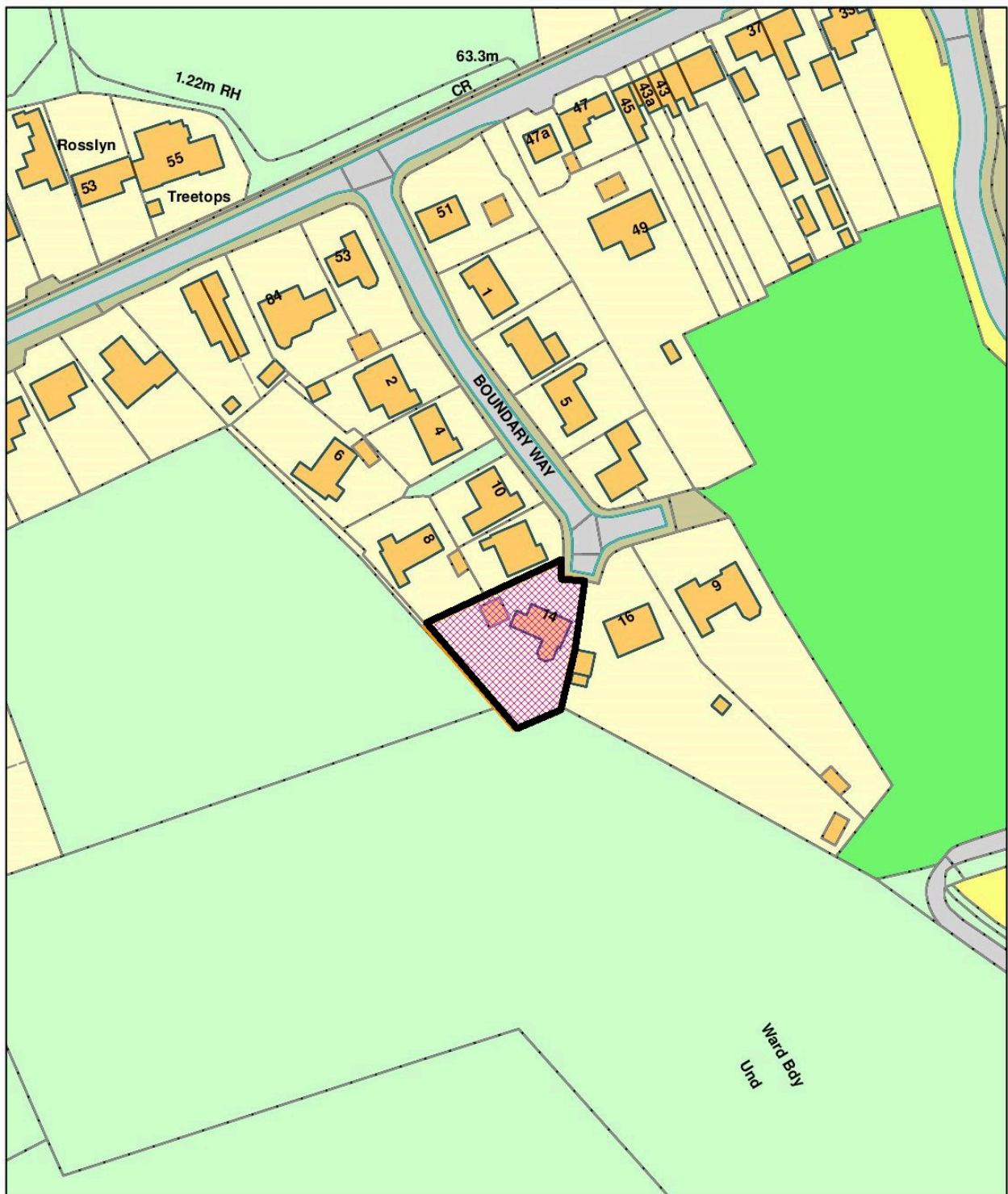
4.23 This application is not liable for Community Infrastructure Levy (CIL).

## 5 Conclusion

5.1 The design is in keeping with the property and, with the conditioned requirement of the side privacy screen to the balcony being installed and retained, that the proposal will not have an adverse impact on the amenity of either the immediate neighbours or the character of the wider area. As such the proposal accords with the NPPF and the criteria set out within policies DM3.4, DM3.8 and DM3.13 of the SNLP and policy 2 of the JCS.

Contact Officer, Telephone Number	David Jones 01508 533832
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8.     **Appl. No**                 :     **2018/0912/F**  
        **Parish**                 :     **EAST CARLETON**
- Applicants Name     :     Mr Alan Jones  
 Site Address         :     Former Nursery Site To The West of Low Common Swardeston  
                                       NR14 8LG  
 Proposal             :     Erection of 3 single storey bungalow dwellings and associated  
                                       landscaping and external works
- Recommendation    :     Refusal  
                                       1 Impact on rural landscape and character  
                                       2 Poor connectivity  
                                       3 Unsustainable development

## 1     Planning Policies

- 1.1     National Planning Policy Framework (NPPF)  
        NPPF 06 : Delivering a wide choice of high quality home  
        NPPF 07 : Requiring good design  
        NPPF 08 : Promoting healthy communities  
        NPPF 10 : Meeting the challenge of climate change, flooding and coastal  
        change  
        NPPF 11 : 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 6 : Access and Transportation  
        Policy 15 : Service Villages
- 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  
        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  
        DM4.3 : Facilities for the collection of recycling and waste  
        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
- 1.4     Supplementary Planning Documents (SPD)  
        Place-Making Guide (SPD)

