

Development Management Committee

Members of the Development Management Committee:

Conservatives	Liberal Democrats
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Mr V Thomson (Chairman)	Dr M Gray
Mrs L Neal (Vice-Chairman)	
Mrs Y Bendle	
Mr D Bills	
Mr B Duffin	
Mrs F Ellis	
Mr C Gould	
Dr C Kemp	
Mr G Minshull	
Mrs A Thomas	

Pool of Substitutes

Mr L Dale	Mrs V Bell
Mr D Goldson	
Mr J Hornby	
Dr N Legg	
Mr J Mooney	
Mr G Wheatley	

Pre-Committee Member Question Time

9.00 am	Cavern Room
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Agenda

Date

Wednesday 28 February 2018

Time

10.00 am

Place

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

Contact

Sue Elliott tel (01508) 533869

South Norfolk House
Cygnet Court
Long Stratton Norwich
NR15 2XE

Email: democracy@s-norfolk.gov.uk

Website: www.south-norfolk.gov.uk

PLEASE NOTE that any submissions (including photos, correspondence, documents and any other lobbying material) should be received by the Council by noon the day before this meeting. We cannot guarantee that any information received after this time will be brought to the Committee's attention.

Please note that where you submit your views in writing to your District Councillor, this is described as "lobbying" and the District Councillor will be obliged to pass these on to the planning officer, where they will be published on the website.

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 2012. 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 planned
- 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.

Meeting Cancelled

A G E N D A

1. To report apologies for absence and identify substitute voting members (if any);
2. To deal with any items of business the Chairman decides should be considered as matters of urgency pursuant to Section 100B (4) (b) of the Local Government Act, 1972; [Urgent business may only be taken if, "by reason of special circumstances" (which will be recorded in the minutes), the Chairman of the meeting is of the opinion that the item should be considered as a matter of urgency.]
3. To receive Declarations of Interest from Members;
(Please see flowchart and guidance attached, page 7)
4. Minutes of the Meeting of the Development Management Committee held on 31 January 2018;
(attached – page 9)
5. Planning Applications and Other Development Control Matters;

(attached – page 18)

To consider the items as listed below:

Item No.	Planning Ref No.	Parish	Site Address	Page No.
1	2017/2450/H	COSTESSEY	23 Margaret Road Costessey NR5 0AU	18
2	2017/2247/D	SWARDESTON	Land Off Bobbins Way Swardeston Norfolk NR14 8DT	23
3	2017/1828/R/C	ALDEBY	Aldeby Business Park Common Road Aldeby NR34 0BL	43
4	2017/2515	DISS	Morrisons, Victoria Road, Diss, IP22 4XF	55
5	2018/0126/H	COSTESSEY	192 West End Costessey Norfolk NR8 5AW	65

Notes 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 69)
8. Date of next scheduled meeting – Wednesday 28 March 2018

1. GUIDELINES FOR DETERMINING THE NEED TO VISIT AN APPLICATION SITE

The following guidelines are to assist Members to assess whether a Site Panel visit is required. Site visits may be appropriate where:

- (i) The particular details of a proposal are complex and/or the intended site layout or relationships between site boundaries/existing buildings are difficult to envisage other than by site assessment;
- (ii) The impacts of new proposals on neighbour amenity e.g. shadowing, loss of light, physical impact of structure, visual amenity, adjacent land uses, wider landscape impacts can only be fully appreciated by site assessment/access to adjacent land uses/property;
- (iii) The material planning considerations raised are finely balanced and Member assessment and judgement can only be concluded by assessing the issues directly on site;
- (iv) It is expedient in the interests of local decision making to demonstrate that all aspects of a proposal have been considered on site.

Members should appreciate that site visits will not be appropriate in those cases where matters of fundamental planning policy are involved and there are no significant other material considerations to take into account. Equally, where an observer might feel that a site visit would be called for under any of the above criteria, members may decide it is unnecessary, e.g. because of their existing familiarity with the site or its environs or because, in their opinion, judgement can be adequately made on the basis of the written, visual and oral material before the Committee.

2. PUBLIC SPEAKING: PLANNING APPLICATIONS

Applications will normally be considered in the order in which they appear on the agenda. Each application will be presented in the following way:

- Initial presentation by planning officers followed by representations from:
- The **town or parish council** - up to 5 minutes for member(s) or clerk;
- **Objector(s)** - any number of speakers, up to 5 minutes **in total**;
- The **applicant**, or **agent** or any **supporters** - any number of speakers up to 5 minutes **in total**;
- **Local member**
- Member consideration/decision.

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

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

WHAT CAN I SAY AT THE MEETING? Please try to be brief and to the point. Limit your views to the planning application and relevant planning issues, for example: Planning policy, (conflict with policies in the Local Plan/Structure Plan, government guidance and planning case law), including previous decisions of the Council, design, appearance and layout, possible loss of light or overshadowing, noise disturbance and smell nuisance, impact on residential and visual amenity, highway safety and traffic issues, impact on trees/conservation area/listed buildings/environmental or nature conservation issues.

3. FILMING AT COUNCIL MEETINGS: GUIDANCE

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

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

HEALTH AND SAFETY INFORMATION

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

PLANNING APPLICATIONS AND OTHER DEVELOPMENT CONTROL MATTERS

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

A	Advert	G	Proposal by Government Department
AD	Certificate of Alternative Development	H	Homeholder – 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

ENP	Cringleford Neighbourhood Development Plan
J.C.S	Joint Core Strategy
LSAP	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.

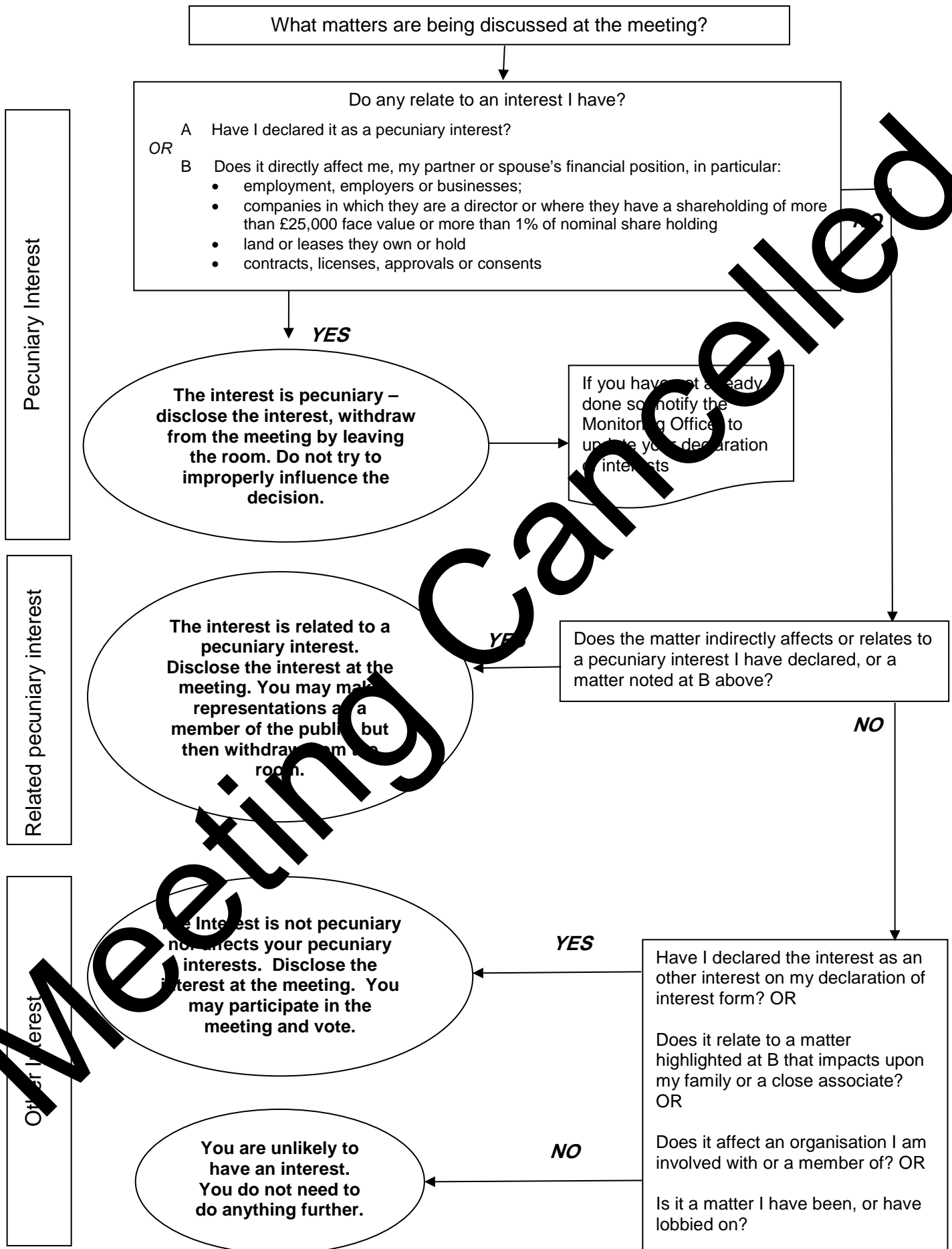
If the interest not related to any of the above? If so, it is likely to be an other interest. You will need to declare the interest, but may participate in discussion and voting on the item.

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 31 January 2018 at 10.00 am.

Committee Members Present:	Councillors:	V Thomson (Chairman), F Ellis, M Gray, C Kemp, G Minshull and L Neal
Apologies:	Councillors:	Y Bendle, B Duffin, C Gould, J Mooney, and A Thomas
Substitute Members:	Councillors:	D Bills for Y Bendle C Foulger for B Duffin N Legg for C Gould L Dale for A Thomas G Wheatley for J Mooney
Officers in Attendance:	The Development Manager (M Hollors), the Development Management Team Leader (R Collins), the Major Projects Team Leader (T Lincoln), the Senior Planning Officers (C Watts, Claire Curtis and C Raine) and the Planning Officer (H Bowman)	

16 members of the public were also in attendance.

376. 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
2017/2-31/ Item 11	BRACON ASH AND HETHEL	All	Local Planning Code of Practice Lobbied by Objector
		N Legg	Other Interest Member of Bracon Ash Parish Council and knows the Applicant
		C Foulger	Other Interest Local Member

2017/1804/RVC (Item 2)	WORTWELL	All	Local Planning Code of Practice Lobbied by Objector
		M Gray	Local Planning Code of Practice Lobbied by Applicant
2017/2686/O (Item 5)	THARSTON AND HAPTON	L Neal	Other Interest Member is currently working with the Agent with regard to the Poringland Neighbourhood Plan
2017/2802/O (Item 6)	HETHERSETT	L Dale and D Bills	Local Planning Code of Practice Lobbied by Applicant

377. MINUTES

The minutes of the Development Management Committee meeting dated 3 January 2018 were confirmed as a correct record and signed by the Chairman.

378. PLANNING APPLICATIONS AND OTHER DEVELOPMENT CONTROL MATTERS

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

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

APPLICATION	PARISH	SPEAKER
2017/2131/O	BRANSON AND HETHERSETT	Cllr P Leigh – Mulbarton Parish Council M Shelley – Agent for Applicant K Keable – Applicant A Snowling – in support of the Applicant
2017/1804/RVC	WORTWELL	J Putman – Agent for Applicant P Willes - Objector
2017/2451/H	COSTESSEY	Cllr V Bell – on behalf of Objectors (T and E Beckett) Cllr V Bell – Local Member
2017/2686/O	THARSTON AND HAPTON	J Parker – Agent for Applicant

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.

379. PLANNING APPEALS

The Committee noted the planning appeals. Officers clarified the position with regard to application 2017/1012, Saxlingham Nethergate, explaining that the appeal had resulted in a change to one of the conditions.

(The meeting closed at 1.05pm)

Chairman

Meeting Cancelled

Updates for DEVELOPMENT MANAGEMENT COMMITTEE

– 31st January 2018

Item	Updates	Page No
Item 1 2017/2131	<p>Letter of support received from Richard Bacon M.P. summarised as follows:</p> <ul style="list-style-type: none"> – The scheme will make a considerable contribution to South Norfolk's obligations to provide served plots under the Self-Build & Custom Housebuilding Act 2015. – The proposal is consistent with the National Planning Policy Framework (NPPF) and South Norfolk Local Plan. – Considers that significant benefits will flow from the application which would outweigh any demonstrable harm that may arise. – This is an excellent exemplar scheme which I support. – Welcomes the positive reception that this proposal has received. <p>1 petition received objecting to the application, summarised as follows (copies sent to all Members via email as lobbying material):</p> <ul style="list-style-type: none"> – Impact on Countryside – introduces new dwellings into what is an open site representing an urbanisation of the site and substantial change to its appearance and harm to the character of the open countryside. – Impact on setting of Grade I listed Bracon Lodge – development of land would break historic and visual connection and have a negative impact on the setting of the farm house. – Ecology and impact on Great Crested Newts and their habitat – questions what the proposed mitigation strategy and that the impact of GCR cannot be fully understood – Flood risk/drainage – LLFA objection and requests for additional information. (Note that the LLFA has since removed their objection). – Deliverability of the development – it is not clear if the test of the site being deliverable as set out in the NPPF have been demonstrated. The application does not appear to provide certainty of how or when the road services would be installed or when phasing will be implemented. Also, there is no indication that site can be developed the development plan 5-year period. – Self-build/custom build need – we understand that the Council has already identified sufficient potential self-build plots to meet the needs of those who are currently registered on its register. As such this application may not be meeting a particular need. <p>Officer response:</p>	14

	It is considered that the agenda adequately addresses the points raised above.	
Item 2 2017/1804	<p>Officers are aware that Members have received lobbying material from the occupants of the neighbouring property no.127, including legal representations. The applicant has confirmed that they have an opposing view of the legal position of the land.</p> <p>Officer response: It is considered that the proposed grampian style condition to undertake the mitigation works of earth banking, turfing and erection of a fence prior to occupation of the dwelling is appropriate in this instance.</p>	32
Item 3 2017/2450	No updates	40
Item 4 2017/2604	No updates	45
Item 5 2017/2686	The applicant has confirmed that no trees will be removed either side of the access to the site. However nearby hedges in and around the trees may need some trimming back to achieve the required vision splay. The highways authority have confirmed that vision splay improvements, as previously requested are on the corner of Picton Road and Fancett Road.	51
Item 6 2017/2802	<p>Officer: Appeal Decision Appendix 2 was not attached to the agenda. Copies sent to all Members via email and paper copies will be available at the meeting.</p> <p>As a point of clarification, Members will note the comments of the Planning Inspector in respect of scale on residential amenity. The scale of the dwelling will be determined at the outline stage. Officers consider that subject to appropriate design, layout and detailing in respect of form and window configuration and boundary treatments at the reserved matters stage either a single storey or two storey dwelling could be accommodated on the site without the detriment to residential amenity or character and appearance of the area.</p>	58

PLANNING APPLICATIONS AND OTHER DEVELOPMENT CONTROL MATTERS**NOTE:**

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

Major Applications

- 1 **Appl. No** : **2017/2131/O**
 Parish : **BRACON ASH AND HETHEL**
- Applicants Name : Mr & Mrs Kevin Keable
 Site Address : Land West Of Long Lane Bracon Ash Norfolk
 Proposal : Phased outline proposal for 15 Self/Customer Built Dwellings and Access
- Decision : Members voted 9-1 (with 1 abstention) for **Approval**

Approved with conditions

1. Time limit for implementation of the submission of the first reserved matters and first residential plot reserved matters within one year and works to commence within two years. Other plot reserved matters to be submitted within two years and implemented within three years.
2. In accordance with plans
3. Standard highway conditions
4. Visibility splay to be provided
5. Construction Traffic Management Plan
6. Off-site highway works for footpath
7. Surface water drainage scheme
8. Materials to be agreed
9. Landscaping scheme and management
10. Ecological management plan
11. Renewable energy
12. Water efficiency
13. Reserved matters to be submitted – appearance, landscaping, layout and scale
14. Submission of a phasing plan
15. Each reserved matters to show it complies with the phasing plan; its relationship with plot in accordance with the approved Design Code and Plot Passports; and submit a street scene to demonstrate the relationship with other approved plots.

