

# Development Management Committee

## Members of the Development Management Committee:

Conservatives	Liberal Democrats
Mr V Thomson (Chairman) Mrs L Neal (Vice-Chairman) Mrs Y Bendle	Dr M Gray Mrs V Bell
Mr D Bills Mr B Duffin Mrs F Ellis Dr C Kemp Mr G Minshull Mrs A Thomas	<div> Please note that planning application <b>Item no.s 1-4</b> will be heard from <b>10am</b> </div> <div> Planning application <b>Item no.s 5-9</b> will be heard from <b>2.00pm</b> onwards </div>
<b>Pool of Substitutes</b> Mr L Dale                      Mr D Fulcher Mr D Goldson Mr J Hornby Dr N Legg Mr J Mooney Mr G Wheatley	
<b>Pre-Committee Members' Question Time</b> 9.00 am                              Cavell Room	

## Agenda

### Date

Wednesday 25 April 2018

### Time

10.00 am

### Place

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

### Contact

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**PLEASE NOTE** that any submissions (including photos, correspondence, documents and any other lobbying material) should be received by the Council by noon the day before this meeting. We cannot guarantee that any information received after this time will be brought to the Committee's attention. Please note that where you submit your views in writing to your District Councillor, this is described as "lobbying" and the District Councillor will be obliged to pass these on to the planning officer, where they will be published on the website.

Please arrive at the commencement of the meeting if you are intending to speak on items 1-4, and arrive at 2.00pm if you intend to speak on items 5-9.

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

If you have any special requirements in order to attend this meeting, please let us know in advance

**Large print version can be made available**

## **SOUTH NORFOLK COUNCIL – DEVELOPMENT MANAGEMENT COMMITTEE**

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

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

### **GENERAL INFORMATION ABOUT DEVELOPMENT MANAGEMENT**

The Development Management process is primarily concerned with issues of land use and has been set up to protect the public and the environment from the unacceptable planning activities of private individuals and development companies.

The Council has a duty to prepare a Local Plan to provide a statutory framework for planning decisions. The Development Plan for South Norfolk currently consists of a suite of documents. The primary document which sets out the overarching planning strategy for the District and the local planning policies is the Joint Core Strategy for Broadland, Norwich and South Norfolk. The Strategy is broadly consistent with the National Planning Policy Framework (NPPF) and accompanying technical guidance and was adopted by South Norfolk Council in March 2011, with amendments adopted in 2014. It is the starting point in the determination of planning applications and as it has been endorsed by an independent Planning Inspector the policies within the plan can be given full weight when determining planning applications.

South Norfolk Council adopted its Local Plan in October 2015. This consists of the Site Specific Allocations and Policies Document, the Wymondham Area Action Plan, the Development Management Policies Document. The Long Stratton Area Action Plan was also adopted in 2016. These documents allocate specific areas of land for development, define settlement boundaries and provide criterion based policies giving a framework for assessing planning applications. The Cringleford Neighbourhood Development Plan was also 'made' in 2014 and Mulbarton Neighbourhood Development Plan made in 2016, and full weight can now be given to policies within these plans when determining planning applications in the respective parishes. Some weight can also be given to the policies in the emerging Neighbourhood Development Plan for Easton. In accordance with legislation planning applications must be determined in accordance with the policies of the Development Plan, unless material considerations which are relevant to planning indicate otherwise.

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

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

The factors to be used in determining applications will relate to the effect on the "public at large" and will not be those that refer to private interests. Personal circumstances of applicants "will rarely" be an influencing factor, and then only when the planning issues are finely balanced.

**THEREFORE, we will:**

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

**Decisions which are finely balanced and contradict policy will be recorded in detail to explain and justify the decision and the strength of the material planning reasons for doing so.**

**OCCASIONALLY, THERE ARE CONFLICTS WITH THE VIEWS OF THE PARISH OR TOWN COUNCIL. WHY IS THIS?**

We ask local parish and town councils to recognise that their comments are taken into account. Where we disagree with those comments it will be because:

- Districts look to 'wider' policies, and national, regional and county planning strategy.
- Other consultation responses may have affected our recommendation.
- There is an honest difference of opinion.

# A G E N D A

1. **To report apologies for absence and identify substitute voting members (if any);**
  
2. **To deal with any items of business the Chairman decides should be considered as matters of urgency pursuant to Section 100B (4) (b) of the Local Government Act, 1972;** [Urgent business may only be taken if, "by reason of special circumstances" (which will be recorded in the minutes), the Chairman of the meeting is of the opinion that the item should be considered as a matter of urgency.]
  
3. **To receive Declarations of Interest from Members;**  
(Please see flowchart and guidance attached, page 8)
  
4. **Minutes of the Meeting of the Development Management Committee held on 28 March 2018;**  
(attached – page 10)
  
5. **Planning Applications and Other Development Control Matters;**

(attached – page 26)

To consider the items as listed below:

Item No.	Planning Ref No.	Parish	Site Address	Page No.
1	2017/2652/O	PORINGLAND	Land South of Burgate Lane Poringland Norfolk	26
2	2017/2794/O	KESWICK AND INTWOOD	Land West Of Ipswich Road Keswick Norfolk	42
3	2017/2843/O	LITTLE MELTON	Glavenhill Strategic Land (Number 8) Limited	76
4	2016/1627/O	PORINGLAND	Land to the north of Heath Loke Poringland Norfolk	88
5	2018/0091/O	HETHERSETT	Land Rear Of 86 And 88 Ketts Oak Hethersett Norfolk	99
6	2018/0101/CU	BAWBURGH	Villa Farm Watton Road Bawburgh Norfolk NR9 3LQ	107
7	2018/0114/F	BAWBURGH	Land To The West Of Harts Lane Bawburgh Norfolk	114
8	2018/0588/LB	WORTWELL	Says Farmhouse 11 Low Road Wortwell IP20 0HJ	124
9	2018/0639/H	LONG STRATTON	63 Field Acre Way Long Stratton Norfolk NR15 2WE	128

## 6. **Sites Sub-Committee;**

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

7. **Quarterly Enforcement Report;** (attached – page 131)
8. **Planning Appeals (for information);** (attached – page 134)
9. **Date of next scheduled meeting** – Wednesday 23 May 2018

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

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

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

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

## 2. PUBLIC SPEAKING: PLANNING APPLICATIONS

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

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

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

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

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

## 3. FILMING AT COUNCIL MEETINGS: GUIDANCE

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

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

## HEALTH AND SAFETY INFORMATION

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

## PLANNING APPLICATIONS AND OTHER DEVELOPMENT CONTROL MATTERS

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

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

## Key to abbreviations used in Recommendations

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



## DECLARATIONS OF INTEREST AT MEETINGS

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

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

Does the interest directly:

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

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

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

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

If yes, you need to inform the meeting. When it is discussed, you will have the right to make representations to the meeting as a member of the public, but must then withdraw from the meeting.