## 2. Planning History

2.1	2017/1686	Outline permission for eight dwellings	Refused
2.2	2017/2701	Outline Permission for three dwellings and associated landscaping & external works.	Refused

## 3. Consultations

3.1	Town / Parish Council	No comments received
3.2	District Councillors: Cllr Colin Foulger	To be determined by Committee.
	Cllr Nigel Legg	To be reported, if appropriate.
3.3	SNC Water Management Officer	No objection subject to a condition with regards to surface water drainage.
3.4	NCC Highways	No comments received
3.5	Public Rights of Way	No objection in principle to the application but would highlight that a Public Right of Way, known as East Carleton Footpath 3 is aligned along the northern boundary of the site. The full legal extent of this footpath must remain open and accessible for the duration of the development and subsequent occupation. This also relates to the proposed landscape planting adjacent to the footpath which must be given enough room to grow without impinging on the footpath in the future.
3.6	The Ramblers	No comments received
3.7	SNC Landscape Architect	I have reviewed the submitted Landscape and Visual Assessment and do not disagree with its findings; I do not consider that the application can be refused on grounds of adverse impact on landscape character or visual impact.

There are some points of detail, however, that merit further consideration:

- It is not clear as to the function of the remaining 'blue land' to the south and east of the application site or how it will be managed. It is implied that planting will be undertaken to the east, between plot 2 and the existing dwellings, but this will need careful consideration in order not to cause shading of the existing gardens and dwellings.
- No arboricultural information is provided with the application. In particular we will need to establish that the existing offsite poplars to the north of plot 1 are not compromised and also it will be important to establish the root protection areas for the trees along the southern extent of the blue land. Whilst the southern trees are off-site, the land is in the same ownership, so in theory could be used for construction-related activities such as site huts, storage, and concrete mixing, which are all potentially harmful for trees.
- Care needs to be taken to ensure that the PROW does not become too corridor-like to the rear of plot 1; boundary treatment and the width afforded the path will be important here.



- Will there be public access to the open space from the PROW?
- One potential conflict with the landscape character Sensitivities and Vulnerabilities is the possible incremental change caused by upgrading of the road access. This is easily addressed by sensitive detailing, and a useful precedent is the access to Chestnut Close from The Common, also in Swardeston which has a minimal kerb treatment.
- Planting and other landscaping proposals (including management plan) will need to be fully detailed, but this can be done by condition if necessary.

### 3.8 Other Representations

2 letters of support, one stating the development looks great.

7 letters of objection have been received, their comments are summarised as follows:

- This application is not significantly different from the two recently rejected applications and is not substantially different to be reconsidered.
- The proposal is outside of the adopted development boundary for Swardeston, in an area that has no designated development in the South Norfolk Local Plan.
- The proposal does not represent a sustainable form of development.
- There will be extra noise, loss of tranquillity and privacy, overlooking and general inconvenience for all the current residents in the area (especially those in the two houses on either side of the proposed access road off The Drift).
- The inevitable additional lighting will lead to light pollution and nuisance to neighbours.
- The site is clearly visible from the existing road and footpath and will impact the character of this area. It will take away a green open space and destroy an ecosystem.
- The applicants state that there are services in Swardeston. The proposed development is away from Swardeston in East Carleton. So, East Carleton will benefit from any community charge while Swardeston residents will effectively subsidise the new occupants using their facilities. Swardeston pub has closed down, that leaves the pet shop, car sales and workshop and the Bakers, which are all a mile away. There are a lack of schools, and doctors in the village so new occupants will need cars to go to Mulbarton or Cringleford. The bus service again is nearly a mile away to walk, is not very reliable and an even less frequent one runs on Sundays. None run late in the evening to Norwich leading to more cars using this very narrow road.
- The applicants state this is much needed single storey housing but given the lack of services, distance and inability to walk then this housing is unlikely to meet those needs.
- The site has been green open space for almost 50 years. Prior to that its use was horticultural/agricultural. It is currently classified as "agricultural". So, the proposal is for a change of use involving building on a greenfield site.
- The roads in the immediate vicinity are totally unsuitable for regular use by pedestrians, cyclists, and wheelchair or mobility scooter users. They are in poor condition. They contain blind bends. There is no footpath/pavement. They are bordered by brambles, hawthorn and blackthorn and in places high banks that inhibit visibility and make it impossible for pedestrians to step off the roadway if a car is encountered. The national speed limit applies. There is no street

lighting and no surface water drainage. Consequently, visibility is often poor, especially in winter and large puddles form, which also make it hard to avoid cars. They are too narrow for cars to be able to pass each other or to pass a pedestrian or cyclist safely.