Subject to completion of S106 agreement to secure a commuted sum for affordable housing and a contribution for off-site play equipment improvements.

Other Applications

2 **Appl. No** : **2017/1804/RVC**
 Parish : **WORTWELL**

Applicants Name : Mr Tony Sprake
 Site Address : 133 High Road Wortwell IP20 0EN
 Proposal : Variation of Condition 2 following Application Number
 2017/0686/RVC - To obtain consent for revised levels and boundary
 treatment/landscaping

Decision : Members voted 5-4 (with 1 abstention) for **Approval**

Approved with conditions

- 1 In accordance with submitted amendment
 - 2 Materials as agreed
 - 3 Boundary treatments as agreed
 - 4 Water efficiency
 - 5 Provision of parking and service areas
 - 6 Provision of visibility splays
 - 7 Unexpected contamination
 - 8 Backfill and turf prior to first occupation
 - 9 Earth specification to be agreed
 - 10 Levels as approved plan
- NOTE Profile of slope to the rear of the site

3 **Appl. No** : **2017/2455/H**
 Parish : **COSTESSEY**

Applicants Name : Mr & Mrs S Swatman
 Site Address : 23 Margaret Road Costessey NR5 0AU
 Proposal : Rear and side extensions

Decision : Members voted 6-3 (with 2 abstentions) to **DEFER** (to a future
 meeting of this Development Management Committee) for a Sites
 Sub-Committee visit

Note: The Committee indicated the reason for the Sites Sub-Committee visit was that the material planning considerations were finely balanced and member assessment and judgement could only be concluded by assessing the issues directly on site.

- 4 **Appl. No** : **2017/2604/F**
 Parish : **BRESSINGHAM AND FERSFIELD**

Applicants Name : Mr Nick Glendinning
Site Address : Land South of Boyland Hall Common Road Bressingham Norfolk
Proposal : Reconstruction of a barn to form a dwelling and part reconstruction and part conversion of another barn to form a second dwelling and change of use of land and buildings from agricultural to residential.

Decision : Members voted unanimously for **Approval**

Approved with Conditions

1. In accordance with amendments
2. External materials as agreed
3. No PD for Classes ABCDE & G
4. No PD for fences, walls etc
5. Domestic Microgeneration Equipment
6. Vehicular access over the ditch
7. Visibility splay shown on plan
8. Access gate restrictions
9. Provision of parking, service
10. Surface Water as agreed
11. Foul water to package treatment plant
12. New Water Efficiency
13. Reporting of unexpected contamination
14. Boundary treatment to be agreed

- 5 **Appl. No** : **2017/2686/O**
 Parish : **THARSTON AND HAPTON**

Applicants Name : Mr Tony Mayes
Site Address : Land North Of Picton Road Tharston Norfolk NR15 2YD
Proposal : The erection of 3 No. dwellings with associated access and car parking areas

Decision : Members voted 9-2 for **Refusal**

Refused

1. Not sustainable development
(poor relationship with existing facilities; rural character and impact on trees)

6 **Appl. No** : **2017/2802/O**
 Parish : **HETHERSETT**

Applicants Name : Mr David Bain
Site Address : Land To East Of 88 Ketts Oak Hethersett Norfolk
Proposal : Outline planning permission for proposed dwelling

Decision : Members voted unanimously for **Approval**

Approved with Conditions

- 1 Outline time limit - 5 Year Land Supply
- 2 In accordance with submitted drawings
- 3 Standard outline requiring Reserved Matters
- 4 External materials to be agreed
- 5 Standard Highway Outline Condition
- 6 Contaminated land - submit scheme
- 7 Implement of approved remediation
- 8 Reporting of unexpected contamination
- 9 Surface Water to be agreed
- 10 Boundary treatment to be agreed
- 11 Slab level to be agreed
- 12 Water Efficiency
- 13 Single-storey dwelling

Meeting Cancelled

PLANNING APPLICATIONS AND OTHER DEVELOPMENT CONTROL MATTERS**Report of Director of Growth and Business Development****Applications referred back to Committee following Site Panel Visit**

1 Appl. No : 2017/2450/H
Parish : COSTESSEY

Applicants Name : Mr & Mrs S Swatman
 Site Address : 23 Margaret Road Costessey NR5 0AU
 Proposal : Rear and side extensions

Recommendation : Approval with Conditions
 1 Full Planning permission time limit
 2 In accordance with amendments

1 Planning Policies

1.1 National Planning Policy Framework
NPPF 07 : Requiring good design

1.2 Joint Core Strategy
Policy 2 : Promoting good design

1.3 South Norfolk Local Plan
South Norfolk Local Plan Development Management Policies
DM3.11 : Road safety and the free flow of traffic
DM3.13 : Amenity, noise, quality of life
DM3.4 : Residential extensions and conversions within Settlements
DM3.8 : Design Principles applying to all development

2. Planning History

2.1 1994/1580 Erection of replacement garage Approved

3. Consultation

3.1 Town Council Original plans
Approve

1st Amended plans
 No objection

Neighbours had complained about overshadowing and reduction of light. Under the proposed amendments the roof height has not actually been reduced, just flattened, so it is unlikely that the light issue will have been solved. It was noted that the Planning Officer had taken the trouble to ascertain the facts at the site.

2nd Amended plan
 Object

Neighbours explained their objections regarding proximity, light, slope of ground, overshadowing and general domination over their property. Councillors expressed concerns about all these points and noted that although there were steps down into the kitchen from the original building there was no corresponding reduction in roof

height, which was no lower than on the first design.
 RECOMMENDED REFUSAL on the following grounds:
 overshadowing, removal of light from neighbours' property

- 3.2 District Councillor To be reported to committee. The fall of land levels will mean so much build to get up to floor level then extension will mean serious overlooking of neighbours
- 3.3 Other Representations
- Original plans
 - 2 letters of support
 - 1 letter of objection
 - Unacceptable loss of natural light
 - View replaced with brick wall and roof which will be overbearing and obtrusive
 - Overlooking
 - Patio area overshadowed causing a slippery surface
 - Concerns with regard to damage and possible damp penetration
 - Could cause structural instability
 - 1st amended plan
 - 1 letter of objection
 - Do not overcome concerns
 - Proximity to boundary causes problems with construction and maintenance work
 - 2nd amended plan
 - 1 letter of objection
 - Still cause significant loss of daylight
 - Visually dominate the outlook
 - Overlooking and loss of privacy
 - Overbearing
 - Overshadow patio area

4. Introduction

- 4.1 This application was referred for a Site Panel visit. Those members present viewed the application from the site and also visited and viewed from 21 Margaret Road.

5. Assessment

- 5.1 The proposal seeks planning permission for the erection of a single storey rear extension and a side extension increasing the width of the property across its whole length. The proposal also involves the conversion of an existing garage into the residential space including the installation of patio doors in the rear elevation, it should be noted that the conversion of the garage does not require planning permission.

- 5.2 The property is a semi-detached single storey property situated within the development limits for Costessey. The site and surrounding area have changes in ground levels, with the neighbouring property to the east set at a slightly lower level and the site sloping down towards the rear boundary.

- 5.3 The originally submitted plans proposed a rear extension adjoining the boundary with the adjacent neighbouring property and a balcony on the rear of the proposal. There were concerns raised with regard to the impact of the proposal through bulk on the boundary and overlooking of the neighbouring property. Consequently, amended plans have been submitted removing the balcony and stepping the proposal in from the adjoining boundary by approximately 0.88 metres.

- 5.4 The application is assessed against Policy DM3.4 which confirms that extensions to dwellings within a development boundary will be permitted provided they:
- a) Incorporate a good quality design which maintains or enhances the character and appearance of the building, street scene and surroundings; and
 - b) Do not have an unacceptable impact on the amenities of neighbouring occupiers or adversely affect neighbouring commercial uses.
- 5.5 Specifically, proposals must provide and maintain:
- c) Suitable amenity and utility space; and
 - d) Adequate access and parking
- 5.6 With regard to criterion a), the rear extension will not be visible within the street scene. The alterations to the side elevation of the property will be visible within the street scene but as they retain a similar appearance to the original dwelling any impact will be minimal. The design of both extensions is consistent with that of the existing dwelling. It is considered that the scheme complies with the requirements of criterion a) as well as those of Policy DM3.8 which requires a scheme to achieve an acceptable standard of design.
- 5.7 With regard to criterion b), the rear extension extends beyond the rear elevation by 4.4 metres with a height of 3 metres adjacent to the original dwelling but due to the level changes the proposed rear elevation will be 3.5 metres in height. There are proposed steps from patio doors down to the garden on this rear elevation.
- 5.8 Objections have been received from the Parish Council and the adjoining local resident raising concerns over the location and scale of the rear extension and the loss of privacy to the rear garden due to the change in ground levels. Concerns have also been raised regarding overshadowing of the neighbour's patio area and the dominant impact on the view from the neighbouring property.
- 5.9 With regards to the overshadowing of the neighbouring property due to the orientation of the proposed extension to the west of the neighbour and its relationship and scale in regard of the original dwelling it is considered that any overshadowing from the proposal would not be so significant to the neighbouring amenities to warrant refusing the application.
- 5.10 The neighbour has concerns with regard to the overbearing impact of the proposal on the view from their windows. Although part of the proposal will be visible from the window of the neighbouring property it will not be the whole length of the extension and will not be so dominant to justify refusing the application.
- 5.11 With regard to overlooking from the proposal there is an existing patio area to the rear of the property where the extension is to be located. The proposed floor area will be at the same level as the patio with steps in a similar position to the existing. Any view from the extension will be looking towards the rear of the neighbour's garden and not the immediate garden space. The view from the proposed doors in the rear of the existing garage will also view the rear of the neighbouring gardens.
- 5.12 The proposal would continue to provide sufficient private amenity space and it is evident that the proposal would not have any impact on the existing parking for the site.
- 5.13 For the above reasons the requirements of criterion b) are met as are those of Policy DM3.12 which requires sufficient on-site parking to be provided and those of DM3.13 which safeguards neighbour amenity.

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

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

6 Conclusion

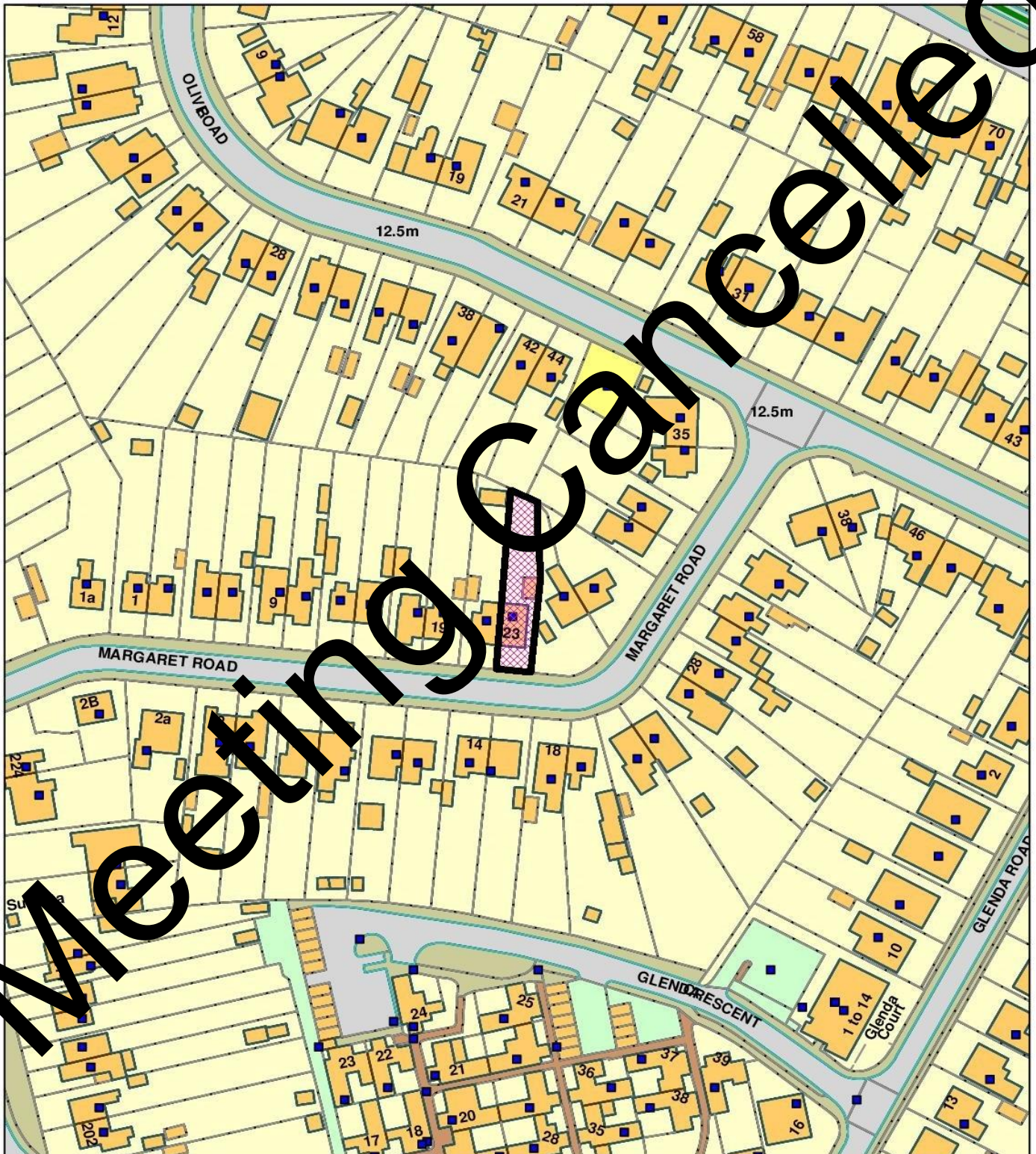
6.1 The site is within the development limit for Costessey. The proposed extension is considered acceptable in design terms and would safeguard neighbour amenities and therefore conform with policies DM3.4, DM3.8, DM3.12 and DM3.13 of the South Norfolk Local Plan 2015. The proposal is therefore recommended for approval.

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

Meeting Cancelled

2017/2450

Appendix 1



Scale 1:1,250



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

Major Applications

2. **Appl. No** : **2017/2247/D**
Parish : **SWARDESTON**

Applicants Name : Bennet PLC
 Site Address : Land Off Bobbins Way Swardeston Norfolk NR14 8DT
 Proposal : Reserved matters application for demolition of existing buildings, residential development of 38 dwellings and ancillary works following outline permission 2014/1642 for access, appearance, landscaping, layout and scale.

Recommendation : Authorise Director of Growth and Business Development to approve with Conditions
 1. Conditions of outline must be met
 2. In accordance with amended plans
 3. Landscaping scheme and management to be agreed, including implementation.

Subject to no objection from Norfolk County Council Highway Authority and no new material considerations being raised by other consultees and third parties.