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

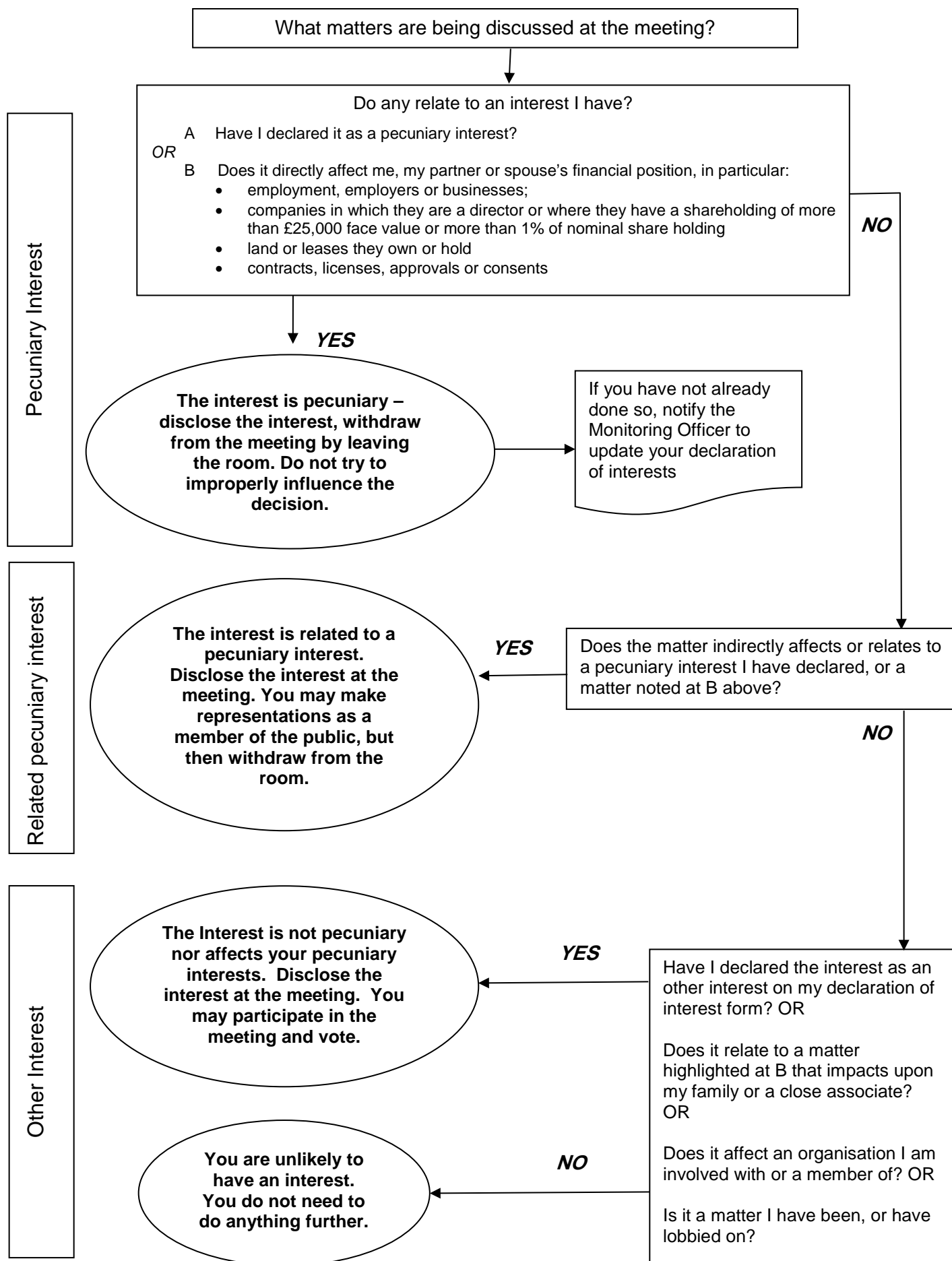
Have you made any statements or undertaken any actions that would indicate that you have a closed mind on a matter under discussion? If so, you may be predetermined on the issue; you will need to inform the meeting, and when it is discussed, you will have the right to make representations to the meeting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

**FOR GUIDANCE REFER TO THE FLOWCHART OVERLEAF.**

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



## DECLARING INTERESTS FLOWCHART – QUESTIONS TO ASK YOURSELF





## DEVELOPMENT MANAGEMENT COMMITTEE

**Minutes of a meeting of the Development Management Committee of South Norfolk District Council held at South Norfolk House, Long Stratton, on Wednesday 28 March 2018 at 10.00 am.**

**Committee Members Present:** **Councillors:** V Thomson (Chairman), V Bell, D Bills (for applications 1–6), B Duffin (for applications 1–9), F Ellis, M Gray, C Kemp, G Minshull, L Neal (for applications 1–7) and A Thomas

**Apologies:** **Councillor:** Y Bendle

**Substitute Members:** **Councillor:** N Legg for Y Bendle

**Officers in Attendance:** The Development Manager (H Mellors), the Development Management Team Leader (R Collins), the Senior Planning Officers (C Raine and C Watts) and the Planning Officers (T Barker and B Skipper)

The Press and 34 members of the public were also in attendance.

### 380. 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
2017/2450/H (Item 1)	COSTESSEY	All	Local Planning Code of Practice Lobbied by local member
		V Bell	Member considered she was pre-determined and stepped down from the Committee for this item and reverted to her role as local member

<b>2017/1828/RVC (Item 3)</b>	<b>ALDEBY</b>	All	Local Planning Code of Practice Lobbied by Applicant, Objector and local member
<b>2017/2515/F (Item 4)</b>	<b>DISS</b>	All  G Minshall	Local Planning Code of Practice Lobbied by Objector  Member considered he was pre- determined and stepped down from the Committee for this item and reverted to his role as local member
<b>2017/2701/O (Item 7)</b>	<b>EAST CARLETON</b>	All  N Legg	Local Planning Code of Practice Lobbied by the Applicant  Other interest – member had meeting with Applicant and Agent, but gave no opinions
<b>2017/2920/F (Item 11)</b>	<b>WRAMPLINGHAM</b>	All	Local Planning Code of Practice Lobbied by Objector
<b>2018/0004/F (Item 14)</b>	<b>ALDEBY</b>	All	Local Planning Code of Practice Lobbied by local member
<b>2018/0082/RVC (Item 16)</b>	<b>WHEATACRE</b>	All	Local Planning Code of Practice Lobbied by the Applicant and local member
<b>2018/0199/F (Item 17)</b>	<b>COSTESSEY</b>	V Bell	Local Planning Code of Practice Lobbied by the Applicant

### **381. MINUTES**

The minutes of the Development Management Committee meeting dated 31 January 2018 were confirmed as a correct record and signed by the Chairman.

### **382. 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.

<b>APPLICATION</b>	<b>PARISH</b>	<b>SPEAKER</b>
<b>2017/2450/H</b>	<b>COSTESSEY</b>	Cllr V Bell – on behalf of objectors and as local member
<b>2017/1828/RVC</b>	<b>ALDEBY</b>	B Wyllie - objector
<b>2017/2515/F</b>	<b>DISS</b>	D Sarson – Diss Town Council M Bootman – objector P Hyde - objector Cllr T Palmer – local member Cllr K Kiddie – local member Cllr G Minshull – local member
<b>2017/2490/F</b>	<b>WYMONDHAM</b>	E Whettingsteel – Agent for Applicant
<b>2017/2701/O</b>	<b>EAST CARLETON</b>	G Davies – Agent for Applicant
<b>2017/2845/F</b>	<b>HETHERSETT</b>	N Cooper – Agent for Applicant
<b>2018/0272/F</b>	<b>HETHERSETT</b>	R Brown – Applicant
<b>2017/2743/F</b>	<b>GREAT MOULTON</b>	J Grimmer – Applicant J Parker – Agent for Applicant Cllr M Wilby – local member
<b>2017/2920/F</b>	<b>WRAMPLINGHAM</b>	L Norton – in support of the Applicant Cllr M Dewsbury – local member
<b>2017/2795/F</b>	<b>NEWTON FLOTMAN</b>	P Sneddon – Agent for Applicant
<b>2017/2796/LB</b>	<b>NEWTON FLOTMAN</b>	P Sneddon – Agent for Applicant
<b>2018/0004/F</b>	<b>ALDEBY</b>	K Powley – Agent for Applicant
<b>2018/0017/F</b>	<b>REDENHALL WITH HARLESTON</b>	R Twigg – in support of the Applicant P Oakes - Applicant
<b>2018/0082/RVC</b>	<b>WHEATACRE</b>	D Ladd – Objector Mrs Beaumont – Applicant
<b>2018/0199/F</b>	<b>COSTESSEY</b>	D Le-May – Applicant J Thompson – in support of 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.

### **383. PLANNING APPEALS**

The Committee noted the planning appeals.