- The development provides parking for 9 cars. That is a 30% increase over the existing number of cars owned by the properties that border the site and will generate proportionately additional traffic.
- The road is totally unsuitable for construction traffic. The roads surrounding the access point have not been adopted and therefore are not suitable for construction, large or refuse vehicles.
- The additional traffic generated will result in more emissions and pollution.
- The Biodiversity Survey and Report is incomplete and inaccurate. It states that "...reptiles are naturally absent from the area." Grass snakes are commonly seen in this area. Obvious omissions are frogs, toads, newts, stoats, weasels, bullfinch, green and spotted woodpecker, tawny owl, dragonfly of various species, bluebell, rosebay willowherb. The report also says, "There are no ponds present on the site, or adjacent, so aquatic species such as Water Vole and Great Crested Newt cannot be present." This is totally incorrect. There are 3 ponds close by, two of which are "wild", which are suitable breeding sites for Great Crested Newts and are close enough to the known population on Swardeston Common to be breeding sites. The proposed development area is well within their wandering range if there is a population on either site. These ponds and their surrounding areas have not been examined.
- The chimneys on the site support nesting birds.
- The proposal will bring a road close to the rear of the existing dwellings. Many of which have a rear gate to enable access to the public right of way.
- The proposal will have an adverse effect on the security of neighbouring properties.
- 14 properties have gardens that back onto the proposed site. The view from these properties will change from open and rural to built/developed. The same is true for anyone who regularly uses the public right of way along the northern boundary.
- It is said that that the proposed development site is similar to the recent development at Intwood Lane (2015/1295). It is different, this is a backland/infill site. It is further away from Swardeston. The nearest bus stop at 1.1 km away.
- The proposal includes the planting of a boundary hedge and an open green space/communal area. Who will be responsible for maintaining these? If left unattended the open space will become overgrown and unkempt and the boundary hedge will block the public right of way.
- There should be no communal waste within 50 metres of woodlands and no turning areas.
- The infrastructure here such as drainage, telephone, broadband is not adequate to sustain further development.
- The proposal is not needed to support the local economy nor will it have a significant positive impact on this.
- Plot 1, is highly likely to damage established tree roots and also suffer structural longer-term damage through the natural growth of the pre-existing trees. The great majority of the hedges and trees bordering the proposed development site are deciduous and thus

cannot be taken into account as effective screening from the proposed properties for late Autumn, Winter and early spring.

- The submitted LVIA has determined the level of impact on a theoretical basis and have not undertaken a site inspection from the directly affected properties, only from the application site and publicly accessible points e.g. the road. The claim that the impact on existing dwellings is likely to be low due to their long gardens and screening by garden boundary treatment is misleading and untrue. The applicant has offered no boundary treatment to mitigate the negative impact of the proposed properties.
- Whilst the proposed development site is identified as a flood zone 1 risk meaning a low probability of flooding, it is approximately 150 metres from the boundary of a Flood Zone 3 area.
- There are other better locations within the site, to place the dwellings to avoid amenity impacts.
- Please can we stop trying to gobble up all pockets of land to make an individual wealthy whilst devaluing other people's homes that they've worked incredibly hard to own.

#### 4 Assessment

##### *Background*

- 4.1 This proposal is the resubmission of a previously refused application for outline planning permission with all matters reserved for three dwellings. There has been no obvious amends made to the earlier outline planning permission, following its refusal. The previous refusal of planning permission is a material planning consideration in the determination of this planning application. The applicants have however submitted a landscape and visual impact assessment (LVIA) with this latest application in support of their proposals.
- 4.2 The site is located outside the development boundary within the open countryside and within the Norwich Policy Area (NPA). It is surrounded by existing residential properties. The site was a former nursery, but today is predominately an open field with the only evidence of the former use being two chimneys which remain standing.
- 4.3 The previous planning application was refused for three reasons being; impact on the rural open landscape and character; poor connectivity; and unsustainable development.

##### *Principle of development*

- 4.4 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).
- 4.5 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.
- 4.6 In this regard, consideration should be given to Policy DM1.3 which makes provision for development to be granted outside of Development Boundaries, such as this, where one of two criteria are met: either 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.

- 4.7 Of particular relevance to applications for housing development in this regard is paragraph 49 of the NPPF. This states that: *‘housing applications should be considered in the context of the presumption in favour of sustainable development; and that, relevant (local plan) policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites’*. Where policies in the Local Plan are not considered to be up-to-date, paragraph 14 of the NPPF requires decision-taking to approve applications for housing unless the adverse impacts of granting permission, *‘would significantly and demonstrably outweigh the benefits’*, when assessed against the policies of the NPPF as a whole.
- 4.8 The 2017 Greater Norwich Area Housing Land Supply Assessment, published as Appendix A of the Joint Core Strategy 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, relevant policies for the supply of housing in the NPA cannot be considered up-to-date and applications for housing should continue to be determined within the context of paragraph 14 of the NPPF, taking into consideration the narrow interpretation set out in the judgment *Suffolk Coastal District Council (Appellant) v Hopkins Homes Ltd and another (Respondents) Richborough Estates Partnership LLP and another (Respondents) v Cheshire East Borough Council (Appellant)*.
- 4.9 The narrow interpretation states:
- ‘limited to policies dealing only with the numbers and distribution of new housing and excluding any other policies of the development plan dealing generally with the disposition or restriction of new development in the authority’s area’.*
- 4.10 The JCS housing requirement is, however, now several years old (the JCS was adopted in March 2011, with amendments in January 2014). The evidence on which the requirement is based has now been superseded. 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 The SHMA is significant new evidence that is also a material consideration in the determination of planning applications. A housing land supply of 8.08 years can be demonstrated against the SHMA assessment of OAN, a surplus of 5,368 units. The abundant housing land supply 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 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 14.
- 4.12 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 role, social role and environmental role). These three headings form a convenient basis for structuring the assessment of the proposal against development plan policies.

#### *Economic role*

- 4.13 The NPPF confirms 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.”*

The scheme would result in some short-term economic benefits as part of any construction work and in the longer term by local spending from the future occupants. It is therefore considered that the scheme would bring forward a limited level of economic benefit.