1 Planning Policies

- 1.1 National Planning Policy Framework
 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
 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 22 : Implementation
 South Norfolk Local Plan Development Management Policies
 DM1.1 : Ensuring Development Management contributes to achieving sustainable development in South Norfolk
 DM1.2 : Requirement for infrastructure through planning obligations
 DM1.3 : The sustainable location of new development
 DM1.4 : Environmental Quality and local distinctiveness
 DM3.1 : Meeting Housing requirements and needs
 DM3.8 : Design Principles applying to all development
 DM3.11 : Road safety and the free flow of traffic
 DM3.12 : Provision of vehicle parking
 DM3.13 : Amenity, noise, quality of life
 DM3.14 : Pollution, health and safety
 DM3.15 : Outdoor play facilities/recreational space
 DM3.16 : Improving level of community facilities

DM4.2 : Sustainable drainage and water management
 DM4.3 : Facilities for the collection of recycling and waste
 DM4.4 : Natural Environmental assets - designated and locally important open space
 DM4.7 : Strategic gaps between settlements within the Norwich Policy Area
 DM4.8 : Protection of Trees and Hedgerows
 DM4.9 : Incorporating landscape into design

1.4 Supplementary Planning Documents
 South Norfolk Place Making Guide 2012

2. Planning History

- 2.1 2014/1642 Outline application with all matters reserved except for access for demolition of existing buildings, residential redevelopment and ancillary works **Refuse**

Appeal History

- 2.2 15/00027/AGREFU Outline application with all matters reserved except for access for demolition of existing buildings, residential redevelopment and ancillary works **Allowed**

3. Consultations

- 3.1 Town / Parish Council

Object

Comments on amendments:

- No updated comments received at time of writing report.

Summary of detailed comments on original scheme:

- Accepted that outline permission has been granted to build 39 dwellings on the site but is felt that insufficient consideration has been given to those existing dwellings in Cavell Close and Wood Gardens in this revised plan.
- The land along the West boundary of the proposed site is considerably higher, over 1.5 metres in places, than both Cavell Close and Wood Gardens and these existing homes will be overlooked by the new development. The parish council feels that this could be mitigated by repositioning the proposed bungalows or even adding more bungalows along this boundary.
- The affordable homes are all in a cluster to the south end of the site which is in contravention of planning policy.
- Feel strongly that an increase in shared equity allocation would greatly benefit the community given the extreme difficulty of young local residents getting onto the housing ladder.
- Garaging and parking facilities is at a bare minimum and falls far short of the likely requirements in reality. Also have concerns regarding the width of some of the proposed roads which are likely to become blocked due to parked cars.
- The proposed recreational area falls short of the requirements for this size of development which is contrary to policy. Concerned regarding any proposal to address the shortfall in this application. In addition, there appears to be no clear plan as regards maintenance of the facility that is being provided.

- Much work seems to have been done to address the surface water drainage issue from this site but concerns still exist, given the difference in land levels between the proposed site and adjoining properties. Concerned about flooding to existing properties and existing drains along the B1113 which are unable to cope with heavy rainfall.
- Concerns raised with regard to the boundary between the new homes and the existing development. We request a condition be made, if the plan is approved in its current form, that a strip of land be landscaped along this boundary to provide screening from neighbouring properties.

3.2 District Councillors:
Cllr Legg

Comments on amendments:

- No updated comments received at time of writing report.

Cllr Foulger

Comments on original scheme:

- To committee. There are concerns about the layout, parking, overlooking, maintenance and surface water drainage.
- This application is causing alarm and justified concerns from both the Swardston Parish Council as well as many residents. It does appear that the proposed two storey dwellings at the furthest end of the site away from the B1113 is on a part of the site that is considerably higher than the existing dwellings to the north by around two metres. It is enough that on a site level with the surrounding existing dwellings that the proposed dwellings should not look into those properties. In this proposal that scenario is greatly exacerbated by the considerably greater height of the development site above the surrounding properties. This serious problem can be simply alleviated by insisting that any proposed new dwelling on higher land should be single storey.
- Can ask if the planning officer dealing with this application has visited the site and has made themselves aware of this apparent problem and the legitimate concerns of residents and if so what is his/her thoughts to alleviate these concerns?

3.3 SNC Senior
Conservation and
Design

No objection.

Comments on amendments:

- The scheme is acceptable.

Original comments:

- The scheme is acceptable in principle. The private drive with hedge to the south of the play space is acceptable, and it is a good aspect that the buildings front towards this space, but the hedge will obscure the parking spaces.
- There is a variety of building frontages facing towards the street. The gable ends of units 15 & 16 will be very prominent in terms of overlooking the public space, it will be important to have some fenestration so that they are not just blank gable ends facing towards the POS.
- I would suggest that there is no real need for a hedge to the front of units 27 & 28. Being between vehicle accesses with vehicle movements, it is likely that over time the hedge may not get established with vehicle damage etc. It would be better for the frontage of 27/28 to have any boundary treatment etc directly in front of units 27 & 28. The parking court should have an appropriate surface – e.g. roll top gravel – rather than plain tarmac which would be unsightly – or too large an area of setts.

- 3.4 NCC Ecologist No objection.
- I have reviewed the Appeal Decision and the plans so far do not appear to conflict with the ecological conditions. As such I have no objection to these proposals.
- 3.5 SNC Environmental Quality Team No comments received.
- 3.6 SNC Play and Amenities Officer No objection
- Comments on amendments:
- I have no objections as to the location of play areas.
- 3.7 NCC Highways
- Comments on amendments:
- Awaiting updated comments at time of writing report.
- Original comments
- Amendments required in respect of internal layout/visibility splays, junctions, visitor parking, turning heads, parking spaces, private drives, and garages.
- 3.8 SNC Housing Enabling & Strategy Officer No objection.
- Comments on amendments:
- The affordable housing package is acceptable.
- Original comments:
- JCS Policy requires 25% affordable housing, and this application complies by proposing 13 affordable homes.
 - The mix of property types is acceptable and the layouts and internal floorspaces are acceptable.
- 3.9 Anglian Water Services Ltd No objection.
- The proposed method of surface water management does not relate to Anglian Water operated assets. As such, we are unable to provide comments on the suitability of the surface water management.
 - The sewerage system at present has available capacity for these flows.
- 3.10 NCC Lead Local Flood Authority No objection.
- Comments on amendments:
- Additional information has been provided.
 - The applicant now demonstrates how surface water drainage will be managed on site without increasing flood risk on the site or elsewhere, in line with National Planning Policy Framework (NPPF).
- Original comments:
- Surface water scheme is generally acceptable, however there are some concerns that require further consideration.
 - Infiltration testing should ideally be carried out at the same depth of the permeable paving, in order to better understand the infiltration to the ground. Tests in the location of the main area/s of permeable paving, based on the updated site layout should be sufficient to better understand the link between the test results and proposed method of infiltration.
 - A summary of the critical results of the 2017 drainage scheme micro calculations should be provided.

- The proposed increase in the size of the highway drain and acceptability of connecting the development into system has not been concluded.

3.11 NHS England

No comments received

3.12 SNC Landscape Architect

Comments on amendments:

- We are still not getting the continuous countryside hedge on the eastern boundary that I consider is important for this rural-edge scheme. To be explicit, what I seek is a native mixed hedge along the entire length (but I am happy for localised variation in the mix if Building Regs. necessitate). I realise that I overlooked that the proposed mix includes a non-native species of hawthorn which needs to be corrected. The plan requires a further revision.
- I am happy for the revised plan to be conditioned. We will also need to condition implantation, and a long term management plan.

Original comments:

- The east boundary is now shown as a close-board fence on the outside of a hedge. This aspect of the site faces open countryside and a public footpath so must be sympathetic to the rural situation; the current proposal is therefore not acceptable. Furthermore, the areas adjacent to the garages at plots 1 and 8 are now proposed to not be planted at all. In the interest of wildlife connectivity and visual amenity, this needs to be continuous.
- On the previous plan the north boundary treatment was not specified, but this is now shown as close-board. It is assumed that the off-site vegetation will be retained; if this is the case, then the fencing is acceptable, but clarification would be useful.
- No information is given for the treatment along the southern boundary: the planting that was initially proposed is now deleted.
- A revised landscape scheme is therefore still required.

3.13 Other Representations

6 letters of objection received and 1 letter of support, summarised as follows:

Comments on amendments:

- The proposed site planning application has been improved in layout and landscaping.
- The new proposed properties have been repositioned away from our immediate rear boundary which has alleviated our previous concerns regarding privacy.
- It appears on the plan that our conifer hedge is on the other side of our boundary line however this is not the case as they were planted within our side of the fence line, some of the original posts still remain although the branches have overgrown them.
- We find this new site plan application more acceptable.

Original comments:

- The proposed site layout has 2-storey dwellings in the rear corners on the site, where the land is considerably higher than the existing dwellings.
- It would be more acceptable to move these 2 storey dwellings to part of the site where the land is lower and replace them with single storey dwellings at the rear of the site
- Access and roads on development are too narrow.
- The site has bungalows nearby but has proposed that the tallest buildings are placed on the highest land overlooking existing properties.
- The mature trees and hedges that screened our back garden have already been removed. We would request that some form of natural screening be reinstated to ensure our privacy.
- A development of this size is not in keeping with the character of the village and is far too large.
- Few amenities and a development of this size will add pressure to the local Doctors surgery and schools
- Why isn't the developer directed to move these two story houses to a lower part of the site and place bungalows on the higher land of the site.
- The proposed site layout is an improvement on the previous outline plan.

4 Assessment

- 4.1 The application seeks reserved matters approval for 38 dwellings on land off Bobbins Way in Swardeston.
- 4.2 The site itself is located to the east of Cavell Close and to the north of properties on Wood Lane. The land to the north comprises greenhouses relating to Bobbins Nursery and a farm shop. The land to the east of the site is agricultural land. The site boundaries to the south and east are enclosed by a mixture of trees and hedgerows.
- 4.3 The site slopes gently upwards from north to south and there is also a change in level between the site and the properties in Cavell Close, which are at a lower level than the site.
- 4.4 This application follows the grant of planning permission allowed on appeal by the Secretary of State (ref APP/L2630/W/15/3039150 decision dated 29 January 2016 under application 10147/14/2). The development would be accessed from the B1113 via Bobbins Way. The scheme would provide 38 dwellings of which 33% are affordable units, consisting of the following:

Open market dwellings
 3 x 4 bedroom houses
 6 x 3 bedroom houses

Affordable dwellings
 3 x 2 bedroom bungalows
 4 x 1 bedroom flats
 4 x 2 bedroom houses
 2 x 3 bedroom houses

- 4.5 The principle of residential development has already been established by the appeal decision for the site. The Planning Inspector in reaching this decision concluded that the appeal proposal would not lead to significant and demonstrable harm to the character and appearance of the area and that the benefits of providing additional dwellings where the Council could not demonstrate a five-year supply of housing, outweighed the conflict with policies that seek to protect the countryside.
- 4.6 A copy of the Inspector's appeal decision and schedule of conditions is attached as Appendix 2.
- 4.7 A S106 legal agreement was secured with the outline consent for the site and this secured a number of obligations, including affordable housing and recreational space and play equipment obligations. A subsequent Deed of Variation has been agreed to amend the open space and play obligations in accordance with the outline consent. The S106 secures a sum for the extension or improvement of recreational facilities or equipment within Swardston, in lieu of the provision of children's play space on site.
- 4.8 Having regard to the fact that the principle of residential development has been established, the main issues for consideration of this application are:
- highways issues;
 - layout and appearance;
 - landscaping and open space;
 - ecology;
 - drainage;
 - residential amenity;
 - affordable housing; and
 - renewable energy and water efficiency.

Highways issues

- 4.9 The principle of the development being served off Bobbins Way and number of dwellings was considered acceptable at outline stage subject to the provision of an appropriate visibility splay on either side of the access onto the B1113. The Highway Authority has confirmed that they have no objection to the proposed access arrangements subject to the conditions of the outline planning permission.
- 4.10 With regard to the detailed road layout of the site, the Highway Authority have made a number of detailed comments with regards to the technical specifications of the scheme to comply with the County Council highway standards. Comments on the subsequent amended plans are still awaited from Norfolk County Council as Highway Authority at the time of writing this report and will follow as an update.
- 4.11 In respect of parking provision, policy compliant levels of parking have been exceeded across the site, equating to 2 spaces per 2 & 3 bedroom dwelling and 3 to 4 spaces per 4 bedroom dwelling. Garages are also sized to ensure sufficient storage space in addition to parking that comply with the Parking Standards for Norfolk Guide (2007).
- 4.12 With regards to pedestrian and cycle connections, the site layout has been designed to connect into the surrounding village by providing direct, safe and convenient walking and cycle routes. The layout allows easy pedestrian and cycle movement through the site connecting to Bobbins Way and the B1113.
- 4.13 The proposal is therefore considered to comply with the requirements of policies DM3.12 and DM3.13 of the South Norfolk Local Plan, subject to confirmation from the highway authority that they are satisfied that the internal site layout complies with highway standards.

Layout and appearance

- 4.14 Policy 2 of the JCS and section 7 of the NPPF requires all development to achieve good design.
- 4.15 The general layout of the site, which has been informed by the outline planning permission and amended following discussions with the Council's Senior Conservation and Design Officer, is considered acceptable. The amended proposals include a variety of buildings that face towards the street and public open space to help create a sense of character focused around a central open space.
- 4.16 The proposals deliver a range of dwellings that reflects the local vernacular using traditional materials and appropriate elevational detailing informed by the surrounding character. Buildings are proposed in prominent and logical locations to reinforce the overall character combined with landscaping and public open space. The combination of these elements ensures that the local identity is reinforced and that buildings positively contribute to the site layout.
- 4.17 The majority of car parking is on plot, with one small parking bay which is directly overlooked by properties and screened by landscaping to minimise views of cars from the road. Dwellings generally benefit from garages that help to support street scenes and remove parked cars from the road. This has led to tandem parking in some instances, but this is required to support the street scene where on plot parking is proposed between detached and semi-detached dwellings. In respect of parking provision, policy compliant levels of parking have been provided across the site as noted above. On this basis it is considered that the parking arrangements on balance, are acceptable in design terms.
- 4.18 In terms of affordable housing, this has been integrated into the site following amendments to the overall housing layout and mix of dwellings. The affordable housing has been distributed in two small groups to the east and west of the site and are not distinguishable from other housing types in terms of design quality. Their position within the overall development, proximity to the public open space, elevational treatments and detailing are considered to be acceptable in terms of the character created and are in accordance with the South Norfolk Place Making Guide SPD.
- 4.19 Overall, it is noted that the Council's Senior Conservation and Design Officer considers that the amended scheme is acceptable, resulting in a development with its own distinctive character that relates positively to its surroundings. The proposal therefore meets the requirements of Policy 2 of the JCS, section 7 of the NPPF and policy DM1.4, DM3.8 and DM4.3 of the South Norfolk Local Plan and South Norfolk Place-Making Guide SPD. In addition to the above, a Building for Life assessment has been carried out, which scores 11 green out of 12.

Landscaping and open space

- 4.20 With regards to the landscaping, the applicant has submitted a Landscaping Scheme, which has been amended during the course of the application to provide details of the provision of plants and landscaping, including a hedgerow along the eastern boundary of the site. The Council's Landscape Architect has carried out an assessment of the proposals and has recommended that a further revised plan is required to provide details of the hedge on the eastern boundary of the site and details of the proposed planting mix. It is suggested that this is subject to a condition requiring the submission of details at a later stage and the implementation of the landscape scheme.
- 4.21 In terms of open space, this has been enhanced from the original outline proposals, to create a focal point within the development and provide a good level of separation between the proposed dwellings and existing residential properties on Cavell Close. Other amendments have including enhancing the site boundaries and supplementing them with

additional planting to ensure that there is an appropriate interface with the rural setting. The Landscape Architect has confirmed that the amendments and overall landscape approach is acceptable in this regard.