(The meeting closed at 4.38pm)

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Chairman

**Updates for DEVELOPMENT MANAGEMENT COMMITTEE**  
**– 28 March 2018**

<b>Item</b>	<b>Updates</b>	<b>Page No</b>
Item 1 - 2017/2450	Representation from Cllr Lewis forwarded to the Development Management Committee and noted by officers.	<b>19</b>
Item 2 – 2017/2247	<p>1. Further comments received from Council's Landscape Architect in response to amended Landscape Scheme and Management Plan. All amendments satisfactory and to be listed as agreed plans/documents for implementation.</p> <p><u>Officer response:</u> It is recommended that Condition 3 is updated to remove the requirement for a landscape management scheme to be submitted, as these details have now been agreed and list new agreed documents/plans.</p> <p>2. Updated comments received from the Highways Authority with regards to the detailed internal road layout.</p> <p><u>Officer response:</u> Further minor amendments are awaited from applicant, however all other aspects of the road layout, access arrangements and parking are acceptable and the overall layout will not change as a result of these amendments. Application is recommended for approval subject to confirmation from the Highway Authority that the amendments comply with the highway authority's technical standards.</p>	<b>24</b>
Item 3 – 2017/1828	No update	<b>45</b>
Item 4 – 2017/2515	<p>A further letter of objection has been received from the Diss Heritage Triangle Trust, their comments are summarised as follows:</p> <p>The proposal is one of many submitted for development in various Morrison's car parks and has little or no relation to the layout, character or needs of Diss.</p> <p>This is a proposal essential to the development of the Neighbourhood Plan and in the deferred consideration of the application on 28<sup>th</sup> March the Trust again asks for the application to be refused.</p> <p>The design quality is low and for that reason alone fails to meet the requirements of the current National Planning Policy Framework. The new, out for consultation, Framework (Section 7 ... Ensuring the vitality of town centres, Section 12 Achieving well-designed places, and especially Section 16 Conserving and enhancing the historic environment, para 183) further extends and emphasises design and heritage reasons for refusal.</p>	<b>57</b>

	In the Diss Express of March 23 <sup>rd</sup> it is announced by the Council Leader that SNC will work with local communities as part of a new 'proactive and innovative approach'. Diss Town Council, the Diss and District Neighbourhood Plan Steering Group, Local dependent Traders Group and this Trust, all forming part of the Diss community urge the refusal of this application. It is hoped the 'better planning' involved in 'engaging communities' will mean the objections to this application are given considerable weight and the application refused.	
Item 5 – 2018/0126	No update	<b>69</b>
Item 6 – 2017/2490	<p><b>Officer update:</b> The proposed building straddles the strategic gap and the proposed garden is within the strategic gap.</p> <p><b>Parish Council</b></p> <ul style="list-style-type: none"> <li>• Outside development boundary and inside Wymondham / Hethersett strategic gap</li> <li>• Contrary to streetscene and out of keeping with neighbouring dwellings.</li> </ul> <p><b>An addition letter of objection</b></p> <ul style="list-style-type: none"> <li>• Concerned that the proposed development would exacerbate surface water flooding problems at their property on the opposite side of the road.</li> </ul>	<b>73</b>
Item 7 – 2017/2701	<p>A proposed Street scene photomontage has been submitted by the applicant and sent to members. It will form part of the officer presentation.</p> <p>Water Management Officer: Support conditionally subject to condition for details of surface water disposal.</p>	<b>81</b>
Item 8 – 2017/2845	No update	<b>91</b>
Item 9 – 2018/0272	<p>NCC Highways: Support subject to provision of on-site car parking.</p> <p>1 letter of objection:</p> <ul style="list-style-type: none"> <li>• Proposed house would dominate gardens of Nos 5 and 5a,</li> <li>• Height of roof would be out of character with the area.</li> <li>• The rear garden of the proposed house would be very small for the size of the house.</li> <li>• The</li> <li>• proposal represents overdevelopment of the site.</li> <li>• The proposed house is shown as being hard against the southern boundary of the applicant's</li> <li>• land, along which a fence is to be erected on completion of No. 5. There is thus no room for</li> <li>• scaffolding to be erected during the construction works, neither would any maintenance on that</li> <li>• side of the house be possible without accessing from the neighbour's land (No. 5).</li> </ul>	<b>99</b>

	<ul style="list-style-type: none"> <li>• If the proposal were to go ahead there is very limited</li> <li>• space for delivery vehicles, a rubbish skip, workers' vehicles and all the paraphernalia that goes</li> <li>• with a building site. The applicant has right of access over the portion of the access track referred</li> <li>• to above but we foresee our access (to No. 7 and No. 5A) being frequently blocked. No. 5 will</li> <li>• suffer similarly.</li> </ul>	
Item 10 – 2017/2743	<p>There is a proof-reading error in section 5.3 of the report (second reason for refusal) which should read -</p> <p>‘...within a location where a 5-year housing land supply <b>can</b> be demonstrated...’</p>	<b>104</b>
Item 11 – 2017/2920	<p>1. There is a proof-reading error in section 5.3 of the report (second reason for refusal) which should read -</p> <p>‘...within a location where a 5-year housing land supply <b>can</b> be demonstrated...’</p> <p>2. Expansion of comments from Cllr Dewsbury in calling in this application;</p> <p>Proposal would support small country business and contribute to community life of small village. Site is not isolated, close to village boundaries of Wramplingham, Barford &amp; Gt Melton. Short car journeys are acceptable in this context.</p> <p>3. Two further letters of representation have been received and are summarised with an officer response below:</p> <p>Planning policies generally unchanged since enforcement action some years ago. Unauthorised use of land as forestry contractors yard. Approval would legitimise unauthorised use and should be deferred until forestry business is considered. Forestry business better sited in less sensitive or commercial area. Issues of wildlife and flooding not addressed. Site is spatially isolated from other built development. Site will be visually intrusive. If permitted, would urbanise this rural spot. Approval would legitimise unauthorised use and should be deferred until forestry business is considered. Objections are raised to development of river valley in recent GNLP consultation. This would set poor precedent.</p> <p><u>Officer response:</u> These matters have largely been addressed within the relevant sections of the committee report.</p>	<b>111</b>



	<p>In 1992, the Council served an enforcement notice requiring removal of an unauthorised building on this site, notice upheld on appeal.</p> <p>Subsequent planning application to retain this building was refused on landscape harm and lack of functional need.</p>	
Item 12 & 13 – 2017/2795 & 2017/2796	No update.	<b>119</b>
Item 14 – 2018/0004	<p>Further to Cllr William Kemp's comments in the committee report, please note his further comments, summarised below, with regards to this application.</p> <p>The proposed annexe is not "significantly distanced from the main dwelling". It is a 10 second walk from door to door.</p> <p>The house and proposed annexe would have a shared parking area so it is incorrect to state that the proposed annexe would have its own parking area. The 'garden' for the annexe already exists within the curtilage of the main house so this application does not 'on the ground' create a new garden. Indeed creating 'rooms' within a larger garden or having dedicated spaces within a larger garden separated by hedges/walls is a well respected technique within landscaping (i.e. a kitchen garden).</p> <p>It has been suggested that the Applicants could convert the building to the left of the main house but again from a cursory inspection on site this is not viable. This building has no foundations, is tall and thin and unsuited to being an annexe for elderly relatives. The building could not provide adequate accommodation on the ground floor and is not suited for the installation of chair lifts for that purpose. Any extensions to this building to make it more user friendly would have detrimental impact on the appearance of the main farm house which whilst not listed should be preserved/enhanced.</p> <p>I also note that the Highways Officer has also provided support for the application on the basis that the accommodation is used as an annexe - not as a separate home or holiday accommodation. This refutes the officers point that you would struggle to resist removing any conditions re. re-sale.</p> <p>Officer response: There is no set definition of close relationship. How we would usually interpret this is that the main dwelling and the annexe would either share accommodation, garden or other outside space, without separation. Given the annexe is separate and has its own garden and parking I would suggest it has no relationship with the main dwelling and its position adjacent to the highway further exacerbates this and its likelihood that</p>	<b>127</b>