#### *Social role*

- 4.14 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.”*

#### *Character and landscape impact*

- 4.15 The indicative outline layout shows a layout for three dwellings arranged with two properties on the south of the site and one to the north of the access. An area of land to the north of plot 3 is shown as a pony paddock. The prevailing character of this area comprises of dwellings fronting onto the highway following the curvature of the road. This proposal would result in back-land development (development behind the existing built form), contrary to the prevalent character of the street scene, which is frontage development.
- 4.16 Concerns expressed by neighbouring properties include concerns with the regards to the proposed layout. This proposal is in outline with all matters reserved. Therefore, the design details of the scheme would be comprehensively assessed and could be amended at reserved matters stage, if this application were to be supported.
- 4.17 The adopted Sites Specific Allocations and Policies map 021 shows the significant separation distance between the application site and the main settlement of Swardeston to the south east and the intricate network of small rural roads to and from Swardeston settlement. There are small clusters of development in-between, which the applicants claim support their proposals. It is considered that the majority of clusters of development in the local area are linear with street frontage, unlike the proposals.
- 4.18 Previously one of the reasons for refusal for this proposal was a character reason, stating:

*The proposal for three dwellings would significantly impact and encroach on the rural open landscape character of the site and its contribution to the wider area insofar as gentle undulating landform, small fields, dispersed settlement pattern with wide open views as identified by the South Norfolk Landscape Assessment volume 1 (June 2001).*

*This proposal would significantly urbanise open rural land, which creates the open countryside landscape and significantly contributes to the existing dispersed settlement pattern, that is a key characteristic to the area. Consequently, eroding the quality of place that this area has and where key open vantage points can be experienced.*

*The backland form of development proposed is out of character with the prevailing pattern of development in this location, which is largely dwellings fronting the highway and would set a precedent for further unacceptable development in this location.*

*The proposal would be contrary to Local Plan Policies DM3.8 and DM4.5, Policies 6, 7 and 11 of the NPPF, Policy 2 of the Joint Core Strategy and supplementary planning documents - South Norfolk Place Making Guide and Landscape Character Appraisal (2001).*

- 4.19 The applicant has submitted in support of their application a LVIA, which sets out the location of the site within the CI Yare Tributary Farmland with Parkland Character, as classified by the South Norfolk Landscape Character assessment (2001). A topographical survey and site features. Also, a detailed Zone of Theoretical Visibility (ZTV) exercise was undertaken. A number of viewpoints have been identified, albeit not in consultation with the Local Planning Authority (LPA). It should be noted that no viewpoint at the entrance in-between dwellings has been taken or from the opposite end of the footpath, although likely to have a similar impact as other viewpoints within the site, which are stated as major/moderate.
- 4.20 The report argues that the low density of the proposals and the surrounding landscaping, would screen the proposed development from the wider landscape. It notes the reason for refusal, as set out above, and addressed the 'out of character' aspect of the reason by focusing on the definition of 'backland'. They state that backland constitutes the use of garden land and as this is not back garden land it is acceptable as this does not create the subdivision of a rear garden. The dictionary definition of backland is '*land behind an area which is built on or otherwise developed*'. There is no specific reference to backland being garden. Despite this, the issue of development such as proposed in this location is that the prevailing character of development in this location is residential properties, set back from but fronting the highway, following the curvature of the road in this location. The proposed development would have no road frontage and therefore would materially change the character of built development in this location, which would be clearly visible from the highway and the footpath running through the application site. The permitting of development here with the remaining opening spaces, of which there is no defined use for would set a precedent for further dwellings in this location to its detriment.
- 4.21 In terms of landscape impact the LVIA generally justifies the proposals on the grounds the site is well screened; that this area is not a sensitive area due to its location, surrounded by dwellings; that any landscape impacts would be localised with little impact on the wider landscape; and development in this location is acceptable. The Council's Landscape Architect has commented on the application and raises no objection to it in landscape terms, subject to conditions and clarification with regards to the scheme, which can be achieved at reserved matters stage or by condition.
- 4.22 One of the representations sets out concerns with the submitted LVIA, stating that viewpoints were only taken from public vantage points i.e. roads and the footpath, this is the correct way of carrying out an LVIA.
- 4.23 It remains considered however, that the submitted proposals would impact the character of this area, being contrary to the prevailing pattern of development in this location.
- 4.24 As set out above, the current position with regards to the lack of a five year supply is diminished having regard to the evidence as set out in the SHMA. The additional information submitted addresses the 'landscape impact' referred to in the earlier reason for refusal but not the character impact and therefore the reason for refusal has been amended to reflect this and the development is considered contrary to Policies 6 and 7 of the NPPF, 2 of the JCS and DM3.8 of the SNLP.

#### Residential Amenity

- 4.25 Paragraph 17 and policy DM3.13 aim to protect the amenity of neighbouring properties and future occupants.

A number of comments have been received with regards to the proposed indicative plan and potential impacts on amenity in terms of overlooking, loss of privacy and noise and disturbance. The plan is indicative only and matters of exact layout, design and landscaping can be dealt with at reserved matters stage if this application were considered

acceptable. Despite this it is considered that there is sufficient space within the site to suitably site three single storey dwellings with appropriate landscaping and boundary treatments so as not to impact the amenity of neighbouring properties. There is also sufficient space within the application site to provide amenity space and car parking to serve the needs of any future occupants in accordance with Policies DM3.13 and DM3.12 of the Local Plan. Any noise from the construction of the dwellings is likely to be for a limited period and therefore acceptable in this regard. Finally, any lighting could be controlled by condition, if reasonable.

#### *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.”*

#### *Landscape impacts*

- 4.27 The landscape and character impacts have been considered above and the relevant reasons for refusal amended to reflect the revised considerations.