- 4.22 In terms of meeting the Council's open space requirements, an area of 2000sq/m of older children's/adult's recreation space is proposed, with a commuted sum secured in the S106 Agreement, to be used for the extension or improvement of indoor or outdoor recreational facilities or equipment within Swardeston. The sum is to be used in lieu of the actual provision of 1000sqm of children's play space on site.
- 4.23 The principle of securing a financial contribution in lieu of the provision of children's play space was agreed at the outline stage and is necessary to deliver the number of consented dwellings on the site at an appropriate density. The Council's Play and Amenities Officer has confirmed that this approach is acceptable. As such and subject to the provisions set out in the S106, it is considered that the open space requirements have been met.
- 4.24 With regards to the future management responsibilities and long-term design objectives, it is recommended this is subject to a condition requiring the submission of details at a later stage. As such it is considered that the proposed landscaping is acceptable and accords with Policies DM4.9 and DM4.10 of the South Norfolk Local Plan.

Ecology

- 4.25 The County Ecologist has carried out an assessment of the proposals, concluding that the appeal decision and proposals do not conflict with the original ecological conditions and as such have no objections to the proposals. Therefore, subject to the compliance with the conditions of the outline consent, it is considered that the impacts on ecology are acceptable and accords with the NPPF section 1, conserving and enhancing the natural environment and JCS Policy 1, addressing climate change and protecting environmental assets.

Surface and foul water

- 4.26 Condition 4 of planning permission ref 2014/1642, requires that concurrently with the submission of the reserved matters, a surface water drainage scheme is submitted to, and agreed in writing by the local planning authority.
- 4.27 The application is supported by a Surface Water Drainage Scheme that builds on the Flood Risk Assessment to provide details of the drainage proposed.
- 4.28 The report has been updated and additional information has been provided in response to comments from the Lead Local Flood Authority (LLFA) who have subsequently agreed that the applicant now demonstrates how surface water drainage will be managed on site without increasing flood risk on the site or elsewhere, in line with National Planning Policy Framework (NPPF).
- 4.29 As such it is considered that sufficient information has been submitted to adhere with the submission element of condition 4 of planning permission ref 2014/1642, and that the proposals comply with the second part of the condition, which requires the details of the surface water drainage scheme to be agreed by the local planning authority.
- 4.30 With regards to foul water capacity, this was considered at the outline stage and is proposed to be via the main sewer by Anglian Water who have confirmed that there is capacity within the network. As such the proposals are considered acceptable in this regard.

Residential amenity

- 4.31 Policy DM3.13 requires development to have regard to the impacts on residential amenity.
- 4.32 Potential impacts on residential amenity of existing properties largely relate to those properties along the south and west boundaries of the site. It is noted that land along the west boundary of the site is higher than both Cavell Close and Wood Gardens and that there is a change along this boundary.
- 4.33 In response to the concerns raised by the Parish Council and neighbours regarding the height and scale of the proposed dwellings along these boundaries, the site layout and house types have been amended to minimise the impact on the amenity of existing dwellings in terms of loss of light, outlook or privacy. Consequently, three single storey dwellings are now proposed in the west corner of the site on the rear of Cavell Close and Wood Gardens, rather than two storey dwellings. The reduced scale and position of the properties proposed, together with the separation from existing properties and proposed boundaries is considered sufficient to ensure that there would be no significant adverse impact on existing residential amenity.
- 4.34 In terms of the amenities of residents on Cavell Close that back onto the proposed public open space, it is felt that the relative distance and separation between the open space is acceptable ensuring no adverse impact on amenity in terms of loss of light, outlook or privacy. Furthermore, the relationships between the new and proposed dwellings is sufficient that future owners will each have adequate levels of amenity in terms of outlook, privacy and light and have suitable sized and private amenity spaces.
- 4.35 The amended scheme is therefore considered to comply with the requirements of Policy DM3.13 of the South Norfolk Local Plan that requires development to have regard to the impacts on residential amenity.

Affordable housing

- 4.36 Policy 4 of the JCS requires 33% of the total number of units to be affordable, unless it can be demonstrated that it is not viable to do so. In this instance the scheme proposes 12 affordable homes (4 for rent and 8 for shared equity), which equates to 33% of the total number of properties. The Council's Housing and Enabling Officer has reviewed the mix and confirmed that it is acceptable, meeting the housing needs of a range of household types and sizes.
- 4.37 With regards to the location of the affordable housing, this has been integrated into the site following amendments to the overall housing layout as noted above in my report. As such the scheme is considered to comply with the requirements of JCS Policy 4 and Policy DM3.1 of the South Norfolk Local Plan.

Renewable energy and water efficiency

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

Financial considerations

- 4.39 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.
- 4.40 This application is not liable for Community Infrastructure Levy (CIL) as outline permission was granted prior to CIL being adopted by the Council.

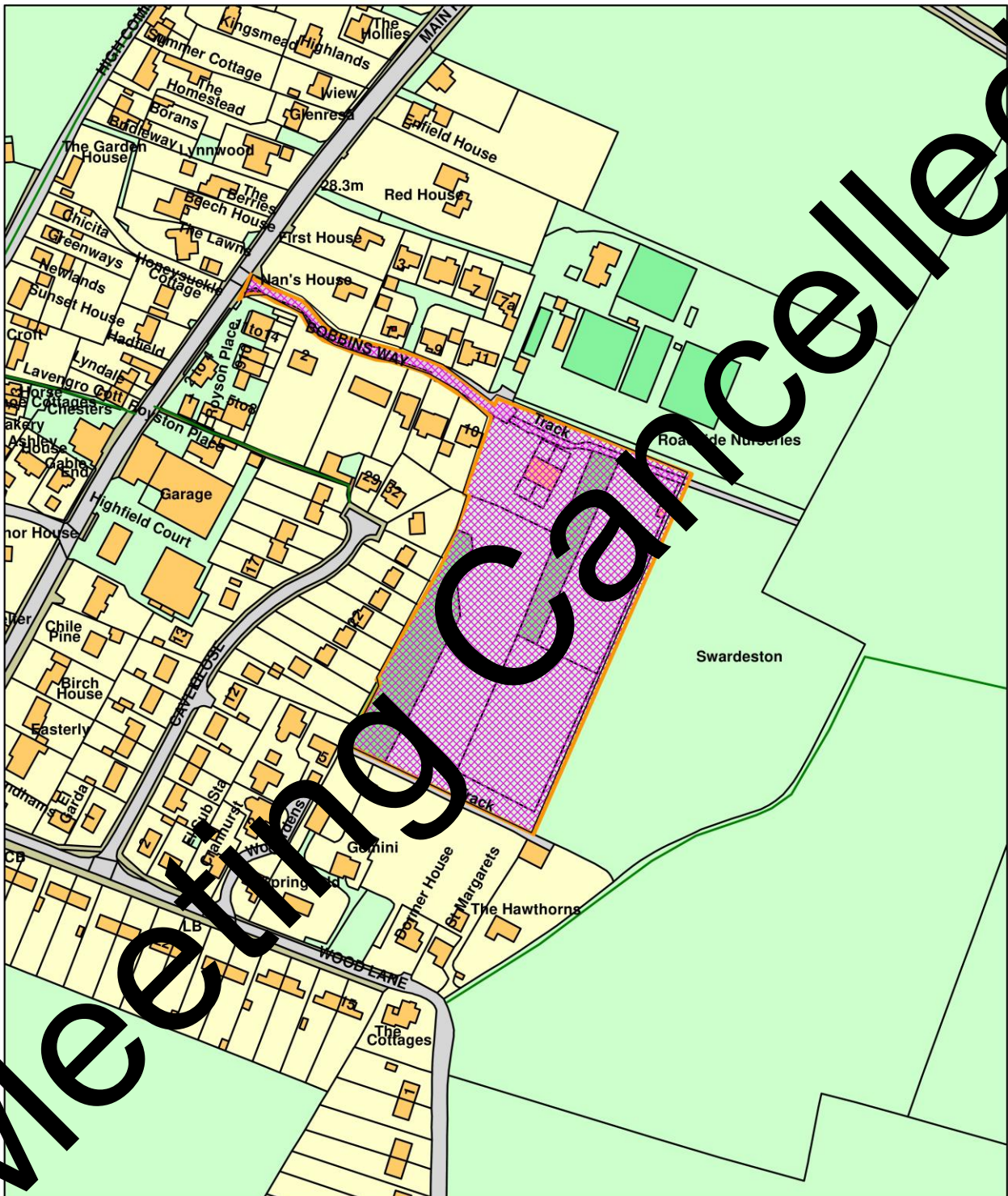
5. Conclusion

- 5.1 With the principle of development having been established by the appeal decision, it is evident that the current scheme has had regard to the conditions of the Inspector's decision, where necessary, and the scheme complies with the requirements of Policy 1, 2, 4 and 15 of the Joint Core Strategy and South Norfolk Local Plan Policies DM1.1, DM1.3, DM1.4, DM3.1, DM3.2, DM3.8, DM3.11, DM3.12, DM3.13, DM3.14, DM3.16, DM4.2, DM4.3, DM4.8 and DM4.9
- 5.2 Subject to the imposition of conditions and no objection from the Highway Authority, the application is recommended for approval.

Contact Officer, Telephone Number and E-mail: Chris Watts 01508 535165
cwatts@s-norfolk.gov.uk

2017/2247

Appendix 1



Scale 1:2,500

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

Appeal Decision

Hearing held on 29 September 2015

Site visit made on 29 September 2015

by D J Board BSc (Hons) MA MRTPI

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

Decision date: 29 January 2016

Appeal Ref: APP/L2630/W/15/3039150

Land off Bobbins Way, Swardeston, Norwich, NR14 8DT

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
- The appeal is made by Jenkinson Properties Ltd against the decision of South Norfolk District.
- The application Ref 2014/1642/O, dated 11 August 2014, was refused by notice dated 12 December 2014.
- The development proposed is demolition of existing buildings, residential development and ancillary works.

Decision

1. The appeal is allowed and planning permission is granted for demolition of existing buildings, residential development and ancillary works in accordance with the terms of the application, Ref 2014/1642/O, dated 11 August 2014, subject to the conditions in Annex A.

Application for costs

2. At the Hearing an application for costs was made by Jenkinson Properties Ltd against South Norfolk Council. This application will be the subject of a separate Decision.

Procedural Matters

3. The application was submitted in outline, with the detailed matter of access submitted for consideration. The other matters are reserved for future consideration. We have dealt with the appeal on this basis.
4. Since the submission of the appeal the Council has updated its position on Housing Land Supply. In light of this the Council has, in effect, withdrawn its substantive objection to the scheme. This is subject to the provision of affordable housing and open space.

Main Issue

5. The main issue is whether or not the proposal would be a suitable site for housing, having regard to the principles of sustainable development.

Reasons

6. The development plan includes the Joint Core Strategy (JCS) for Broadland, Norwich and South Norfolk and saved policies of the South Norfolk Local Plan

Appeal Decision APP/L2630/W/15/3039150

(LP). Within the current planning policy framework the site is in the countryside.

7. The Council confirmed prior to and at the Hearing that it can no longer demonstrate a five year supply of housing. I have no reason to disagree. Therefore paragraphs 49 and 14 of the National Planning Policy Framework (the Framework) are engaged and the relevant policies for the supply of housing should not be considered up to date.
8. LP Policy ENV8 is designed to protect the countryside rather than being 'relevant to the supply of housing'. In this regard it is not out of date and is relevant to the consideration of matters of character and appearance. I have also been referred to policies 3, 9 and 15 from the JCS. I consider that these policies are consistent with the Framework.
9. The largest part of the built up area of Swardeston is located adjacent to the site. The built up area wraps around the site to its south and west. The site is directly adjacent to the settlement boundary. I appreciate that the proposal would introduce built development onto an area that is currently open in appearance. However, the limit of the site to the south east would be broadly contiguous with the extent of the existing nurse's buildings. In addition I note that there is open countryside to the east. However overall, the site would relate well to the development around it. Within the immediate context it would not represent a significant outward extension. The immediate area has a residential feel and as such development on this site would not appear out of place.
10. The site would not be visible from the main road (B1113) as it would sit behind existing properties on this road and Bobbins Way. From Wood Lane the site would be glimpsed through the existing properties. I appreciate that the piece of land is on the edge of the settlement. However, it would be seen against the backdrop of existing development on Cavell Close and Bobbins Way. This would serve to lessen the impact of the development. Overall, the addition of dwellings in this location would not fundamentally alter the appreciation of Swardeston as a settlement within the wider rural landscape.
11. Paragraphs 7 and 18 of the Framework require the economic, social and environmental dimensions of sustainable development to be considered together. The provision of new dwellings would provide employment during construction. Future residents would also be likely to make use of the existing services in the village. However, I appreciate that whilst there are some services in the village they are limited in number and type. Therefore there would be some economic benefits but these would be limited and in some cases temporary.
12. In regard to the social role the village does have some facilities. In particular my attention has been drawn to the fact that Swardeston is identified as a 'service village' within the JCS policy 15. The village also benefits from bus services with onward connection to larger settlements in the area and to Norwich. Walking and cycling would be possible within the village. Nevertheless I appreciate though that access to other settlements to reach a substantial range of facilities would be reliant on the car.
13. The site is close to other housing and would not be an isolated development in the countryside. It would be as accessible to services as other dwellings in the

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settlement boundary. Furthermore, Swardeston is located within a rural district. I understand that Norwich is accessible. However, in the context of the whole district Swardeston does have some facilities. Overall whilst the location is not a significant benefit in transport terms it is not wholly without advantages.

14. The final dimension of sustainable development is the environmental role. I have considered the effect of the proposal on the character and appearance of the area and found that, overall, the provision of housing in this location would not have a harmful effect on the character and appearance of the area.

15. I therefore conclude that the site would be a suitable site for housing, having regard to the principles of sustainable development.

Other matters

16. Whilst not reasons for refusal I have carefully considered the comments from local residents. In particular issues have been raised regarding loss of privacy, impact on outlook, surface water and foul drainage and construction traffic.

17. I appreciate that near neighbours are concerned about the resultant relationship. The layout of the development would be part of the reserved matters submission. There is strong planting to the site boundaries and suitable intervening distances could be achieved so there would not be loss of privacy or outlook. There is no substantial evidence that the site could not be adequately drained. Consequently this matter could be dealt with by condition. Construction management could also be dealt with by condition.

18. Swardeston Parish Council is concerned about the development of the appeal site and other sites. In particular that there are other sites that would be preferable and in addition that if both this site and another site were to be developed then there would be a disproportionate number of new dwellings in the village. It is not for me to make a judgement about the suitability or otherwise of other sites. I have considered the appeal before me on its individual merits and relevant and local and national planning policy.

19. The Framework sets out policy tests for the seeking of planning obligations and there are similar statutory tests contained in Regulation 122 of the Community Infrastructure Regulations (2010) (CIL) which must be met for obligations to be given weight. These tests apply to the submitted obligation.

20. Provision of affordable housing is necessary to address local and national policy requirements and to help meet local needs for such housing. There is also a need for the provision of public open space on the site and an associated computed sum. These obligations are directly related to the development and are fairly and reasonably related to it in scale and kind, as well as being necessary to make it acceptable. They also related specifically and directly to the site. Therefore I have taken the obligation into account.

21. The South Norfolk CIL has been adopted and a payment is required in respect of infrastructure improvements in the area. The collection of the CIL is undertaken by the relevant charging authority, on service of a notice that planning permission has been granted in relation to chargeable development. As such, the requirement for, and enforcement of, the payment of a contribution in relation to infrastructure within the area is not a matter for consideration in this appeal.