	<p>it would be a separate dwelling in the future, contrary to policy.</p> <p>Officers have suggested an extension to the building adjacent to create ground floor accommodation and we consider this is possible without altering the character and appearance of the existing.</p> <p>I have reviewed the highways authority comments which are in response to this proposal only. Therefore, I would not assume that an application for a dwelling would be unacceptable in this location in terms of impact on the highway.</p>	
Item 15 – 2018/0017	<p>Highway Authority comments:</p> <p>The section of Swan Lane from where the car park is served has double yellow lines from the junction with Weavers Croft to The Thoroughfare both sides. Therefore there can be no possibility of parking on the highway should any problems arise within the car park itself. The road is also subject to a 20 mph speed limit for that section. The road is one way only for the section at the side of the PH building up to the junction with The Thoroughfare.</p> <p>The development does however, appear to be using a good proportion of the car parking area. Although the space used will depend on the customer attraction of the facility. If the facility does prove very popular then whilst there is the possibility of vehicles backing up onto the highway, then this is likely to be sporadic. The NPPF only permits a highway reason for refusal in terms of vehicle congestion, when the situation is severe. Which is not the case in this instance. Having considered the proposal as submitted no highway objections are therefore raised. The applicant has not however provided any justification for the loss of parking for PH use.</p>	<b>131</b>
Item 16 – 2018/0082	<p>The three vehicles referred to in the offices report could be vehicles of up to 35 seats.</p> <p>Members to note letter from applicant previously circulated.</p>	<b>138</b>
Item 17 – 2018/0199	<p><u>District Councillor</u></p> <p>Must be determined by Committee</p> <p>The applicant has already possess a Certificate of Lawfulness and I agree with Costessey Town Council's position that this will only improve the area</p>	<b>144</b>

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.

**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
- Decision                    :    Members voted 5-4 with 1 abstention for **Approval**
- Approved with conditions  
 1 Full Planning permission time limit  
 2 In accordance with amendments

**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.
- Decision                    :    Members voted unanimously for **Approval**
- 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. Implementation of landscape scheme
- Subject to no objection from Norfolk County Council Highway Authority and no new material considerations being raised by other consultees and third parties.

### 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)

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

Approved 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

### 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.

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

Refused

#### Reasons for overturning officer recommendation

1. Poor form and layout of the two units and poor design.
2. Location of car wash and tyre bay and loss of parking, causing congestion and obscuring access to public footpath.

- 21

- 7     **Appl. No**                     :     **2017/2701/O**  
        **Parish**                        :     **EAST CARLETON**
- Applicants Name        :     Mr Alan Jones  
 Site Address             :     Former Nursery Site To The West Of Low Common Swardeston  
     NR14 8LG  
 Proposal                 :     Outline Permission for three dwellings and associated landscaping  
     & external works.
- Decision                 :     Members voted 6-4 for **Refusal**
- Refused  
 1 Impact on rural landscape and character  
 2 Poor connectivity  
 3 Unsustainable development
- 8     **Appl. No**                     :     **2017/2845/F**  
        **Parish**                        :     **HETHERSETT**
- Applicants Name        :     Mr Hundal  
 Site Address             :     Land North Of Twin Barn Farm Ketteringham Lane Hethersett NR9  
     3DF  
 Proposal                 :     New dwelling to include self-contained residential annex and  
     ancillary facilities
- Decision                 :     Members voted 9-0 for **Approval**
- Approved with conditions  
 1 Reduced time limit (5 yr land supply)  
 2 In accord with submitted drawings  
 3 External materials to be agreed  
 4 Surface Water  
 5 Foul drainage to sealed system  
 6 Provision of parking, service  
 7 Occupation of annexe  
 8 No PD for Classes ABCDE & G  
 9 No PD for fences, walls etc  
 10 Boundary treatment to be agreed  
 11 Landscaping scheme to be submitted  
 12 New Water Efficiency  
 13 Renewable Energy - Decentralised source  
 14 Reporting of unexpected contamination

- 9      **Appl. No**                               :   **2018/0272/F**  
        **Parish**                                :   **HETHERSETT**
- Applicants Name       :   Mr Ray Brown  
 Site Address           :   Land To The Rear Of 3 Great Melton Road Hethersett Norfolk  
 Proposal               :   Erection of new detached dwelling
- Decision                :   Members voted 8-0 with 1 abstention for **Refusal**
- Refused
1. Out of character with the established built form of the immediate area
  2. Poor quality amenity space for the future occupiers of the new dwelling.
  3. The physical bulk of the dwelling results in an overbearing impact on the neighbouring properties
- 10     **Appl. No**                               :   **2017/2743/F**  
        **Parish**                                :   **GREAT MOULTON**
- Applicants Name       :   Ms Joanne Grimmer  
 Site Address           :   Land North Of Frosts Lane Great Moulton Norfolk  
 Proposal               :   Erection of new self build dwelling and garage
- Decision                :   Members voted 7-0 with 1 abstention for **Approval** (contrary to officer recommendation, which was lost 0-7 with 1 abstention)
- Approved with conditions  
 Conditions to be finalised by officers but to include additional landscaping condition
- Reasons for overturning officer recommendation
- 1 Members considered that the development would not erode the rural character
  - 2 Given the housing shortfall in the rural policy area, it was considered that this development would form sustainable development
- 11     **Appl. No**                               :   **2017/2920/F**  
        **Parish**                                :   **WRAMPLINGHAM**
- Applicants Name       :   Mr Roger Norton  
 Site Address           :   Land West of The Street Wramplingham Norfolk  
 Proposal               :   Proposed new dwelling
- Decision                :   Members voted 5-3 for **Refusal**
- Refused
- 1 Harm to landscape character
  - 2 Unsustainable development

- 12 Appl. No : 2017/2795/F**  
**Parish : NEWTON FLOTMAN**
- Applicants Name : Mr Richard Kenyon  
 Site Address : Relish Restaurant And Bar Old Street Newton Flotman NR15 1PD  
 Proposal : Change of use from existing restaurant with 3 bedroom first floor living area to 4 bedroom residential property and new 3 bedroom dwelling within current car parking area.
- Decision : Members voted 8-0 for **Approval**
- Approved with conditions
- 1 Full Planning permission time limit
  - 2 In accord with submitted drawings
  - 3 External materials to be agreed
  - 4 Window details to be agreed
  - 5 New Water Efficiency
  - 6 Protection of existing hedgerow
  - 7 Use of existing building
  - 8 Surface water
  - 9 Car parking/turning
  10. Surface water
  - 11 Contaminated land
  - 12 Boundary treatment
- 13 Appl. No : 2017/2796/LB**  
**Parish : NEWTON FLOTMAN**
- Applicants Name : Mr Richard Kenyon  
 Site Address : Relish Restaurant And Bar Old Street Newton Flotman NR15 1PD  
 Proposal : Change of from existing restaurant with 3 bedroom first floor living area to 4 bedroom residential property.
- Decision : Members voted 8-0 for **Approval**
- Approved with conditions
- 1 Listed Building Time Limit
  - 2 In accord with submitted drawings
- 14 Appl. No : 2018/0004/F**  
**Parish : ALDEBY**
- Applicants Name : Mr Jon-Henri Sherwood  
 Site Address : Church Farm Waterheath Road Aldeby Norfolk NR34 0DQ  
 Proposal : Proposed conversion and extension to garage to form granny annexe
- Decision : Members voted 7-0 with 1 abstention for **Refusal**
- Refused
- 1 Contrary to SNLP policy 3.7 relating to residential annexes, tantamount to new dwelling in unsustainable location