#### *Highways*

- 4.28 Taking into account that there are 44 existing properties at Low Common, the addition of three further properties and the resulting additional traffic is not considered to be a significant change. It is not considered therefore that a highway safety objection can be sustained to the three additional properties. Although any proposal to increase the numbers may affect highway safety given the width of the highway in this location.
- 4.29 As set out in the representations made to the planning application, the site is very poorly related and connected to the main settlement of Swardeston. The road networks to and from the site consists of an intricate network of small rural roads that contain high banks/verges and single track roads with lack of footpaths. The site is remote from services, facilities and employment opportunities, which would mean the development for three dwellings would be vehicle dependant and would generate frequent and intensified vehicular movements along the Intricate network of small rural roads. Low Common has an average running width of 2.8m, which is insufficient to enable two vehicles to pass and the three passing places are narrow and do not extend to the residential section of Low Common Land. The road network to the west of the site is single vehicle width with a narrow and blind bend.
- 4.30 The application was previously refused on the grounds of poor connectivity:
- The unclassified road serving the site is considered to be inadequate to serve the development proposed, by reason of its poor alignment and restricted width. The principle of three new dwellings does not raise issue with highway safety, however, the proposal is remote from local service centre provision conflicting with the aims of sustainable development, the need to minimise travel, and the ability to encourage walking, cycling, use of public transport and reduce the reliance on the private car as represented in national and local policy. All of which is contrary to the Policy 9 of the NPPF, Policy 6 of the Joint Core Strategy and Local Plan Policies DM3.10, DM3.11 and DM3.12.*
- 4.31 Due to the unsustainable location and inadequacy of the highway network (roads inadequate to serve the development, poor alignment and restricted width, detrimental to highway safety) the proposal would not be suitable or sustainable (remote from local services and facilities, frequent need to travel by private vehicle).

- 4.32 As there are no amends to the scheme, then the proposal would remain contrary to the aims of the NPPF to support safe and sustainable access for all people and encourages the importance of being able to make journeys without the reliance on a private vehicle. The proposal would remain contrary to the sustainable transport policies through Norfolk's 3rd Local transport plan 'connecting Norfolk – Norfolk's Transport Plan for 2026' which requires new development to be well located and connected to existing facilities to minimise the need to travel and reduce the reliance on the private car or the need for new infrastructure. Contrary to local plan policies 4 of the NPPF and DM3.10, DM3.11 and DM3.12.

#### *Other matters*

- 4.33 A number of third party representations have been made raising a number of matters, including concerns relating to the narrow road network, no footpaths, or street lighting. Also, the lack of amenities within the main village of Swardeston. These matters have been addressed within the main body of the report and it has been concluded that this is an unsustainable location for new development, taking into consideration these matters raised.

#### *Ecology*

- 4.34 A matter was raised with regard to ecology. The ecology officer has commented and is of the opinion there is room to improve the site for biodiversity and recommends the application can be approved subject to conditions. Therefore, I do not consider ecology is a reason to refuse the proposal in accordance with Policy 11 of the NPPF.

#### *Amenity/Footpath/Trees*

- 4.35 A number of issues have been raised with regards to the indicative layout plan submitted, impact on amenity of neighbouring properties and impact on trees and the footpath. Layout is a reserved matter (as is design and landscaping), so if acceptable, these matters could be addressed at reserved matters stage. It is also considered that there is sufficient space within the site to protect significant trees and hedgerows from the development in accordance with Policy DM4.8 of the Local Plan. The proposal is also sufficiently spaced from the footpath so it would not be affected by the development. A note will be added to any subsequent to ensure the works do not affect the footpath and the reserved matters application would deal with the proximity of the proposed hedgerow, if any, to the footpath.

#### *Construction Traffic and Drainage*

- 4.36 Concern has been raised about the appropriateness of the roads for construction traffic, it is likely that appropriately sized vehicles would be used to access the site. Concern has also been raised with regards to lack of infrastructure including drainage, these would be matters that the applicants would need to resolve if planning permission was granted.
- 4.37 Matters of right to a view and devaluation of property are not material planning considerations.
- 4.38 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.
- 4.39 This application is liable for Community Infrastructure Levy (CIL).