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Conditions

22. The Council has suggested a number of conditions which it considers would be appropriate were I minded to allow the appeal. I have considered these in light of the Framework and Planning Practice Guidance and for clarity some of the proposed wording is amended. Conditions are necessary that relate to the standard time limits and submission of reserved matters. A condition regarding the identification of the approved plans is required for the avoidance of doubt. Landscaping would be a reserved matter. Therefore a specific condition would not be necessary.
23. To ensure proper drainage of the site conditions relating to surface water and foul drainage strategies are also necessary. In the interests of highway safety conditions requiring the provision of visibility splays, roads and footways and on site parking for construction would be reasonable and necessary. In the interests of protected species conditions are necessary to secure the appropriate searching of the site and any buildings.
24. To protect the living conditions of adjoining occupiers conditions to require details of external lighting, construction works and delivery times would be necessary. Conditions would also be necessary to ensure that adequate measures for dealing with contamination are in place. In accordance with the requirements of JCS policy 3 conditions requiring a scheme for low carbon energy and water conservation measures are necessary.

Conclusion

25. The appeal proposal would not lead to significant or demonstrable harm to the character and appearance of the area or to any wider sustainability objectives when assessed against LP policies, including ENV8 and the policies of the Framework. In light of this, and the benefits of the proposal in providing additional dwellings, I consider that the conflict with policies that seek to protect the countryside would be outweighed by other considerations. Having had regard to all other matters raised I therefore conclude that the appeal should be allowed.

D J Board

INSPECTOR

Annex A – Conditions

1. Application for the approval of the reserved matters must be made before the expiry of three years from the date of this permission. The development hereby permitted should be begun before the expiration of two years from the date of approval of the last of the reserved matters to be approved.
2. No development shall commence until the plans and descriptions giving details of the reserved matters referred to above shall have been submitted to and approved in writing by the local planning authority. These plans and descriptions shall relate to appearance, scale, landscaping and layout of any building to be erected together with the precise details of the type and colour of the materials to be used in their construction.
3. The development hereby permitted shall be carried out in accordance with the application form, plans and drawings and other documents and details submitted or provided by the applicant including drawing number 6010/LM/01 F; 6010/RD01; 6010/S/01 Rev A.
4. Concurrently with the submission of reserved matters a surface water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include:
 - a. Written confirmation of the run rate at a level below 5 l/s or as agreed with the Environment Agency;
 - b. Dimensions and calculations that demonstrate that the surface water drainage scheme would accommodate the critical duration 1 in 100 year rainfall event (incorporating the recommended allowances for the potential impacts of climate change);
 - c. Plans and drawings to be submitted showing the locations and dimensions of all aspects of the proposed surface water management scheme;
 - d. Details of how the scheme shall be maintained and managed after completion.
5. No work shall commence on the site until such time as detailed plans of the roads, footways, foul and surface water drainage have been submitted to and approved in writing by the Local Planning Authority. All construction works shall be carried out in accordance with the approved plans and shall thereafter be retained in the agreed form.
6. No works shall be carried out on roads, footways, foul and surface water sewers otherwise than in accordance with the specification of the Local Planning Authority.
7. No dwelling shall be occupied until the road(s) and footway(s) shall be constructed to binder course surfacing level from the dwelling to the adjoining County road in accordance with the details to be approved in writing by the Local Planning Authority.
8. Prior to the first occupation of the development hereby permitted a visibility splay measuring 2.4 x 59 metres shall be provided to each side of the access where it meets the highway and such splays shall thereafter be maintained

at all times free from any obstruction exceeding 0.225 metres above the level of the adjacent highway carriageway.

9. No development shall commence until a scheme detailing provision for on site parking for construction workers for the duration of the construction period has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented throughout the construction period.
10. A qualified ecologist must be present prior to and during the demolition of the piggery building. The building should be hand searched for roosting bats by an ecologist. The building should be left in a condition unsuitable for roosting bats before demolition. The search should be conducted at a time of year when bats are unlikely to be using the building as a roost, ideally November to March, avoiding the coldest periods.
11. A qualified ecologist must be present during the hand searching of significant piles of potential refuge habitat and prior to mechanical vegetation removal. No trenches or ground excavations should be left open without a means of reptiles/amphibians being able to find their way out. All piles of spoil, timber or rubble should be kept clear of the ground by removal either to a skip, or by being elevated, to ensure that potential refuge sites are not inadvertently created.
12. No external lighting shall be erected until its full details of its design, location, orientation and level of illumination (in Lux) provided have first been submitted to and agreed in writing with the Local Planning Authority. Any agreed lighting shall thereafter be implemented in accordance with the approved details.
13. In the event that contamination that was not previously identified is found at any time when carrying out the approved development, it must be reported in writing immediately to the Local Planning Authority. All development shall cease and shall not recommence until: (a) a report shall be submitted and agreed in writing by the Local Planning Authority which includes the results of an investigation and risk assessment together with proposed remediation scheme to deal with the risk identified and (b) the agreed remediation scheme has been carried out and a validation report demonstrating its effectiveness has been approved in writing by the Local Planning Authority.
14. Concurrently with the submission of the reserved matters a scheme that details how the development shall be designed and built to achieve a water consumption rate of no more than 105 litres/person/day shall be submitted to and agreed in writing with the Local Planning Authority. No occupation of any dwellings shall take place until the Local Planning Authority has received written confirmation that the development has been constructed in accordance with this requirement. All completed water conservation measures shall be installed in accordance with the agreed details and thereafter retained.
15. Concurrently with the submission of the reserved matters a scheme for generating a minimum of 10% of the predicted energy requirement of the development from decentralised renewable and/or low carbon sources for the dwellings shall be submitted to and approved in writing by the Local

Appeal Decision APP/L2630/W/15/3039150

Planning Authority. No dwelling shall be occupied until the agreed strategy has been implemented in so far as it relates to that dwelling. The approved scheme shall remain for the lifetime of the development.

16. No development shall commence until a timetable for the hours of deliveries associated with the construction works on site has been submitted to and agreed in writing with the Local Planning Authority. The agreed timetable shall be adhered to throughout the construction phase.

Meeting Cancelled

Appeal Decision APP/L2630/W/15/3039150

APPEARANCES

FOR THE APPELLANT:

Jason Parker
Jason Barber
Michael Bobbin

Parker Planning
David Footer Associates
Land Owner

FOR THE LOCAL PLANNING AUTHORITY:

Chris Raine
Tracey Lincoln
Jo Hobbs
Lynn Armes

South Norfolk Council
South Norfolk Council
South Norfolk Council
South Norfolk Council

INTERESTED PERSONS:

Stuart Brown
John Marjoram
S Huntley

Local resident
Local resident
Swardeston Parish Council

DOCUMENTS:

1. Appellant's cost application
2. JCS Policy 9
3. Summary of Appeal APP/L2630/W/15/3039150
4. Planning obligation
5. JCS Policy 3
6. Report on the examination into the South Norfolk Local Plan (Site Allocations & Policies Document, Development Management Policies Document and Wymondham Area Action Plan) dated 28 September 2015
7. Local Plan – Site Specific Allocation & Policies DPD Map 021, Swardeston

Application referred back to Committee

3. Appl. No : 2017/1828/RVC
Parish : ALDEBY

Applicants Name : Mr Akerman
 Site Address : Aldeby Business Park Common Road Aldeby NR34 0BL
 Proposal : Variation of Condition 4 (Hours of Use) of 2000/0917 - Change of Use from B2 (General Industrial) use to mixed B2 (General industrial) and B8 (Storage/Distribution) use - to allow permanent change to hours of use (following temporary change to hours of use under Permission 2015/1994)

Recommendation : Approval with conditions

- 1 Specific Use – B2/B8
- 2 Restricted hours of use
- 3 No extraction / fan system
- 4 No outside manufacturing
- 5 No retail sales
- 6 No vehicle repairs or maintenance
- 7 retention of fencing
- 8 Highways signs to be agreed
- 9 Management plan

Meeting Cancelled

1 Planning Policies

1.1 National Planning Policy Framework
 NPPF 01 : Building a strong competitive economy
 NPPF 03 : Supporting a prosperous rural economy

1.2 Joint Core Strategy
 Policy 5 : The Economy
 Policy 16 : Other Villages
 Policy 17 : Small rural communities and the countryside

1.3 South Norfolk Local Plan Development Management Policies
 DM2.1 : Employment and business development
 DM3.11 : Road safety and the free flow of traffic
 DM3.12 : Amenity, noise, quality of life
 DM3.13 : Pollution, health and safety

2. Planning History

2.1	2015/1994	Variation of Condition 4 of planning permission 2000/0917	Approved
2.2	2000/1367	Erection of fencing to secure site	Approved
2.3	2000/0917	Change of Use from B2 (General Industrial) use to mixed B2 (General industrial) and B8 (Storage/Distribution) use	Approved
2.4	2014/1410	Change of use from office to day centre for Sense and construction of access ramp and platform	Approved

3. Consultations

- 3.1 Town / Parish Council Recommend approval
- Positive local employer
 - Improvements to the site
 - Have given small local businesses the opportunity to rent some of the smaller buildings
- 3.2 District Councillor If the applicant is unwilling to re-site the gates and amend their operation then this application will need to be determined by the committee due to the particular impacts on the amenity of the next door neighbour and to allow time for Environmental Health to carry out an investigation on site of the changed layout and its impact on the neighbour.
- 3.3 NCC Highways The Highway Authority have received a number of comments from local residents and the Parish Council concerning increased numbers of vehicles entering the business park via Dun Cow Road and Common Road rather than the signed route along Rectory Road/Beccles Road.
- Recommend condition that directional signs should be agreed and an informative note on works to the public highway.
- 3.4 SNC Community Services - Environmental Quality Team No comments received
- 3.5 SNC Community Services - Environmental Quality Team No objection subject to submission of a management plan.
- 3.6 Other Representations For letters of support
- Concerns over traffic - lost traffic turns at Dun Cow Road, would suggest traffic direction signs as the application is for a permanent change
 - Small road but is used by a number of people
- Three letters of objection
- Security gate at the entrance to the site, emits additional noise and disturbance - would not be heard 24/7
 - Lights and pollution
 - Seagulls causing mess and noise
 - Noise caused by engines and reversing alarms
 - Security - if entrance gates are left open there would be a greater risk of burglary
 - Increased use of traffic
 - Issues with traffic - no footpath or speed restrictions
 - Noise and disturbance from drivers late at night
- A further consultation was undertaken based on further information submitted in support of the application and the following 2 comments were received:

OBJECT STRONGLY to the Hamilton's storage and distribution having 24-hour access. It is a nightmare living here because of the noise, constant bikes revving, cars revving, there's a lot of banging, cars and caravans in and out all-day long. The Hamilton's lorries start as early as 4.30am with engines idling, radios blaring out. There is a sign on the gate saying, "RESPECT NEIGHBOURS" but the sign is so small the lorry drivers did not even know it was on there.

There is more caravan storage being made at the back of the site so there will be more and more vehicle movements all through the summer.

We would like to have some peace and quiet at some point during the evening and weekends. It would be lovely if we could have at least one day of peace a week.

What started out as a removal company has now turned into an industrial estate which is obviously devaluing our property. Surely 7am til 10pm is more than sufficient.

A further letter of objection has been received and is summarised as follows:

The main concern is noise, traffic and pollution caused by vehicles entering, waiting and exiting the site. The previous operation did have permission for longer opening hours but these were restricted times of the year and they only entered the site using this access, they exited using another. A new factor is the business units to rent which contribute to noise and disturbance. Therefore, this change of use needs to be carefully looked at.

The applicants has submitted further information in support of their application but it is not clear how drivers will be made aware of instructions about entering and leaving the site; the sign into the site is not very big; and who will enforce the rules to all the different users of the site. Hamiltons claim that they monitor noise but it is not clear how this is done.

The new gate is heavier and more intrusive than the old one, it makes a grating noise and clangs once when opening and twice when closing and the damper pads have made little difference. Hamiltons historically have not been prompt in responding to local concerns so we are concerned that they will not do this in the future.

4 Assessment Background

4.1 Councillors may recall this application to agree the opening hours of application reference 2015/1994 on a permanent basis, which was previously heard at planning committee on 11th October 2017 and deferred for clarity on the impacts of the opening hours on the neighbouring properties. The earlier committee report has been appended to this report for information.

4.2 Since this time officers have been meeting with the immediate neighbour and the applicant to progress this application. The applicant has also submitted more information and explanation in support of their proposals and this has been publicly consulted upon to ensure local people have the opportunity to respond. The two responses received are summarised above in the 'representations' section of this report.

- 4.3 Previously this application was recommended for approval with proposed conditions.

Policy

- 4.4 Adopted Policies NPPF 1, JCS 5 and DM2.1 all support sustainable development of the economy both in the rural and urban area, including securing economic growth to support jobs and prosperity.
- 4.5 Policies DM2.1 and DM3.13 both seek to protect the amenities of neighbouring properties from economic development. Impact on the amenity of neighbours is the principle concern about allowing the increased opening hours on a permanent basis. All other matters are covered in the appended 11/10/2017 Committee report.
- 4.6 Following the earlier committee, the applicants have submitted the following additional information:
- 4.7 They state that all staff and associated parties have been briefed and asked to sign up to a Management Plan and Procedures, which state:
- All vehicles must approach with dipped headlights
 - The use of radios and horns should not be used when entering and leaving the site
 - Other than when gates are opening no vehicles must be left near the entrance to the site with engines idling
 - No vehicle shall exceed 20MPH
 - Staff should respect residents at all times, shouting is strictly prohibited, unless in case of an emergency
 - Inspection of security gates for noise will be carried out on a monthly basis
 - A yearly contract for maintenance of the security gates will be in place with a reputable and qualified firm
 - Any complaints by residents to be acknowledged within 24 hours, with a full investigation and response in full by no more than 10 working days.
- 4.8 This Management Plan and Procedures could be conditioned if the application was considered acceptable.
- 4.9 There is further information provided to demonstrate how much work Hamiltons have done to tidy up the site and make it viable including site clearance, structural works, vermin and sea gull removal and a tidied-up area which serves as caravan and boat storage. They have also installed CCTV, fire and burglary alarms, security gates, all required by insurers.
- 4.10 The new security gate has caused some local concern. The applicants state that the new gate is 1 inch higher (this is than the gate posts which previously existed). Planning permission 2000/0917 required the gate to be set back from its previous position to the current position. The new gate arguably requires planning permission due to the slight increase in height, however, it is in the same position and a gate is shown in this location on the approved plans, therefore it is not considered that we could object to a gate in this location. The applicants state that this gate adds security to the site with the ability to operate it from off site and being electronic has a quieter operation than previously. The gate automatically opens when vehicles approach, to registered number plates. The applicant has had pads fitted to the gate to help reduce noise as it opens and closes.
- 4.11 The applicant has also looked into alternative locations for the gate. The gate cannot be located closer to the highway in order to meet highway standards. Officers previously suggested moving the gate further into the site, the applicants state that there would be greater risk to security if the gate is moved back and this potentially just moves the issue further down the garden of the neighbour's property. The neighbour states that previously the gate was not visible over their wall and causes noise and disturbance. Although the gate is visible over the neighbour's wall, it is only the very top of the gate and given it is only slightly higher,

then it is unlikely that it would be considered unacceptable. However, the applicants have stated that they would reduce the height of the gate to its previous height to address this matter.