- 15 Appl. No : 2018/0017/F**  
**Parish : REDENHALL WITH HARLESTON**
- Applicants Name : Mr Patrick Oakes  
 Site Address : Swan Hotel 19 The Thoroughfare Harleston IP20 9AS  
 Proposal : Change of use for part of the Swan Hotel car park to be used as a hand car wash and valeting service.
- Decision : Members voted 8-0 for **Refusal**
- Refused  
 1 Detrimental to setting of Listed Building and Conservation Area  
 2 Detrimental to neighbour amenity
- 16 Appl. No : 2018/0082/RVC**  
**Parish : WHEATACRE**
- Applicants Name : Mr Roger Beaumont  
 Site Address : Old Mill House Beccles Road Wheatacre Norfolk NR34 0BS  
 Proposal : Variation of condition 2 of permission 2014/1221 (Variation of Conditions 2 and 3 of planning permission 2013/1602/RVC - permitted hours increased to 6.00am to 23.59pm Monday to Saturday inclusive and increase setting capacity of 2 buses from 33 to 41 seats.) - To allow for increased hours of operation on Friday and Saturday's from 23:59 to 00:59 for three vehicles only.
- Decision : Members voted 5-3 for **Refusal**
- Refused  
 1 Detrimental to residential amenity, contrary to Policy DM3.13 of the SNLP and paragraph 123 of the NPPF
- 17 Appl. No : 2018/0199/F**  
**Parish : COSTESSEY**
- Applicants Name : Mr Damian Le-may  
 Site Address : Land To The Rear Of 45-49 Stafford Avenue Costessey Norfolk NR5 0QF  
 Proposal : Erection of single storey dwelling
- Decision : Members voted 4-3 with 2 abstentions for **Refusal** (the Chairman used his casting vote)
- Refused  
 1 Detrimental to form and character

**PLANNING APPLICATIONS AND OTHER DEVELOPMENT CONTROL MATTERS**

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

**Major Applications**

1.     **Appl. No**                 :     **2017/2652/O**  
        **Parish**                 :     **PORINGLAND**
- Site Address                 :     Land South of Burgate Lane Poringland Norfolk  
 Proposal                     :     Outline application for the erection of up to 165 dwellings with public open space, landscaping and sustainable drainage system (SuDS) and vehicular access point from Burgate Lane. All matters reserved except for means of access.
- Recommendation     :     Refusal
- 1 Not sustainable development contrary to DM1.1 and NPPF 14  
                                       2 No overriding benefit contrary to DM1.3  
                                       2 Landscape impact – rural character  
                                       3 Loss of important hedgerow  
                                       4 Insufficient ecological surveys

1     Planning Policies

- 1.1    National Planning Policy Framework  
        NPPF 01 : Building a strong competitive economy  
        NPPF 03 : Supporting a prosperous rural economy  
        NPPF 04 : Promoting sustainable transport  
        NPPF 06 : Delivering a wide choice of high quality homes  
        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 7 : Supporting Communities  
        Policy 9 : Strategy for growth in the Norwich Policy Area  
        Policy 14 : Key Service Centres  
        Policy 17 : Small rural communities and the countryside  
        Policy 20 : Implementation
- 1.3    South Norfolk Local Plan Development Management Policies  
        DM1.1 : Ensuring Development Management contributes to achieving sustainable development in South Norfolk  
        DM1.2 : Requirement for infrastructure through planning obligations  
        DM1.3 : The sustainable location of new development  
        DM3.1 : Meeting Housing requirements and needs  
        DM3.8 : Design Principles applying to all development

DM3.10 : Promotion of sustainable transport  
 DM3.11 : Road safety and the free flow of traffic  
 DM3.12 : Provision of vehicle parking  
 DM3.13 : Amenity, noise, quality of life  
 DM3.15 : Outdoor play facilities/recreational space  
 DM4.2 : Sustainable drainage and water management  
 DM4.5 : Landscape Character Areas and River Valleys  
 DM4.8 : Protection of Trees and Hedgerows  
 DM4.9 : Incorporating landscape into design

1.4 Supplementary Planning Documents  
 South Norfolk Place Making Guide 2012

2. Planning History

2.1 No planning history

3. Consultations

3.1 Poringland Parish  
 Council

Refuse

- site is outside the agreed development boundary and is a ribbon form of development inching towards Alington
- the extension of the built-up area will result in a lack of defined centre or character
- the development could be perceived as a gated community with little access, permeability or visual interest
- other developments in the village (such as Norfolk Homes) have shown good examples of progressive development with benefits for all residents, not just new ones
- concerns regarding access and highway safety as Burgate Lane is a narrow lane which will be narrowed further by the narrow pavement
- the junction of Burgate Lane with Upgate and Hall Road has poor visibility which cannot be improved due to land on either side being in private ownership
- road is particularly busy during rush hour as it is used as a shortcut which would make it less attractive to use by pedestrians
- concerned with proposed density of the development which pays little regard to the fact that it is on the edge of the village and in a rural setting
- the current development boundary forms a very natural end to the village which the community wish to see retained
- the proposed site is prime agricultural land which should not be taken out of agricultural production
- the proposed walking route using the existing bridleway has been incorrectly marked as extending to White House Gardens. The bridleway ceases at the private road to the Catholic Church and it not clear whether agreement has been made with the Church to improve their road accordingly
- primary school is at capacity and has no further space to expand, and the High School is full in two year groups. The doctor's surgeries are at capacity
- ecology survey suggests there is limited wildlife, but local records show there are at least 28 species of birds as well as visual evidence of species such as Red Kites
- disappointed with lack of consultation with the wider community

- scant regard has been given to the unique geology and drainage issue in Poringland. The plans identify a key ditch between the two fields as dry, which is not the case
- percolation or attenuation ponds are not a suitable solution in this area

Alpington with  
Yelverton Parish  
Council

Refuse

- density is far greater than the adjacent development
- schools will be unable to accommodate any pupils from this development
- doctor's surgeries are at capacity and can take no more patients
- bus routes only useful to get to the city centre, so this will mean more car ownership and queues on the A146 and B1332
- public car parking in Poringland is limited which is an issue for residents of Alpington with Yelverton as many of their residents are dependent on Poringland
- access from any direction would involve using narrow roads not capable of handling increased traffic
- junction proposed at site entrance would have inadequate visibility

Framingham Earl  
Parish Council

Refuse

- Consultation of 385 leaflet drop was totally inadequate
- Burgate Lane is rural in nature and is a single track lane with blind bends and poor visibility
- Primary school is at capacity has already expanded on part of their playground and therefore has no more land left on which to expand
- Both doctor's surgeries are stretched to cope with all the new developments built or being built
- Gladman mention job opportunities in the locality but there no large or medium sized employers with the majority of jobs being in Norwich
- One of the major worries in this area is drainage. The applicant seems to be totally unaware of the drainage problems in this area, and show scant concern as to where surface water would go after attenuation
- Wildlife survey is not sufficient as we know there many species living in and around the site, including newts, bats, owls and deer
- Would request that the Planning Committee visit the site to see first-hand all the problems and concerns raised by the residents

3.2 District Councillor:  
Cllr Overton

To Committee

- There has been a lack of meaningful consultation with the residents. A total of 385 Gladman leaflets were put through cherry picked letter boxes
- Lack of a proper drainage strategy. No concern showed as to where surface water will end up after attenuation. They are not aware of the surface water and flooding issues in the Poringland and Framingham Earl area
- Impact on schools. No detailed survey or the latest headcount at Poringland Primary School or Framingham Earl High School
- Impact on healthcare. Not considered, no detailed survey available
- Outside of development boundary; it's a speculative application based on a supposed shortfall of the five year land supply

- Traffic. Lack of any knowledge of any proper traffic impact survey been carried out. Burgate Lane is unsuitable for additional traffic movements.
- The application will do nothing to help local people, will do nothing to improve or support the infrastructure, will do nothing to relieve the five year land supply which I believe we have achieved in South Norfolk, will do nothing to improve community relations and is a cramped and over-developed scheme.