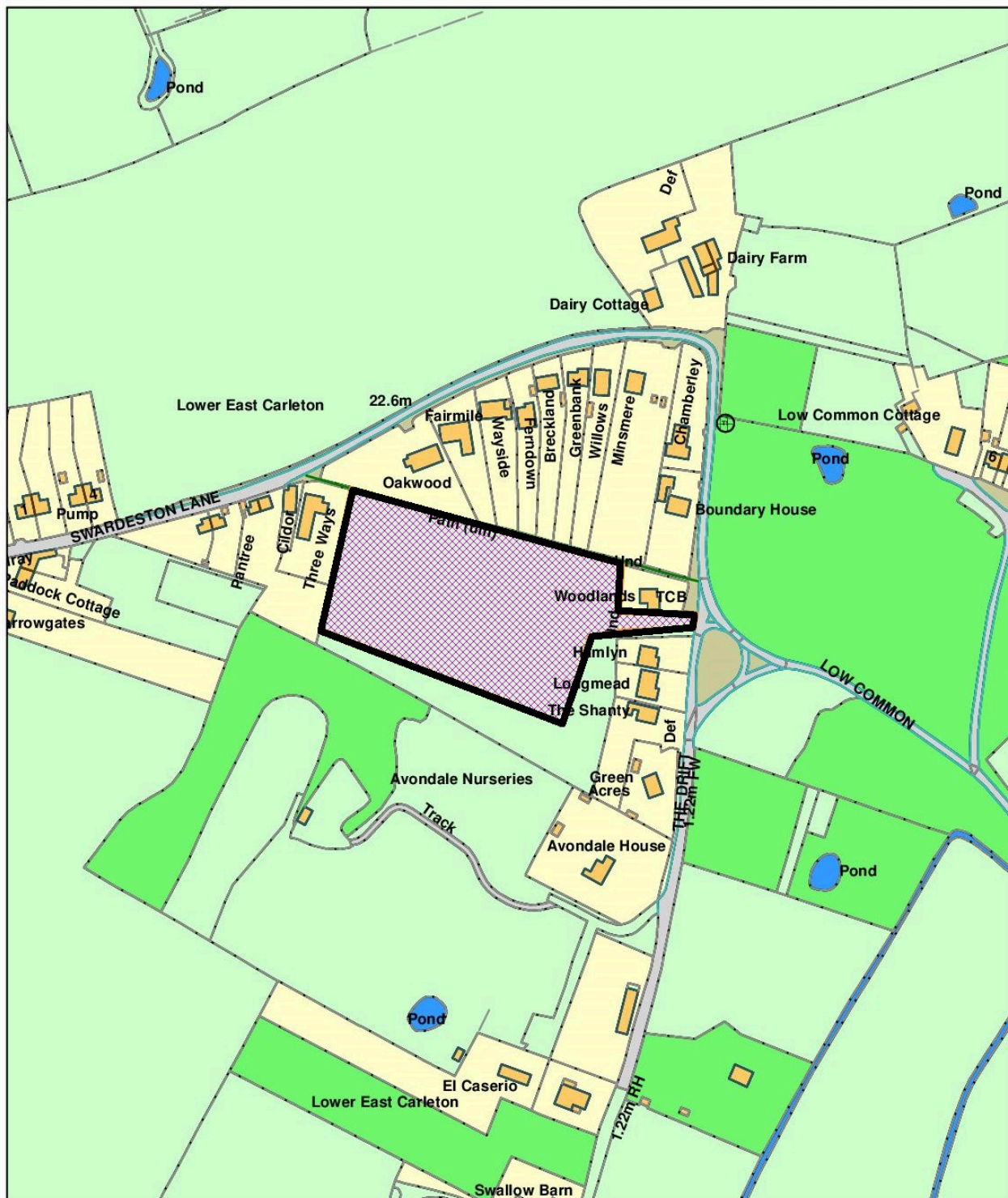
## 5 Conclusion

- 5.1 The proposal would result in unsustainable development in terms of social and environmental and the economic benefit of providing dwellings in this location is diminished by the current position with regards to the evidence as set out in the SHMA.
- 5.2 The distance from the application site to other facilities and public transport, would create an overreliance on the private car contrary to policies contrary to the Policy 9 of the NPPF, Policy 6 of the Joint Core Strategy and Local Plan Policies DM3.10, DM3.11 and DM3.12.
- 5.3 The design of the proposal, set behind existing built form would be out of character with the prevailing character of frontage development which exists in this location contrary to Local Plan Policy DM3.8, Policies 6 and 7 of the NPPF, Policy 2 of the Joint Core Strategy.
- 5.4 The proposal would leave open land around the three dwellings proposed, without a defined use which would set a precedent for further unsustainable development in this location and the submission of further additional information has not overcome the concerns raised in the refusal of planning permission reference 2017/2701, which is a material planning consideration. Therefore, this proposal is considered contrary to adopted National and Development Plan policies, as set out above and is recommended for refusal.

### Reasons for refusal

- 5.5 The proposal for three is considered to be a backland form of development, which is out of character with the prevailing pattern of development in this location, which is largely dwellings fronting the highway and development here would set a precedent for further unacceptable development in this location, contrary to Local Plan Policies DM3.8, Policies 6 and 7 of the NPPF, Policy 2 of the Joint Core Strategy and supplementary planning documents - South Norfolk Place Making Guide.
- 5.6 The unclassified road serving the site is considered to be inadequate to serve the development proposed, by reason of its poor alignment and restricted width. The principle of three new dwellings does not raise issue with highway safety, however, the proposal is remote from local service centre provision conflicting with the aims of sustainable development, the need to minimise travel, and the ability to encourage walking, cycling, use of public transport and reduce the reliance on the private car as represented in national and local policy. All of which is contrary to the Policy 9 of the NPPF, Policy 6 of the Joint Core Strategy and Local Plan Policies DM3.10, DM3.11 and DM3.12.
- 5.7 The proposed development does not represent a sustainable development, having regard to the three tests (social, economic and environmental) set out in the NPPF, by virtue of the significant and demonstrable negative social and environmental harm regarding a design which is out of character with the prevailing pattern of development in this location and the sites poor connectivity. Furthermore, the development will set a precedent for further unsustainable development in this area. These harms are not outweighed by the modest short-term economic benefit of three dwellings, especially with the diminished weight that can be applied to the five-year supply in accordance with the evidence as set out in the Strategic Housing Market Assessment (SHMA). For this reason, the proposal is contrary to paragraph 14 of the NPPF, Policies 4, 6, and 7 of the NPPF, Policies 2 and 6 of the JCS and Policies DM1.3, DM3.8, DM3.11 and DM3.12 of the Development Management Policies Document.