- 4.12 The applicant states that it is important to note the previous use of the site, which as Waveney Apple growers who had in the region of 250 commercial vehicles with permitted opening hours of 7am till 7pm Monday to Friday and 7 till 1 on Saturdays. During the months of September to December increased operation hours were permitted on Mondays to Fridays 6am till 10pm (Condition 4 of the 2000/0917). Neighbours have raised concerns with opening all day on Saturdays and Sundays and state that the additional opening hours were at restricted times of the year.
- 4.13 In 2015 the Council granted planning permission for a temporary period of 12 months to allow increased opening hours at the site from 7am till 10pm Monday to Sunday with the power tools being used between 7 and 10 Monday to Friday, between 1 and 10 on Saturdays and not at all on Sundays. In addition, five of Hamiltons vehicles can access the site 24/7 for collection and delivery purposes. This current application is to allow a permanent change to these opening hours. Previously it was noted that Environmental Health had no objections to the proposals and had not received any complaints with regards to the development. From the 11/10/2017 Committee meeting we know that there was one neighbouring property which has been affected by the development and did previously contact the Council with concerns.
- 4.14 The applicants have been contacted and asked to consider more restrictive opening hours on a Saturday and Sunday. They have agreed to the hours suggested of:
- 7am to 7pm on Saturdays
No power tools or machinery between 1pm – 7pm
- 10am to 6pm on a Sunday
No power tools or machinery
- 4.15 On this basis and subject to conditions, the applicant's comments are noted in terms of the needs of the business and this need to be balanced against the potential impact on amenity of the neighbouring property. It is considered that the reduced hours of operation on a Saturday and Sunday could still impact the amenity of neighbouring properties, especially the immediate neighbour, number 4, however, given this is an existing operation and the need to support local business, especially rural business and expansion in accordance with Policies NPPF 1, JCS 5 and DM2.1 then the impacts would be reduced to acceptable hours to allow the operation to proceed.
- 4.16 In addition, to the above, the temporary condition allowed five of Hamiltons vehicles to access the site between 10pm and 7am. The applicants have stated this is an essential part of their operation and only happens in exceptional circumstances when a vehicle is returning or commencing an overseas removal. Therefore, on balance of supporting an existing business in accordance with Policies NPPF 1, JCS 5 and DM2.1, then it is acceptable to re-apply this part of the condition.
- 4.17 Under Section 143 of the Localism Act the council is required to consider the impact on local finances. This can be a material consideration but in the instance of this application the other material planning considerations detailed above are of greater significance.
- 4.18 This application is not liable for Community Infrastructure Levy (CIL).

5. Conclusion

- 5.1 The matters associated with the gate has been addressed above. It is noted that the site has an open B2/B8 permission which could operate 7am till 7pm Monday to Friday and 7am till 1pm on a Saturday without needing planning permission. It is considered that there would be impacts from the development if this was to operate into the evening till 10pm all day on Saturdays and Sundays, albeit without power tools. The applicant's comments are noted in terms of the needs of the business and this needs to be balanced against the potential impact on amenity of the neighbouring property. It is considered that the reduced hours of operation on a Saturday and Sunday could still impact the amenity of neighbouring properties, especially the immediate neighbour, number 4, however, given this is an existing operation then the impacts would be reduced to acceptable hours to allow the operation to proceed. On this basis the proposal is considered in accordance with the relevant National and Development Plan policies and is recommended for approval.

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

Meeting Cancelled

2017/1828

Appendix 1



Scale 1:2,500

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

Appendix 2

Development Management Committee

11 October 2017

5 Appl. No : 2017/1828/RVC
Parish : ALDEBY

Applicants Name : Mr Akerman
Site Address : Aldeby Business Park Common Road Aldeby NR34 0BL
Proposal : Variation of Condition 4 (Hours of Use) of 2000/0917 - Change of Use from B2 (General Industrial) use to mixed B2 (General industrial) and B8 (Storage/Distribution) use - to allow permanent change to hours of use (following temporary change to hours of use under Permission 2015/1994)

Recommendation : Approval with Conditions
 1 Specific use
 2 Restricted hours of use
 3 No extraction / fan system
 4 No outside manufacturing
 5 No retail sales
 6 No vehicle repairs or maintenance
 7 Retention of fencing
 8 Highway signs to be agreed
 9 Management plan

1. Planning Policies

- 1.1 National Planning Policy Framework
 NPPF 01 : Building a strong competitive economy
 NPPF 03 : Supporting a prosperous local economy
- 1.2 Joint Core Strategy
 Policy 5 : The Economy
 Policy 16 : Other Villages
 Policy 17 : Small rural communities and the countryside
- 1.3 South Norfolk Local Plan
 Development Management Policies
 DM2.1 : Employment and business development
 DM3.11 : Road safety and the free flow of traffic
 DM3.13 : Amenity, noise, quality of life
 DM3.14 : Pollution, health and safety

2. Planning History

- | | | | |
|-----|-----------|---|----------|
| 2.1 | 2015/1994 | Variation of Condition 4 of planning permission 2000/0917- to vary the hours of use (temporary) | Approved |
| 2.2 | 2000/1367 | Erection of fencing to secure site | Approved |
| 2 | 2000/0917 | Change of Use from B2 (General Industrial) use to mixed B2 (General industrial) and B8 (Storage/Distribution) use | Approved |
| 2.4 | 2014/1410 | Change of use from office to day centre for Sense and construction of access ramp and platform | Approved |

Development Management Committee

11 October 2017

3. Consultations

- 3.1 Town / Parish Council
- Recommend approval
- Positive local employer
 - Improvements to the site
 - Have given small local businesses the opportunity to rent some of the smaller buildings
- 3.2 District Councillor
- If the applicant is unwilling to re-site the gates and amend their operation then this application will need to be determined by the committee due to the particular impacts on the amenity of the next door neighbour and to allow time for Environmental Health to carry out an investigation on site of the changed layout and its impact on the neighbour.
- 3.3 NCC Highways
- The Highway Authority have received a number of comments from local residents and the Parish Council concerning increased numbers of vehicles entering the business park via Dun Cow Road and Common Road rather than the signed route along Rectory Road/Beccles Road.
- Recommend condition that directional signs should be agreed and an informative note on works to the public highway.
- 3.4 SNC Community Services - Environmental Quality Team
- No objection subject to submission of a management plan.
- 3.5 Other Representations
- Four letters of support
- Concerns over traffic - lost traffic turns at Dun Cow Road, would suggest traffic direction signs as the application is for a permanent change
 - Small road but is used by a number of people
- Three letters of objection
- Security gate at the entrance to the site, emits additional noise and disturbance - would not be heard 24/7
 - Lights and pollution
 - Seagulls causing mess and noise
 - Noise caused by engines and reversing alarms
 - Security - if entrance gates are left open there would be a greater risk of burglary
 - Increased use of traffic
 - Issues with traffic - no footpath or speed restrictions
 - Noise and disturbance from drivers late at night

Development Management Committee

11 October 2017

4 Assessment

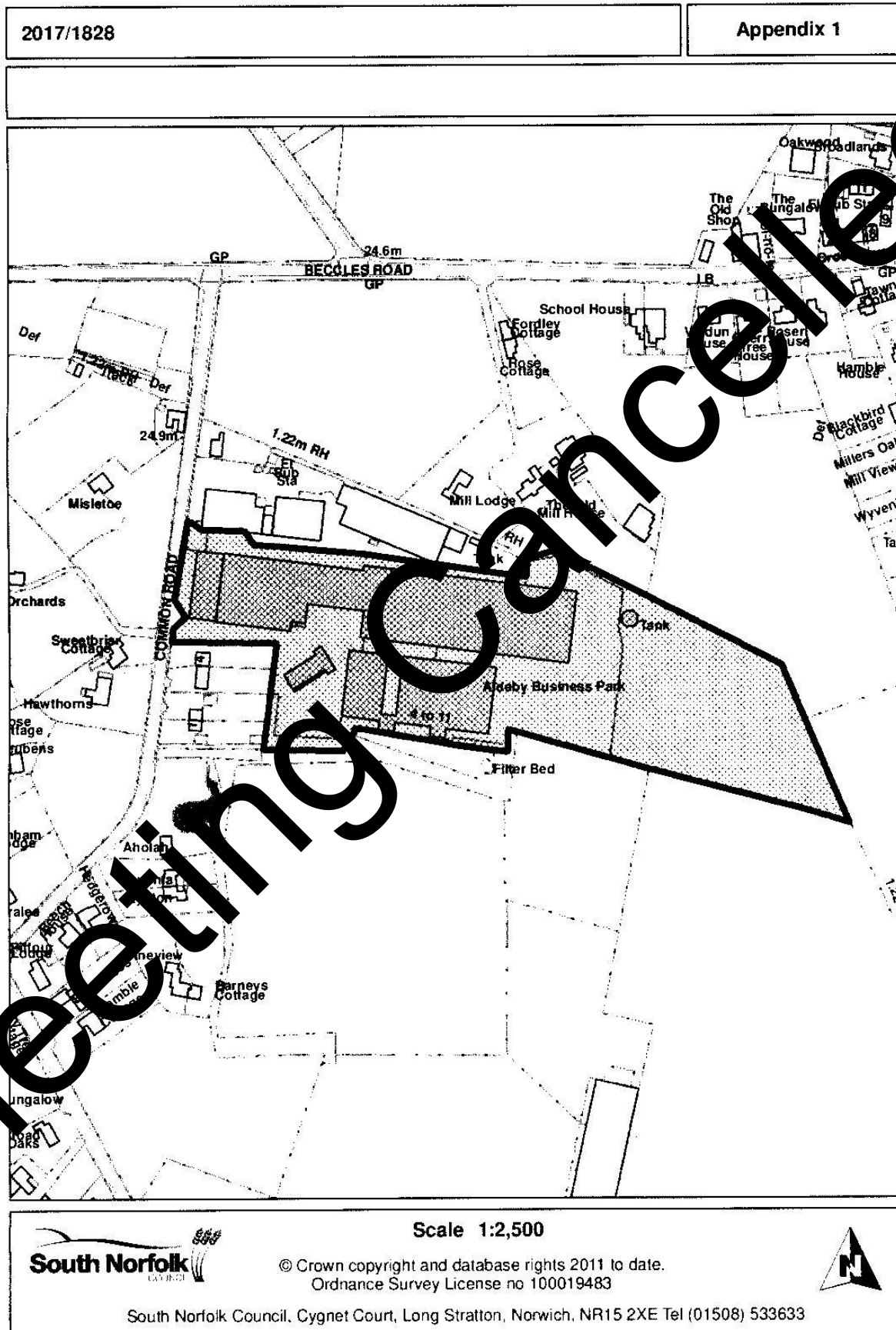
- 4.1 The application relates to a site forming 'Aldeby Business Park' that adjoins the development boundaries of Aldeby. Permission was granted in 2000 for use of the site for B2 and B8 uses with an hours of use condition that prevented use in the evenings and at the weekends other than Saturday morning. A further application was submitted under application ref. 2015/1994 to vary the condition which restricted hours of use of the site, so that the opening hours could be extended. This permission was granted for a temporary period of 18 months from the date of permission.
- 4.2 This application seeks consent to vary condition 4 of application ref. 2015/1994 so that the previously temporarily agreed opening hours are granted permanently. The condition would allow for the use of the site between Monday to Friday 07:00 to 22:00, with no power tools or machinery used between 19:00 and 22:00, Saturday 07:00 and 22:00, with no power tools or machinery used between 13:00 and 22:00 and Sundays and Public Holidays 07:00 and 22:00 hours inclusive with no power tools and machinery to be used. Also, between the hours of 22:00 and 07:00 inclusively, five specified GV's of Hamilton's Removals are permitted access to the site.
- 4.3 The applicant (Hamilton's Removals) originally sought for the condition controlling hours of use to be altered for the benefit of their own operational needs, to allow some vehicles, typically those doing long-distance European removals, to be allowed to return to the site over a longer period of time. Flexibility is also sought for other smaller units which are rented out to local businesses and would benefit from access at evenings and weekends.
- 4.4 The principle of the application has already been assessed and approved, and temporary permission was granted so that in the event of unexpected disturbance during the 18 months, that this would be considered in a forthcoming application.
- 4.5 Policy DM3.13 of South Norfolk Local Plan directs that all development should ensure a reasonable standard of amenity reflecting the character of the local area. Although SNC Environmental Quality Team have not reported any complaints within the 18 month period, I acknowledge a number of concerns raised during the consultation period on this application. These include issues of noise, light pollution and disturbance, specifically in regards to vehicle movement, noise from drivers late at night and disturbance from movement of a security gate.
- 4.6 Following consultation with SNC Environmental Quality Team, although it is not considered that there are sustainable grounds to recommend refusal of the proposal, it has been recommended that a condition is imposed that the applicant must submit a Management Plan to the local planning authority, to be agreed and complied with. This would be considered a reasonable condition to address the concerns raised, given the proximity to the neighbouring residential occupiers of Common Road.
- 4.7 With regard to the noise disturbance from the use of the security gate, I acknowledge comments from a local resident and the District Councillor concerning the impact on amenity through constant access to the site. Although I fully appreciate this concern, as the application relates to the change in operational hours only, it would not be considered reasonable to require the gate to be re-sited, however it is considered that issues of noise could be dealt with by the recommended management plan.

Development Management Committee

11 October 2017

- 4.8 In regards to highway safety, a number of residents have raised concerns with the increase in the number of vehicles entering the business park via Dun Cow Road and Common Road rather than the signed route along Rectory Road/Beccles Road. Following consultation with NCC Highways officer, although it is appreciated that reliance on satellite navigation systems is likely to contribute to this, the extended hours are considered likely to increase traffic movements on the small country roads. As such, minor changes to the existing signage has been suggested, and a condition to this effect has been recommended and would be added to any subsequent permission.
- 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) for additional floor space.
- 5 Conclusion
- 5.1 Overall, the revised hours of use granted under the temporary period have not been considered to give rise to such a significant level of unexpected disturbance, from the business use of the site, as to warrant refusal of this application.

Contact Officer, Telephone Number Lucy Smith 01508 535221
and E-mail: lsmith@s-norfolk.gov.uk



Other Applications

- 4. Appl. No : 2017/2515/F**
Parish : DISS

Applicants Name : Morrisons
 Site Address : Morrisons, Victoria Road, Diss, IP22 4XF
 Proposal : Erection of 4 mixed use retail units, car wash area, tyre service area and small retail pod, within the existing car park.

Recommendation : Approval with Conditions
 1 Full Planning permission time limit (C)
 2 In accordance with submitted drawings
 3 External materials to be agreed
 4 Drainage/Ecology

1 Planning Policies

1.1 National Planning Policy Framework

NPPF 01 : Building a strong competitive economy
 NPPF 02 : Ensuring the vitality of town centres
 NPPF 04 : Promoting sustainable transport
 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
 NPPF 12 : Conserving and enhancing the historic environment

1.2 Joint Core Strategy

Policy 1 : Addressing climate change and protecting environmental assets
 Policy 2 : Promoting good design
 Policy 5 : The Economy
 Policy 6 : Access and Transportation
 Policy 13 : Main Town

1.3 South Norfolk Local Plan Development Management Policies

DM1.3 : The sustainable location of new development
 DM2.1 : Employment and business development
 DM2.4 : Location of main town centre uses
 DM3.8 : Design Principles applying to all development
 DM3.10 : 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
 DM4.10 : Heritage assets

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

S66(1) Planning (Listed Buildings and Conservation Areas) 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 Planning (Listed Buildings and Conservation Areas) Act 1990 provides: "In the exercise, with respect to any buildings or other land in a conservation area, of any functions under or by virtue of [the Planning Acts], special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area."