	Cllr Neal	To be reported if appropriate.
3.3	Anglian Water Services Ltd	<p>Conditional support</p> <p>Development will lead to an unacceptable risk of flooding in the foul sewerage network downstream. However, a development impact assessment has been prepared in consultation with Anglian Water to determine a feasible mitigation solution. A condition will be required to ensure compliance<sup>4</sup> with the agreed drainage strategy.</p>
3.4	CPRE	<p>Object</p> <ul style="list-style-type: none"> <li>• Site is not earmarked for housing</li> <li>• Poringland and Framingham Earl is identified as a Key Service Centre with small scale housing growth of 100-200 dwellings, and if necessary to help deliver smaller sites in the Norwich Policy Area</li> <li>• Given that around 1,600 dwellings have been permitted it is reasonable to assert that Poringland has received more than enough housing under the current Local Plan regardless of the fact that this part of South Norfolk does not demonstrate a 5-year land supply for housing</li> <li>• Appeal decisions have stated that ‘the weight to be attached to a policy in the development plan is not automatically reduced by virtue of its age or the absence of a five year housing land supply.’</li> <li>• To support this position further it should be noted that a Neighbourhood Plan for Poringland is being prepared and due weight should be given to this</li> <li>• We challenge the conclusions of the Transport Assessment as the estimated number of journeys associated with the development are too low, the impacts on surrounding junctions are underestimated and the assessment makes unrealistic expectations about the amount and length of journeys that will be made on foot</li> <li>• Junctions on the B1332 are already particularly prone to queues</li> <li>• As a single carriageway road of between 3.6 metres and 4.2 metres, Burgate Lane is unsuitable for the addition of traffic to and from a development of this size</li> <li>• Emphasis of the recent Housing White Paper on the need to develop brownfield and surplus public land first, as well as considering other solutions including higher density urban housing, needs to be considered</li> </ul>
3.5	Heathgate Surgery	No comments received
3.6	NCC Ecologist	<p>Further surveys required</p> <ul style="list-style-type: none"> <li>• Ecological Appraisal identifies a number of ponds in the area and recognises that they have the potential to support great crested newts. It recommends further surveys are undertaken and these should be completed before the application is determined</li> </ul>

3.7	NCC Highways	No objection to the granting of planning permission subject to appropriate conditions and access to the site from a new side road junction and not a realigned Burgate Lane
3.8	NCC Historic Environment Services	Conditional support
3.9	NCC Lead Local Flood Authority	Conditional support <ul style="list-style-type: none"> <li>• Satisfied following receipt of further information that the receiving watercourse does connect to Well Beck and does receive a flow</li> <li>• Should approval be granted a condition is required for detailed design of the drainage scheme</li> </ul>
3.10	NCC Planning Obligations Co Ordinator	Contributions required for education, library and provision of a fire hydrant
3.11	NCC Public Rights of Way Officer	Two Public Rights of Way form part of the application site boundary. The proposed development would result in increased footfall and therefore the surfaces of these Public Rights of Way should be upgraded, whilst reflecting the rural nature of the routes as far as possible.  The proposed drainage for the development must not exacerbate existing run-off problems on these routes and opportunities should be considered to improve this situation.
3.12	Norfolk Police Architectural Liaison Officer	Concerns raised about location of children's play area, provision of additional footpaths and provision of parking courts.
3.13	Norfolk And Waveney Local Medical Council	No comments received
3.14	NHSCCG	No comments received
3.15	NHS England	Proposed development would have an impact on primary healthcare in the area. We understand this is being considered through the Greater Norwich Growth Board forum and assuming this is considered in conjunction with the current planning application process we would not wish to raise an objection
3.16	SNC Senior Conservation and Design Officer	Do not consider that the development compliments this part of Poringland as submitted within the Design and Access Statement. It does not meet the key design principle of ensuring that new development does not adversely impact upon key views from and to the sensitive edge of the area and "that new development is well integrated into the landscape and maintains the quality of the transition between the settled and agricultural landscape."
3.17	SNC Housing Enabling & Strategy Manager	No objection subject to agreement on the type and tenure mix of the affordable housing

3.18	SNC Landscape Architect	<p>Object</p> <ul style="list-style-type: none"> <li>• Loss of any part of the hedgerow along Burgate Lane would be contrary to Policy DM4.8 as the hedgerow is considered 'important' under the Hedgerow Regulations</li> <li>• Impact of development on views from the south where there is perception of relatively no development</li> <li>• Green Infrastructure proposals are laudable, but not aware that they are specifically solving any problems that currently existing or provide any overriding benefits</li> </ul>
3.19	SNC Community Services - Environmental Quality Team	<p>Conditional support</p> <ul style="list-style-type: none"> <li>• noise assessment has identified that mitigation may be required in the area fronting onto Burgate Lane. We would wish to see confirmation of the approach taken to protect residential amenity.</li> <li>• - in addition, conditions required relating to construction management, contamination and approved remediation</li> </ul>
3.20	The Ramblers	No comments received
3.21	Other Representations	<p>1 letter of support</p> <ul style="list-style-type: none"> <li>• there is an ever-growing need for realistically priced housing</li> <li>• providing the development includes an adequate mix of properties and is designed sympathetically to its rural location then it has my full support</li> </ul> <p>130 letters of objection</p> <ul style="list-style-type: none"> <li>• outside development boundary</li> <li>• we calculate that Poringland has already attained its 5-year land supply</li> <li>• development allocated in JCS has been met</li> <li>• Norfolk Homes has stopped building as cannot sell any more houses which is proof that the market is saturated</li> <li>• development needs will be met with development at Trowse, Long Stratton, Hethersett, Wymondham and Anglia Square</li> <li>• appreciate the Government's desire to concrete over as much of the south-east as possible which South Norfolk Council seem to have adopted as well</li> <li>• question why South Norfolk Council appears to be accepting significant volumes of development compared to adjoining councils?</li> <li>• South Norfolk Council has responsibilities to its existing residents</li> <li>• village has experience monumental growth in recent years</li> <li>• consideration should be given to building more houses in Brooke, Bramerton, Saxlingham and Shotesham rather than more in Poringland</li> <li>• should be a pause in the approval of future housing developments to allow services to keep pace with the extant house building programme</li> <li>• just over 30 houses at this end of Burgate Lane, to add 165 would be highly inappropriate</li> <li>• brownfield sites should be a priority</li> </ul>

- adding this number of properties would be of huge detriment to the character of the area
- will provide a very 'hard edge' to the village at the density proposed
- density completely out of character
- this no longer a community village but is becoming a suburb of Norwich and village life is being ruined
- yet to feel full impact of houses already permitted
- it will create a landlocked field unsuitable for farming and therefore ripe for another development proposal
- site is on a lane connected to minor roads
- lane used by traffic going to Alington, Yelverton and Bergh Apton
- use for access to these villages doesn't seem to have been considered in design of access into site
- there is a weight restriction on lane so how will deliveries access the site?
- more traffic on lanes would make walking and cycling more hazardous
- dangerous bends on lane and sections too narrow for cars to pass
- question whether sufficient visibility can be provided at the junction of Burgate Lane and Upgate given hedge / boundary line
- undertaking traffic counts between 8.30am and 9.30am is not particularly representative of 'peak times' as does not take into account traffic to the high school at 8am
- likely to increase traffic onto Gull Lane towards A146 by more than that suggested
- traffic congestion through village
- impact of the EACH not yet known on Long Road
- is it time to consider assessing the B1332 to A road status so that it gets the attention from the highway Authority it requires?
- roads cannot cope with another 300 homes
- can take the bus an hour to do the 5 miles into the city
- whilst some people work in the city centre many work in business parks and industrial estates on the edge of the city which realistically people will not use the bus to access and therefore result in more traffic congestion
- does not take into account that buses are provided by rival companies so not at regular intervals
- junctions on A146 at The Feathers and Gull Lane junction need right turn lanes to reduce congestion on A146
- shops, schools and doctors are at least 1 to 1 and a half miles away
- lack of footpaths and streetlighting likely to lead to a fatal accident to a pedestrian
- any new footways on Upgate and Hall Road need to be on both sides of the road
- plan for a new pedestrian crossing near the corner of Rectory Lane is sheer madness
- additional traffic results in more noise and air pollution
- land is known to be very wet with poor drainage
- history of blockages to stream development is supposed to drain into
- ditch along western side of site is not dry as stated
- local area is well documented for underground water as well as springs which have not been identified
- attenuation pond would not be safe for small children
- water pressure can't be increased further