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9.     **Appl. No**                 :     **2018/1047/F**  
        **Parish**                 :     **STOKE HOLY CROSS**
- Applicants Name     :     Mrs Tina Riches  
 Site Address         :     Tantallon 14 Chandler Road Stoke Holy Cross Norfolk NR14 8RG  
 Proposal             :     Change of use of former garage/store to form coffee shop including extension and alterations
- Recommendation    :     Refusal  
                               1 Residential amenity noise and disturbance  
                               2 Residential amenity odour  
                               3 Detrimental highway safety

## 1     Planning Policies

- 1.1     National Planning Policy Framework (NPPF)  
        NPPF 01 : Building a strong competitive economy  
        NPPF 07 : Requiring good design  
        NPPF 11 : 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 5 : The Economy
- 1.3     South Norfolk Local Plan (SNLP)  
        DM1.1 : Ensuring Development Management contributes to achieving sustainable development in South Norfolk  
        DM1.3 : The sustainable location of new development  
        DM2.3 : Working at home  
        DM2.4 : Location of main town centre uses  
        DM2.6 : Food, drink and takeaways  
        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

## 2.     Planning History

- |     |           |  |          |
|-----|-----------|--|----------|
| 2.1 | 2016/0372 | Non-material amendment to planning permission 2016/0011 - Change of materials from brickwork to render to match rest of building.  | Approved |
| 2.2 | 2016/0011 | Demolition of existing single storey flat roof extensions and erection of pitched roof extension to side and rear. Front porch. Garage to rear garden.<br>As previously approved under ref: 2015/2046. | Approved |
| 2.3 | 2015/2046 | Demolition of existing single storey flat roof extensions and erection of pitched roof extension to side and rear. Front porch. Garage to rear garden.   | Approved |

### 3. Consultations

- |     |  |  |
|-----|--|--|
| 3.1 | Parish Council   | Refuse <ul style="list-style-type: none"><li>• Not in favour as a residential area</li><li>• Inadequate car parking</li><li>• Road insufficient width for parking</li><li>• Property is close to properties to side and rear</li><li>• Do not feel there are enough walkers using the Boudicca Way to make it a viable proposition</li><li>• We agree village could benefit from a café type facility we believe this is the wrong location.</li></ul>   |
| 3.2 | District Councillor<br>Cllr T Lewis                          | To be reported if appropriate  |
| 3.3 | NCC Highways   | Object <ul style="list-style-type: none"><li>• Concerned about the lack of available parking spaces within the grounds of this property to cater for the likely number of users of the coffee shop.</li><li>• NCC parking standards 1 space is required per 5m<sup>2</sup> of restaurant floor space.</li><li>• The proposed extended garage would be 36m<sup>2</sup> which requires 7 spaces for that use in addition to a minimum of two spaces for the residential use.</li><li>• The proposed figures relate to the proposed café building only and does not include any further parking requirement for outside seating, which will entail additional persons using the facilities</li><li>• The Planning statement makes a point that a good number of visitors to the site will be walkers, there is no control over how visitors arrive.</li><li>• The plans show 4 car parking spaces, with more spaces being provided if vehicles stacked behind each other. This is not satisfactory for a permanent use.</li><li>• The car parking would fall short of the requirement of the NNC guidance and is likely to result in vehicles being parked on Chandler Road and the verges, to the potential detrimental of highway safety and the inconvenience and disturbance.</li></ul> |
| 3.4 | SNC Water<br>Management Officer                              | Considering the nature and location of the proposal have no comment to make.   |
| 3.5 | SNC Community<br>Services -<br>Environmental<br>Quality Team | Object <ul style="list-style-type: none"><li>• Concerned that a proposal of this nature in a solely residential area may adversely impact on the neighbour's amenity in terms of noise.</li><li>• Even if well managed any noise a level could result in disturbance that may not result in a statutory nuisance but would significantly impact on the neighbour's use and enjoyment of their home</li></ul>   |
| 3.6 | Other<br>Representations                                     | Five letters of objection <ul style="list-style-type: none"><li>• Quiet residential area not suitable for a business</li><li>• Create disturbance from public in garden</li><li>• Very close to our habitable rooms</li><li>• People would overlook habitable rooms to the front</li><li>• Create traffic</li></ul>  |

- Not enough car parking on grass verges disturbing wildlife and cause nuisance
- Road not wide enough, the new development opposite will create additional traffic
- Chandler Road is a rat run
- Access is directly opposite the opening for new development
- Another cafe is unwarranted existing facilities already in the area.
- Would result on parking on the road and congestions
- When charity open garden was held, arrangement was made for people to park on the site parking area for the new development, but people still parked on the road.

Six letters of support

- Lots of money was raised by charity events
- When visited there were no issues with traffic congestion, even though several people were there
- Regular facility is unlikely to attract those numbers at any one time
- Allow people to enjoy the countryside
- Lovely place to sit and have coffee and cake
- Huge asset to area and provide service to community
- Attended open garden impressed with quality of garden and refreshments
- Would be unique to the area
- Many walkers would welcome this
- New development locally surely justifies more choice in amenities for a growing population.

#### 4 Assessment

##### *Background*

- 4.1 The application relates to a detached property which is located on the east side of Chandler Road within the development boundary, the application is within Upper Stoke so is closely related to the settlement of Poringland. A new housing development is being currently being constructed on the opposite side of the road.
- 4.2 It is proposed to extend and convert the existing garage to provide a café within the garden of the dwelling. It is also intended that meals could be prepared and delivered to locations off site.

##### *Principle of development*

- 4.3 Policy DM2.6 of the SNLP permits food and drink uses including cafes in defined Town Centres, local centres and elsewhere in settlements where the development does not give rise to unacceptable environmental impacts including noise, odour and general disturbance, which would adversely affect the amenity of nearby occupiers and which could not be satisfactorily controlled by conditions.
- 4.4 Policy DM2.3 of the SNLP is also relevant which permits working from home, as long as there is not an unacceptable impact on the amenities of any nearby residential occupiers or on the character and appearance of the area, the use of site must remain ancillary to the use of the site as a dwelling and there is adequate off-street parking to cater for both the residential and business use.