2. Planning History

2.1	2017/2385	Home Shopping Canopy with associated Delivery Vehicle Parking Zone	Approved
2.2	2008/1803	To vary condition 10 on planning permission 2005/1329 - To reflect the Highway Authorities advice that the exit only egress into Park Road is not needed	Approved
2.3	2005/2178	Demolition of 119 Victoria Road in relation to works for new superstore	Approved
2.4	2005/2169	Demolition of existing buildings and extension to car park for an additional 13 spaces - amendments to approved application 2005/0910/D.	Approved
2.5	2005/1770	Amendments to approved application 2005/0910/D comprising of extension to car park for the addition of 100 spaces & extension to store for toilet and ATM facilities, alterations to south west corner of building and no additional trolley bays.	Refused
2.6	2003/2180	Proposed extension to existing retail foodstore	Approved
2.7	2003/0953	Proposed demolition of existing building and redevelopment to provide replacement retail store (Class A1) parking, new and amended access with transport & gyratory facilities	
2.8	1997/1709	Extension to existing store and car park with associated works	Approved
2.9	1994/0520	Erection of petrol filling station and car wash	Refused

Appeal History

2.1	1994/0520	Erection of petrol filling station and car wash	Allowed
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3. Consultations

3.1	Town / Parish Council	Car wash and tyre service area – these proposals are more suited to out of town centres; especially as there is an existing car wash facility within the petrol station forecourt. The impact on the riverside walk and its access would be compromised and given that the provision and maintenance of the riverside walk was a condition of the original development consent, these proposals are considered unacceptable. In addition, these services are likely to impact on the ecology of the River Waveney immediately adjacent.
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Loss of car parking spaces - in a 2015 car parking survey on Mere Street, Morrisons was the most popular place to park, evidence shows that a significant proportion of people parking at Morrisons also visit the town centre, there is concern that the loss of car parking spaces will impact on this mutually beneficial co-relationship between this supermarket retailer and Diss town centre.

Retail impact – This proposal could have a detrimental impact on the Heritage Triangle, a recent multi-million pound investment in the town centre and the proposed additional retail units have not been justified. The 2007 retail assessment used in the Core Strategy of the Local Plan to determine what additional retail floorspace Diss could accommodate to 2026 was deemed 'less relevant now, given the current financial climate and changes in shopping habits' by the Planning Inspector at a recent appeal for retail development of the neighbouring Marstons site. The applicant has provided no evidence of a retail impact assessment which is considered essential for this proposal. It is considered there should be sufficient space within their existing footprint to accommodate the proposed retail units. It is also premature to our cross-county boundary Neighbourhood Plan which is in its early stages of development.

Design Quality – the poor quality of design detracts significantly from the conservation area and places the service areas to the road frontage creating an unattractive setting out of keeping with the surrounding area. The juxtaposition of the proposed retail units creates a 'them and us' with the town centre which is considered inappropriate for this location given the existing co-relationship.

Traffic Impact – there is concern about the impact of this proposal on A1066 traffic given the impact these units would have on internal car park traffic flow and the existing vehicle movements in and out of the site.

- | | | |
|-----|----------------------------------|--|
| 3.2 | District Councillor | To be reported if appropriate. |
| 3.3 | Ipswich Council | No comments |
| 3.4 | Environment Agency | No comments received |
| 3.5 | NCC Ecologist | Initially expressed a recommendation for a Preliminary Ecological Assessment (PEA) but following the submission of further information from the applicant, they recognised the existing land-use, the relatively small-scale of the development and the detail regarding the direction of the water from the car wash. Therefore, they raise no objection to the proposal without the need for further information in this instance. |
| 3.6 | SNC Water Management Officer | Initially objected to the proposals on the grounds that no drainage information had been submitted. Following submission of the necessary information, they have no objections with regards to drainage. |
| 3.7 | SNC Environmental Waste Strategy | No comments received |

3.8 SNC Community Services - Environmental Quality Team No comments received

3.9 NCC Highways

The Transport Statement includes a parking survey to determine existing traffic movements into and out of the car park and the parking accumulation at the busiest times of the week for trading. The parking survey indicates that the peak parking requirement of the Friday was 55% of available parking spaces and on the Saturday, was 75%. With 404 cars parked and 133 vacant spaces. Adding in the parking requirement for the new development the Statement indicates that this will add a need for an extra 20 parking spaces to the above figures ie 424 cars parked. During the majority of the year therefore the additional facilities are unlikely to cause any particular problem, as I suspect that the car park will have adequate free spaces for customers. It is at busy times where a problem may occur.

According to your figures, The Transport Statement submitted indicates that the Parking Standards require the store to have 499 spaces, there are currently 537 and the proposed development will use up 62 spaces leaving only 475 spaces, which is obviously below the 499 required plus there will be additional retail space within the car parking area generating a parking recommendation for a total of 529 spaces based on the new floor area of 7405m².

The standards take the form of maximum standards for car parking. As with the recent application at Longwater, the effect of the development on the public highway is likely to be low. The site has good pedestrian connectivity to the remainder of the town and is close to the bus station. The site is therefore accessible by all transport modes.

I visited the site on Friday 1 December 17 in order to assess the site at a busy time. A brief parking survey showed that there were 35 free parking spaces at 11.15. Which would indicate that about 400 spaces were in use. If the car park is therefore reduced to 475 spaces there would have been a shortfall of 25 spaces at the time of my visit. By contrast a survey 30 minutes later at Tesco's showed that there were 105 free spaces in their car park. It is clear therefore that the Morrisons is the busier car park. I am aware that many people use the Morrisons Car Park in order to access the town. It would therefore be my opinion that if the Morrisons Car park is full, customers will divert to Tesco's instead.

Both the access road into, and the car parking areas themselves, are privately owned by the applicants, and do not form part of the public highway. We would only be able to object if there is a clear problem on the public highway itself.

The driveway into the car park is quite lengthy and in the event that some queueing back from the car park does occur this is unlikely to back up to the roundabout. Whilst therefore the proposed development will reduce the effectiveness of the car park for customers at peak trading times, for the majority of the year

sufficient parking should be available. There does not therefore appear to be sufficient reason to refuse this application on highway grounds.

In term of the details, experience shows that the car wash can be very popular and is likely to result in some waiting vehicles at busy times. The proposed location for the car wash is not therefore ideal and will result in vehicles waiting in the aisle and causing congestion. In addition, taking into account the likely shortfall of parking as above, I would question whether the proposed tyre bay is necessary or appropriate.

3.10 Other
Representations

Six letters of objection have been received making the following comments:

- Further imbalance the two main trading areas of Diss and negate the benefits of the Diss Heritage Triangle project.
- Increase traffic congestion,
- Insufficient car parking provision,
- Inappropriate design. The view from Victoria Road will be of the back of the units with the dirty bin store and fire exits not exactly a welcoming view from the main street and certainly not enhancing the built environment in which we live.
- Set a precedent for nearby supermarkets to build in their car parks,
- Cause pollution in the River Waveney.

The Diss Heritage Triangle Trust CIO objects to this development on the following grounds:

1. The application is incomplete without daily surveys of existing parking use. There need to show how or whether loss of 62 car park spaces and a trolley station would affect the use and functioning of the supermarket itself. Morrisons' car park is often full or virtually full. Eliminating 62 parking spaces, irrespective of the extra parking needed for the new shops, would be a major loss of function and amenity and undermines the basis of the original Salford consent which related parking numbers to sales space.
2. The vehicle tyre and treatment units would adversely impact on the future of the River Waveney walkway and riverine park. No details are provided of the drainage needed to avoid pollution. Nor is any undertaking given not to remove from general use additional car parking spaces necessary for waiting customers' cars.
3. There is an unfortunate anomaly in the Local Plan. Map007 delineating the town centre north of and including Mere Street excludes associated car parks and specifically designates primary and secondary retail use as sections of and frontages of buildings. For the supermarkets the car parks are included within the Town Area with no retail areas defined. Approval of this proposal will establish precedence for all three supermarkets to build separate retail shops within their car parks.
4. The layout of the shop units is retrograde, reverting to retail frontage with pedestrian access adjacent to a busy road. There will also be temptation for delivering vehicles to use the car park for easier off-loading rather than the goods-trolley route shown.
5. The design treatment of the units is unacceptably low and they are unrelated to their surroundings.

6. The proposal will undermine the future economic and social sustainability of the traditional and historic town centre. This application for 93sqm of shopping space has to be read and considered in conjunction with the adjacent Morrison site labelled 'for future development' (Morrison's intentions for this site need also to be made clear), the impending application on the adjacent Marston site for 16,000sqm of new retail space and the Local Plan designation of Site DIS 7, which together could lead to many more thousand square metres of retail use. Anyone of these developments will provide the precedent and reason for approving the next. Such development will inevitably cause decline and decay of the historic trading centre of Diss and be inconsistent with the provisions of the NPPF.
7. The last Marston's application was refused mainly on grounds of unacceptable design. In addition, the inspector specifically recognised and gave considerable weight to her refusal to the ground that retail warehouses of the size, appearance and location then proposed would be detrimental to the future of the Diss Heritage Triangle. Her decision thus critically included the likely adverse impacts on the historic centre. What then applied, still applies both for the Morrison's application and the Marston proposal as recently presented to Diss Town Council. Deleterious impacts on the traditional centre must be taken into account.
8. No proposal for any sites south of Park Road/Victoria Road within or adjacent to the designated Town Centre should be determined without resolution of the function of the service road roundabout imposed on the Sainsbury supermarket approval currently part of Morrisons' car park access. This roundabout was meant and constructed to serve adjacent sites. Full use of its potential is essential to good planning practice, the corollary being that it is poor planning practice to consider requirements for individual sites without determining their planning context, in this case how the junction could and should benefit the larger area. This can best be achieved as part of an Action Plan.
9. In 2007 South Norfolk Council commissioned such an Action Plan for Diss centre. Although issued for consultation it was not carried forward as part of the 2015 Local Plan. South Norfolk Council delegated that responsibility to Diss Town Council. At the same time their Market Towns were encouraged to prepare their own Neighbourhood Plans, now a firm political and planning feature of South Norfolk Council policy and practice. This is what Diss and series of surrounding parishes are engaged in. Importantly, and for the first time, this plan will include parishes either side of the county boundary allowing a broad, and sustainable planning approach than was previously achieved, and more realistically take into account recent pressures and demands on High Street trading. The Diss and District Plan is in early stages and the sites between Park Road Victoria Road and the river essential to its success. Any individual proposal now for those sites has to be deemed premature; development needs to accord with the emerging Neighbourhood and Action plans.

4 Assessment

Principle

- 4.1 The site is located within the Diss Town Centre boundary. Policies 2 of the NPPF and DM2.4 of the South Norfolk Local Plan seeks to locate main town centre uses, such as retail within Town Centre boundaries. Therefore, the principle of development in this location is established by these policies.

Character and appearance

- 4.2 The proposed units within the car park of Morrisons are single storey and of a simplistic design, consisting of four retail pods set in a basic structure with sloping single pitch roof, clad in aluminium cladding with brick cladding to front elevation and powder coated aluminium windows and doors. The tyre fitting area and car wash are simple, largely open structures constructed of composite panels.
- 4.3 The car wash and tyre fitting area are located to the rear far southern side of the car park, these are unlikely to be visible other than from within the car park. There is, however, a public walkway into Morrisons car park in this southern corner of the site which runs in both directions adjacent to the River Waveney. Although the tyre pod and retail pod run along the southern boundary, it is considered that they are single storey and similar to the trolley stores within the car park and therefore unlikely to have a significant visual impact on the area.
- 4.4 The proposed four retail pods are to be located to the north of the car park off the access road to Morrisons. These will be obscured from view behind the petrol station, which is not of exceptional design. This part of the proposal is also single storey and there is a wall and railings to the boundary of the site with Victoria Road, blocking clear views. From within the site, the pods will be seen on the backdrop of the Morrisons store.
- 4.5 The proposal therefore will not be clearly visible from the Conservation Area, which encompasses the opposite side of Victoria Street to Morrisons. It is considered that given the units are single storey and partially blocked from view by the petrol station and on a backdrop of hardstanding and the Morrisons store, then the proposal will not have an unacceptable impact on the character and appearance of the Conservation Area in accordance with Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and Policies 12 of the NPPF and DM4.10 of the Local Plan.
- 4.6 Some concern has been raised that visually the proposals for the car wash and tyre bay will block access to the river walk. There is space between the two proposals to continue to access this walk, which currently enters into the car park.
- 4.7 There is also a row of Listed Buildings to the north of Victoria Road on the corner of Victoria Road and Mere Street. These buildings are sufficiently distanced from the proposals and the proposals are single storey in the setting of Morrisons car park so as not to impact either the setting or significance of listed buildings nearby. The proposal is therefore considered in accordance with Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and Policies 12 of the NPPF and DM4.10 of the Local Plan.

Amenity

- 4.8 Paragraph 17 of the NPPF and Policy DM3.13 seeks to protect the amenity of neighbouring properties. Given the location and scale of the development proposed, then it is sufficiently distanced from neighbouring properties so as not to impact amenity and the proposal is therefore considered in accordance with Paragraph 17 and Policy DM3.13.

Highways and car parking

- 4.9 The Highways Authority have assessed the proposals and conclude that the Transport survey submitted is appropriate and that the proposals would not impact the highway network. The highways authority has recognised that the proposed development would result in less spaces available for car parking within the Morrisons car park than the maximum number which is set out in their car parking guidance note i.e. there is currently 537, for the size of store 499 spaces maximum would be required and the application proposes the loss of 62 spaces. In addition, the new development would generate the requirement for an additional 30 spaces, taking the maximum requirement to 529 spaces.
- 4.10 The Highways Authority have deemed that the resulting 475 spaces is sufficient to meet the needs of the store, other than in exceptionally busy times; that there is sufficient available car parking within the vicinity to meet any overspill needs; and that the site is a private car park. The Highways Authority does however acknowledge that queueing from the car wash could back up to the roundabout (not the public highway) and questions the appropriateness of the tyre bay. The applicants have been approached with these comments and wish to proceed with the application in its current form. It is not considered that queueing in the car park is a material planning consideration unless this was to back up onto the highway.
- 4.11 Policies DM3.11 and DM3.12 require new development to protect highway safety and provide appropriate car parking *'using the parking standards adopted by the council as a 'starting point' which may be varied to reflect local conditions such as the availability of public parking, sustainable transport modes, Travel Plan provisions, and design and conservation objectives'* (text taken directly from policy DM3.12). The Highways Authority raise no objection on the grounds of highway safety and therefore the proposal is considered in accordance with Policy DM3.11. Although, the proposal would have less car parking than set out in the adopted car parking standards, the Highways Authority have stated that these are maximum standards and in accordance with policy DM3.12 the standards are a starting point, the proposal is located in a sustainable location, with access to sustainable transport modes and other public car parking is available at Tesco close by.
- 4.12 The applicants have submitted a survey to demonstrate that current car parking levels would provide sufficient car parking for the existing and new development and the Highway Authority agrees with this position other than at exceptionally busy times. On this basis the proposal is considered in accordance with Policy DM3.12 also.

Ecology

- 4.13 Policy 11 of the NPPF requires new development to protect and enhance local ecology. Initially County Council ecologist requested the applicants undertook a preliminary ecology survey, however, the applicants submitted further information about the scale and proximity of the development proposed and drainage information to demonstrate the proposed run off would not affect the adjacent river and therefore County Council have concluded that the ecological survey would not be required and have no objections to the proposal. Subject to the drainage method being conditioned then the proposal is considered to adequately protect ecology in accordance with Policy 11 of the NPPF.

Flood risk

- 4.14 Policy 10 of the NPPF seeks to direct development to avoid areas at risk of flooding. Information has been submitted to demonstrate that the car wash drainage would not be into the adjacent River Waveney, they propose that all dirty water from the car wash operation shall run into the centre of the graded concrete wet bays into a centralised silt trap connected to the existing petrol interceptor on site. The water shall then connect to the main sewer pipe as existing. This arrangement is subject to receipt of a trade effluent licence which would be sought in due course.

- 4.15 This is acceptable to the water management officer and the County ecologist. The drainage methodology can be conditioned and therefore the proposal is considered in accordance with Policy 10 of the NPPF.