- the discharge of the foul drainage system is challenging, controversial and costly
  - can schools and medical services cope with additional numbers?
  - wait for a doctor is already two weeks
  - Chair of Governors at Poringland Primary School objects advising that there is no room to expand school and cannot accommodate any children from further development
  - low pressure gas main along Burgate Lane is not big enough
  - crime is rising
  - detrimental to wildlife
  - have seen deer, foxes, voles, shrews, owls, snakes, bats and skylarks on the site and understand there are also greater crested newts
  - lack of greenspace
  - loss of ancient hedgerows
  - loss of good agricultural land
  - Brexit could mean we need all the farming land we have
  - lack of employment opportunities
  - additional light pollution with Seething observatory not too far away
  - consultation by applicant was inadequate
  - suggest members of the Development Management Committee come and view the site
- 1 letter not objecting nor supporting the application
- traffic calming measures should be included as part of the plan
  - paths should be widened in strategic locations on alternating sides rather than speed bumps

#### 4 Assessment

##### The site and proposal

- 4.1 The application is an outline application with access for formal consideration. All other matters are reserved. The application is for up to 165 dwellings, with affordable housing to be provided at 33% in line with Policy 4 of the JCS.
- 4.2 The site relates to an area of agricultural land 8.12 hectares in size. It lies to the east of existing residential development in Poringland, with open countryside to the north, east and south. Burgate Lane is on the northern boundary of the site and a public footpath runs along the southern boundary of the site.

##### Principle of development

- 4.3 Members are advised that a key material consideration in regards housing land supply is the Central Norfolk Strategic Housing Market Assessment (SHMA), the most recent version of which was published in June 2017. This is significant new evidence. There is an 8.08 year housing land supply against the SHMA assessment of the Objectively Assessed Need (OAN) for housing. The following paragraphs explain why this effectively diminishes the weight attached to the benefits of increased housing supply.
- 4.4 Planning law (section 38(6) of the Planning and Compulsory Purchase Act 2004) requires that applications be determined in accordance with the Development Plan, unless material considerations indicate otherwise. Material considerations include the National Planning Policy Framework (NPPF).

- 4.5 In accordance with both the Council's adopted development plan and the NPPF, in cases where there are no overriding material considerations to the contrary, development proposals for housing that accord with the development plan should be approved without delay.
- 4.6 In this regard, consideration should be given to Policy DM1.3 which makes provision for development to be granted outside of Development Boundaries, such as this, where one of two criteria are met: either where specific development management policies allow; or, where there are overriding benefits in terms of economic, social and environmental dimensions of sustainable development, as set out in Policy DM1.1.
- 4.7 Where development proposals do not accord with the development plan consideration should be given to whether there are material considerations that otherwise indicate that development should be approved.
- 4.8 Of particular relevance to applications for housing development in this regard is paragraph 49 of the NPPF. This states that: 'housing applications should be considered in the context of the presumption in favour of sustainable development; and that, relevant (local plan) policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites'. Where policies in the Local Plan are not considered to be up-to-date, paragraph 14 of the NPPF requires decision-taking to approve applications for housing unless the adverse impacts of granting permission, 'would significantly and demonstrably outweigh the benefits', when assessed against the policies of the NPPF as a whole.
- 4.9 The 2017 Greater Norwich Area Housing Land Supply Assessment, published as Appendix A of the Joint Core Strategy Annual Monitoring Report, shows that against the JCS requirements there is 4.61 years supply in the combined Norwich Policy Area (NPA), a shortfall of 1,187 dwellings. Consequently relevant policies for the supply of housing in the NPA cannot be considered up-to-date and applications for housing should continue to be determined within the context of paragraph 14 of the NPPF, taking into consideration the narrow interpretation set out in the judgment *Suffolk Coastal District Council (Appellant) v Hopkins Homes Ltd and another (Respondents)* *Richborough Estates Partnership LLP and another (Respondents) v Cheshire East Borough Council (Appellant)*.
- 4.10 The narrow interpretation states:
- "limited to policies dealing only with the numbers and distribution of new housing and excluding any other policies of the development plan dealing generally with the disposition or restriction of new development in the authority's area."
- 4.11 The JCS housing requirement is, however, now several years old (the JCS was adopted in March 2011, with amendments in January 2014). The evidence on which the requirement is based has now been superseded. In June 2017 an updated Strategic Housing Market Assessment (SHMA) was published for Central Norfolk (the Greater Norwich authorities plus, North Norfolk and Breckland). The SHMA assesses the Objectively Assessed Need for housing between 2015 and 2036 using the most recent evidence available. Unlike the evidence underpinning the JCS, the SHMA also includes an assessment of the contribution made by student accommodation in line with the Planning Practice Guidance.
- 4.12 The SHMA is significant new evidence that is also a material consideration in the determination of planning applications. A housing land supply of 8.08 years can be demonstrated against the SHMA assessment of OAN, a surplus of 5,368 units. The abundant housing land supply that is apparent in relation to the most up-to-date evidence of housing needs should be given weight in the decision making process. This factor effectively diminishes the weight that would otherwise be attached to the benefits of increased housing delivery in the context of Policy DM1.1 and NPPF Paragraph 14.

- 4.13 On the basis of the above, the following assessment seeks to establish the benefits of the scheme and any harm that would be caused in the context of the relevant development plan policies and the NPPF, with reference to the three dimensions of sustainable development (economic role, social role and environmental role). These three headings form a convenient basis for structuring the assessment of the proposal against development plan policies.

#### Economic role

- 4.14 The NPPF defines the economic role as:

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

- 4.15 The scheme would result in some short term economic benefits as part of any construction work and in the longer term by local spending from the future occupants.

- 4.16 It should also be noted that the development would be the subject of Community Infrastructure Levy.

- 4.17 It is therefore considered that the scheme would bring forward a level of economic benefit.

#### Social Role

- 4.18 The NPPF defines the social role as:

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

- 4.19 The proposed scheme would provide housing in a location where the JCS identifies a shortfall in housing land supply against requirements which would represent a social benefit. However, the significance of this benefit is diminished by the most recent evidence of the updated SHMA which identifies a housing land supply in excess of 8 years and this is a material consideration in determining this application.

- 4.20 The site is adjacent to the development boundary of a Key Service Centre, which includes a wide range of services. However, the majority of these services are some distance from the site. The primary school is around 900 metres from the site, whilst the Budgens supermarket and community centre / library are over 1km from the site. The site is therefore not considered to be well related to the majority of services within the Key Service Centre.

#### *Access and Impact on the Local Highway Network*

- 4.21 Many of the concerns raised have related to the local highway network. Burgate Lane is a narrow country lane across the site frontage, with sharp bends to the east. The access arrangement proposed is to realign Burgate Lane so that priority is from the new estate road onto Burgate Lane heading into Poringland with traffic coming from Alington along Burgate Lane having to give way. In response to concerns raised by Norfolk County Council as Highway Authority, the applicant has also suggested an alternative access arrangement where priority remains with Burgate Lane.