### *Residential amenity*

- 4.5 Although new business enterprises are encouraged, given the very residential nature of the area, which has low background noise levels, it is not considered possible to run a café on the site without causing noise and disturbance. Although this is unlikely to be a statutory nuisance it could have a significant impact on the neighbour's amenity and not possible to adequately control the noise and disturbance through the use of conditions. In addition, insufficient information has been submitted to demonstrate the proposed development would not cause an odour nuisance to neighbouring properties, as a result it is considered that the proposal is contrary to policies DM2.3, DM2.3 and DM3.13 of the SNLP and Paragraph 17 and 123 in the NPPF which seeks to protect the amenity of neighbouring properties.
- 4.6 Due to existing boundary treatment it is not considered that the proposed development would result in any unacceptable level of overlooking.

### *Highways*

- 4.7 The plans indicate four car parking spaces can be provided on-site and more if vehicles are double parked. Policy DM 3.12 of the SNLP requires an appropriate level of parking provision to provide for the needs of the development. The development needs to provide sufficient parking problems to avoid highway safety problems and protect the living and working conditions locally. The Norfolk County Council (NCC) Parking standards would be a starting point but need to be varied to reflect local conditions, availability of parking and sustainable travel modes.
- 4.8 The NCC parking standards require one space to be provided per every five square metres, so if you apply the NCC car parking standards then 7 spaces would be required for the café, not taking into consideration outside seating. Plus, a minimum of two spaces for the existing residential use. Therefore the proposed parking provision falls way below the recommended parking standards. Even taking into consideration that some of the patrons of the café would walk to the site (it is on the Boudicca Way) the parking provision falls way below the guidance. The Highway Officer has raised concern that the on -site car parking is not sufficient for the proposed use and would result in the car parking on the road and verges which has the potential to be detrimental to highway safety and cause inconvenience and disturbance to other residents. As a result, the proposal is contrary to policies DM2.3, DM3.11 and DM3.12 of the SNLP.

### *Design*

- 4.9 The design of the extension itself respects the character and appearance of the existing building, in accordance with section 7 in the NPPF, policy 2 in the JCS and policy DM3.8 of the SNLP.

### *Other Matters*

- 4.10 It is noted that the applicant intends to make a donation to the EACH hospice from the proceeds, although this is honourable, it cannot be given any material weight.
- 4.11 Under Section 143 of the Localism Act the council is required to consider the impact on local finances. This can be a material consideration but in the instance of this application the other material planning considerations detailed above are of greater significance.
- 4.12 This application is not liable for Community Infrastructure Levy (CIL) as the floor space created is less than 100 square metres.

5 Conclusion

- 5.1 The proposal has the potential to result in any unacceptable loss of amenity to neighbouring properties from noise, disturbance and odour and insufficient car parking is available on site resulting in a situation detrimental to highway safety contrary to policies DM2.6, DM2.3, DM3.13, DM3.11 and DM3.12 of the SNLP.

Reason for refusal

- 5.2 The proposed development would result in noise and disturbance which would adversely affect the amenity of surrounding properties contrary to paragraphs 17 and 123 in the National Planning Policy Framework and policies DM2.6, DM2.3 and DM3.13 of the South Norfolk Local Plan Development Management Policies Documents.
- 5.3 Insufficient information has been submitted to demonstrate that the proposal would not result in odour nuisance to the neighbouring properties which would adversely affect the residential amenity of surrounding properties contrary to paragraph 17 of the National Planning Policy Framework and policies DM2.3 and DM3.13 of the South Norfolk Local Plan Development Management Policies Documents.
- 5.4 The proposal does not incorporate adequate on-site vehicular parking and manoeuvring facilities for the proposed use and as a result, if permitted, would be likely to lead to an undesirable increase in on-street parking to the detriment to highway safety and contrary to policies DM3.12, DM3.11 and DM2.3 of the South Norfolk Local Plan Development Management Policies Documents.

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Not Set





**Planning Appeals received from 12 May 2018 to 08 June 2018**

Ref	Parish / Site	Appellant	Proposal	Decision Maker	Final 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
2017/2543	Wymondham Land Rear Of 16 And 18 Bellrope Close Wymondham Norfolk	Mr T O'Callaghan	Construction of single bungalow dwelling	Delegated	Refusal

**Planning Appeals decisions from 12 May 2018 to 08 June 2018**

Ref	Parish / Site	Appellant	Proposal	Decision Maker	Final Decision	Appeal Decision
2017/2767	Easton Plot 1 1 Oakwood Close Easton NR9 5EH	Mr J Gunton	Oak Tree - fell and replant with one Prunus Spire	Delegated	Refusal	Appeal dismissed
2017/2826	Wymondham 157 Lime Tree Avenue Wymondham NR18 0TG	Mr C Peat	Replacement of hedge with fencing (retrospective)	Delegated	Refusal	Appeal dismissed
2017/1622	Carleton Rode The Laurels 5 Chapel Road Carleton Rode Norfolk NR16 1RN	Miss Riana Rudland & Mr B Williams	Single storey side extension and two storey rear extension (replacing existing extensions)	Delegated	Refusal	Appeal dismissed
2017/2386	Cringleford 19 Patteson Close Cringleford NR4 6XX	Mr James Sadler	Removal of Condition 3 of planning permission 2000/0909 to allow permitted development (classes A, B, C, D, E and H)	Delegated	Approval with Conditions	Appeal Allowed