Other matters

- 4.16 External parties have raised concerns about the potential competition from retail units in this location to the heritage triangle. Competition is not a material planning consideration and the site is located within the town centre boundary where retail provision is supported in principle.
- 4.17 Local concerns have been raised about this development setting a precedent for future development of supermarket car parks. As with any new application, any such proposal would be considered on its own merits based on relevant parking and transport survey information.
- 4.18 It is noted that Diss in combination with other neighbouring areas are undertaking a Neighbourhood plan, however, the determination of a planning application cannot be delayed awaiting new policy development and must be determined in accordance with current adopted development plan policies and the national planning policy framework, as set out above.
- 4.19 The Marston's/Thatchers Needle application has been quoted as relevant to the determination of this application. This application was dismissed at appeal due to impact on the setting of the Conservation Area, as well as impact on trees and insufficient information to justify any impact on the vitality and viability of the town centre. The primary concerns of the Inspector with regards to impact on the setting of the Conservation Area related to the scale of buildings proposed, which were considered disproportionate to scale of other development in this location i.e. much larger. Obviously, the units proposed are of modest scale and single storey and wouldn't be clearly visible in the Conservation Area or at odds with the current scale of development in the Conservation Area. This proposal is therefore materially different to the refused appeal. In addition, the proposal would not impact trees and is in the town centre boundary so no retail impact assessment would be required in accordance with Policy 10 of the NPPF.
- 4.20 Under Section 143 of the Localism Act the council is required to consider the impact on local finances. This can be a material consideration but in the instance of this application the other material planning considerations detailed above are of greater significance.

This application is liable for Community Infrastructure Levy (CIL).

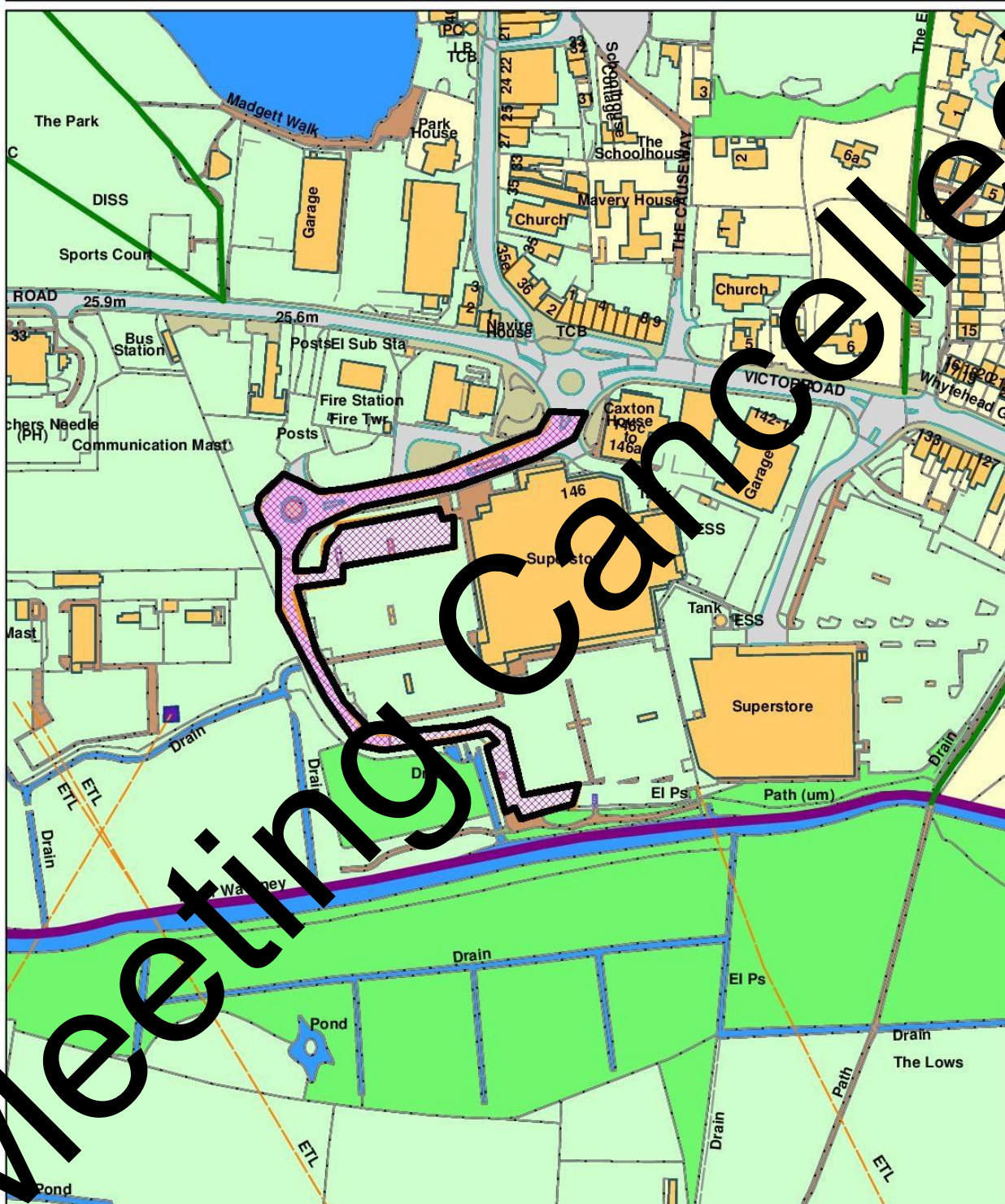
5. Conclusion

- 5.1 The proposal is located within the town centre boundary, outside the Diss Conservation area. The proposal is for single storey units and on a backdrop of other similar designed buildings. The proposal would provide additional retail and facilities to support the existing town centre and is unlikely to have a significant impact on the safety of the highway. Some loss of car parking is envisaged at busy times but other sustainable means of transportation and other nearby parking exists with capacity to meet those needs. The existing store, access and car park is private. The proposal is unlikely to impact amenity, ecology or drainage and for these reasons, as set out above, the proposal is considered in accordance with the relevant National and Development plan policies.

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

2017/2515

Appendix 1



Scale 1:2,500



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

5. **Appl. No** : **2018/0126/H**
Parish : **COSTESSEY**

Applicants Name : Mr & Mrs Simon & Sarah Hawken
 Site Address : 192 West End Costessey Norfolk NR8 5AW
 Proposal : Demolition of existing utility and garage, erection of two-storey front and side extension, incorporating new integrated garage.

Recommendation : Approval with Conditions

- 1 Full Planning permission time limit
- 2 In accord with submitted drawings
- 3 Windows to be obscure glazed

1 Planning Policies

1.1 National Planning Policy Framework
 NPPF 07 : Requiring good design

1.2 Joint Core Strategy
 Policy 2 : Promoting good design

1.3 South Norfolk Local Plan Development Management Policies
 DM3.4 : Residential extensions and conversions within settlements
 DM3.8 : Design Principles applying to all development
 DM3.12 : Provision of vehicle parking
 DM3.13 : Amenity, noise, quality of life

2. Planning History

2.1 No relevant history

3. Consultations

3.1 Town Council Approve

3.2 District Councillor To be reported if appropriate.

3.3 Other Representations
 1 letter of objection
 Loss of light
 Overlooking
 Materials not appropriate to streetscape

4. Assessment

4.1 The proposal seeks planning permission for the demolition of an existing utility room and garage and the erection of a two storey front and side extension incorporating an integral garage.

4.2 The property is a two storey semi detached dwelling within the development limit for Costessey.

- 4.3 The application is assessed against Policy DM3.4 which confirms that extensions to dwellings within a development boundary will be permitted provided they:

- a) Incorporate a good quality design which maintains or enhances the character and appearance of the building, street scene and surroundings; and
- b) Do not have an unacceptable impact on the amenities of neighbouring occupiers or adversely affect neighbouring commercial uses.

Specifically, proposals must provide and maintain:

- c) Suitable amenity and utility space; and
- d) Adequate access and parking

- 4.4 With regard to criteria a), whilst the proposal will be visible within the street scene, the surrounding area has a mix of different house types, designs and materials and therefore no uniformed appearance to the street scene and as such it is not considered that the extension as proposed would have a significant adverse impact on the surrounding area by virtue of its size, design or position on the site. It is evident that the design, scale, form and choice of materials are all consistent and appropriate to the existing dwelling. For these reasons it is considered that the scheme complies with the requirements of criteria a) of Policy DM3.4 as well as those of Policy DM3.8 which requires a scheme to achieve an acceptable standard of design.
- 4.5 With regard to criteria b) objections have been received from the neighbouring occupier of the dwelling situated to the south of the application site raising concerns regarding loss of light, loss of privacy and the use of aluminium sheet on the façade.
- 4.6 With regard to the loss of light to the neighbouring property, due to the positioning of the proposed extension to the north of the neighbour it is considered that any overshadowing or loss of light from the proposal would not be significant.
- 4.7 With regard to overlooking from the proposal, there is only one proposed first floor window on the rear or side elevation and this is an ensuite window on the rear. The proposed window will be obscure glazed and a condition placed on the decision notice that it should only be top light opening as shown on the submitted plans. For this reason it is not considered that any significant overlooking would occur.
- 4.8 With regard to the concern relating to the proposed aluminium panel on the front elevation of the property, due to the mix of materials and design of properties in the street scene the panel is not considered to be so out of character with the locality as to represent a reason for refusal.
- 4.9 The proposal would continue to provide sufficient private amenity space and it is evident that the proposal would not have any impact on the existing parking for the site.
- 4.10 For the above reasons the requirements of criteria b) are met as are those of Policy DM3.12 which requires sufficient on-site parking to be provided and those of DM3.13 which safeguards neighbour's amenity.
- 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 The application is not liable for Community Infrastructure Levy (CIL)

5. Conclusion

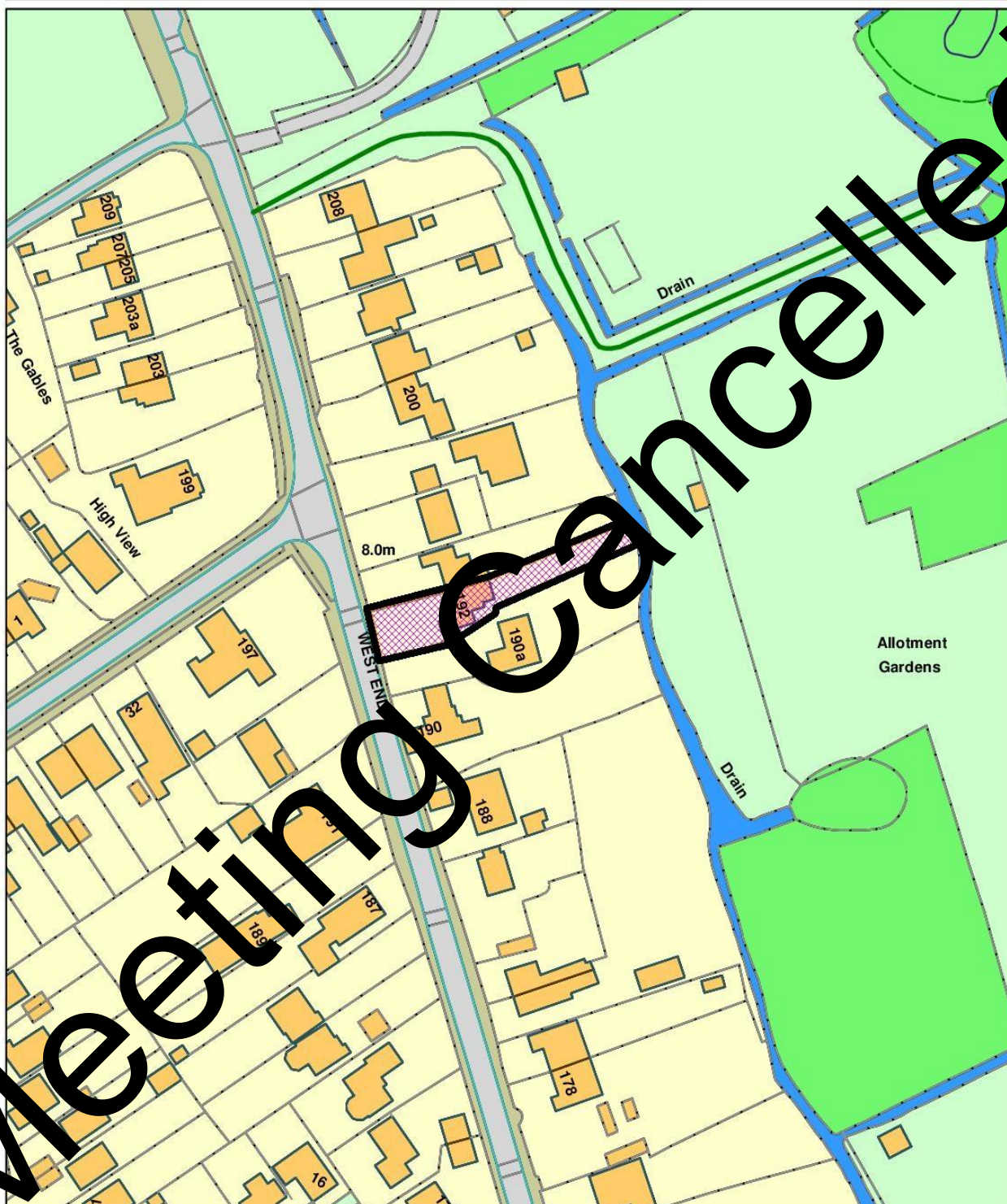
- 5.1 The site is within the development limit for Costessey. The proposed extension is considered acceptable in design terms and would safeguard neighbour amenities and therefore accords with policies DM3.4, DM3.8, DM3.12 and DM3.13 of the South Norfolk Local Plan 2015. The proposal is therefore recommended for approval.

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

Meeting Cancelled

2018/0126

Appendix 1



Scale 1:1,250

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

Planning Appeals
Appeals received from 20 January 2018 to 19 February 2018

Ref	Parish / Site	Appellant	Proposal	Decision Maker	Final Decision
2016/2635	Tacolneston Land West Of Norwich Road Tacolneston Norfolk	Mr J Coston	Outline application for 3 self build plots with details of upgraded access, all other matters reserved	Development Management Committee	Refusal
2017/1686	East Carleton Former Nursery Site To The West Of Low Common Swardston Norfolk	Mr Alan Jones	Outline permission for high dwellings	Delegated	Refusal
2017/1818	Broome Land North West Of Yarmouth Road Broome Norfolk	Mrs Paula Linehan	Proposed three bedroom bungalow	Delegated	Refusal
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

Planning Appeals

Appeals decisions from 20 January 2018 to 19 February 2018

Ref	Parish / Site	Appellant	Proposal	Decision Maker	Final Decision	Appeal Decision
2017/0707	Hingham The Barn White Lodge Farm Hardingham Road Hingham Norfolk NR9 4LY	Mr Joe Berry - Glynn	Proposed alterations and extension with new garage/car port	Delegated	Refusal	Appeal Allowed
2017/1466	Newton Flotman 10 Dell Close Newton Flotman Norfolk NR15 1RG	Mr & Mrs Andrew Smith	Extension and associated alterations, erection of detached garage	Delegated	Refusal	Appeal Allowed
2017/1653	Newton Flotman 3 St Marys Walk Newton Flotman Norfolk NR15 1PH	Mr And Mrs Ian Shurmer	Proposed rear two storey extension	Delegated	Refusal	Appeal dismissed
2016/8183	Denton Rainbows End Norwich Road Denton Norfolk IP20 0AN	Mr Adrian Greenmore	Change of use from residential, agricultural land to keeping and breeding of dogs	Committee	Serve Enforcement Notice	Appeal dismissed Enforcement Notice upheld with a correction