- 4.22 Concern has also been raised about a number of junctions that traffic from the development is likely to pass through. Of particular concern is the junction of Burgate Lane with Upgate and Hall Road where visibility for vehicles emerging from Burgate Lane onto Upgate and Hall Road has been questioned. The applicant has proposed a number of off-site highway improvements which will include minor realignment of Hall Road and Upgate to improve visibility. In addition, the off-site highway improvements will include the provision of footways along Hall Road and Upgate and improvements to bus stops which will serve the development.
- 4.23 The Highway Authority are satisfied that the proposed improvements satisfy many of their previous concerns. They therefore have no objection to the proposal providing that the alternative access arrangement retaining priority along Burgate Lane is adopted. However, this arrangement would necessitate the removal of a more substantial section of the hedge along Burgate Lane than the originally proposed access arrangement of having priority traffic using the estate road. As detailed later in the report, removal of any part of the hedgerow would be considered to conflict with Policy DM4.8 of the Local Plan.

#### *Schools*

- 4.24 Many comments submitted relate to the capacity of schools in Poringland and Framingham Earl to accommodate children from the proposed development, with particular concern expressed in regard to Poringland Primary School where it is contended that existing extensions constructed to accommodate growth in pupil numbers from development elsewhere in the area have resulted in the school having external playing provision being reduced with no further land available to expand the school. Norfolk County Council recognise that there would be insufficient places from Early Education, Poringland Primary School or Framingham Earl High School to accommodate the children generated from this proposed development. Contributions would be required through CIL to mitigate for this, with the County Council's Children's Services reviewing the existing primary and secondary school provision and considering how best to accommodate children from these new developments.

#### *Healthcare*

- 4.25 NHS England have commented that the development of 165 dwellings is likely to have an impact on the NHS funding programme for the delivery of healthcare in the area. There are two GP practices within a 2km radius of the proposed development, Heathgate Medical Practice and Old Mill Surgery. NHS England have advised that they do not have sufficient capacity for the additional growth resulting from this development and proposed cumulative development in the area. They advise that the issue of healthcare is being considered through the Greater Norwich Growth Board forum and are keen to see this resolved as a matter of priority and that if it can be considered in conjunction with this application they would not wish to raise an objection to this application.
- 4.26 Whilst the concerns of NHS England are noted, GPs are independent contractors of the NHS and so are essentially private businesses and new surgeries are funded/instigated through the relevant primary health care body and are not provided by S106/CIL. As such there is no policy basis for seeking contributions by S106 or provision in the CIL Regulation 123 list, for primary healthcare facilities and it would not be possible to secure any contribution towards primary healthcare and could not be substantiated as a reason for refusal.

#### *Residential amenity*

- 4.27 Some comments have expressed concerns about the positioning of dwellings or other details shown on the indicative layout. However it should be noted that this application is an outline application with all matters reserved except access. Therefore, the precise position of dwellings, and their size and potential for overlooking would be considered at the reserved matters stage in the event that outline planning permission were to be

granted. Given the size of the site and its boundaries with existing development there is no reason to believe that development could not be achieved in accordance with Policy DM3.13 of the Local Plan.

#### Summary of social role

- 4.28 The development provides some benefits from additional housing but the significance of this benefit is diminished by the most recent evidence in the SHMA. Whilst some benefits would be provided from the off-site highway improvements proposed, these are primarily intended to mitigate the impact of the development. No other overriding social benefits have been identified.

#### Environmental Role

- 4.29 The NPPF defines the environmental role as:

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

#### *Landscape Impact*

- 4.30 The application is supported by a Landscape Visual Impact Assessment (LVIA). This has been considered by the Council's Landscape Architect who is of the view that the full impact of development of the site has not been fully considered in views from the south. The LVIA considers the view experienced by users of the B1332 but does not consider the experience of users of public footpath FP10 that is orientated in the direction of the site. The Landscape Architect accepts that the effect for those travelling in cars will be less, but is of the view that the impact for users of the footpath will be greater. At present - and even in winter - the existing vegetation screens the majority of existing development in these views so the perception is of a rural undeveloped landscape. The proposed development will be visible and is reliant on planting on its southern boundary to create screening and mitigate the effect on the landscape character. Revised proposals have been submitted offering a mix of tree and shrub planting to provide a wooded belt. Whilst the shrubby and smaller tree species will achieve a degree of maturity in a relatively short period (around 15 years) the more substantial tree species proposed will take longer.
- 4.31 Furthermore, the Senior Conservation and Design Officer has raised concerns about the overall density and layout in comparison to the character of the existing residential area to the west of the site. This area has a more spacious looser grain and lower density of housing with a very verdant character. Whilst the exact layout would be the subject of a reserved matters application in the event that outline planning permission were to be granted, the permission of up to 165 dwellings is unlikely to be achievable without a far tighter form of development than this existing development. It is therefore the view of the Senior Conservation and Design Officer that the development would not compliment this part of Poringland and does not meet the key design principle of ensuring that new development does not adversely impact upon key views from and to the sensitive edge of the area.
- 4.32 The development would lead to at least a partial loss of the hedgerow along the boundary of the site with Burgate Lane. Policy DM4.8 of the Local Plan presumes in favour of the retention of 'important' hedgerows as defined by the Hedgerow Regulations. The submitted Ecological Appraisal assesses two hedgerows, one along the boundary with the gardens of properties on Brooks Meadow and White House Gardens and the one along Burgate Lane. The Council's Landscape Architect agrees that the hedge along the boundary with the gardens of the properties on Brooks Meadow and White House Gardens is not important, as it not subject to the Hedgerow Regulations as it abounds domestic gardens.

- 4.33 However, the Landscape Architect does have some concerns with the conclusions reached in regard to the hedgerow along Burgate Lane. It is not clear why the species criteria has not been met, and the assessment also does not appear to considered other criteria of the Regulations. In particular it appears that the hedge is likely to qualify as 'important' under at least one historic criteria as it appears on the Tithe Map. Furthermore, Burgate Lane is at this point the parish boundary between Framingham Earl and Poringland which is a historical consideration too. Whilst the application does not propose the removal of all of the hedge, any reduction in its fabric conflicts with the intent of Policy DM4.8. The Senior Conservation and Design Officer also raises concerns about the impact on the character of lane from any loss of the hedgerow.
- 4.34 Taking all the above into account it is therefore clear that there is a significant and demonstrable harm to the landscape, form and character of the area by the proposed development of this site.

#### *Drainage and flood risk*

- 4.35 One of the main concerns expressed by residents is drainage of the site. The site sits within Flood Risk Zone 1 and therefore is not considered to be at risk from fluvial flooding. However, the Poringland Integrated Urban Drainage Pilot Project identified this area as having a predominantly clay geology with poor infiltration characteristics and high groundwater. The main concern therefore is how surface water from the site will be accommodated, particularly given the likely low levels of infiltration.
- 4.36 The drainage strategy that has been developed proposes the provision of an attenuation basin in the southern portion of the site with discharge into a watercourse heading to the south. This watercourse then joins a larger watercourse known as Well Beck which feeds into the River Chet and then the River Yare.
- 4.37 Further information was sought by the Lead Local Flood Authority which confirmed that infiltration was not viable on this site. They have also provided information about the capacity of the receiving watercourse to allow the Lead Local Flood Authority to be satisfied that this drainage strategy is appropriate for development of this site. They would however require a condition to be attached to any planning permission to ensure the detailed design of the scheme is adequate to ensure there is no risk of flooding on the site or any adjoining land. With this condition, it is therefore considered that the proposed development accords with Policy DM4.2 and Section 10 of the NPPF.

#### *Ecology*

- 4.38 The application includes an Ecological Appraisal that Norfolk County Council's Ecologist considers to be broadly fit for purpose. The report identifies a number of ponds within the area and recognises that these ponds have the potential to support great crested newts. It states "further assessment, initially in the form of Habitat Suitability Index (HSI) assessment to determine the suitability of the waterbodies to support great crested newts and further eDNA sampling and / or aquatic presence / absence, population class surveys as required, will be undertaken to inform the proposals." These surveys are yet to be submitted and therefore in their absence there is insufficient information for us to be satisfied that development of this site would not have an adverse impact on protected species, contrary to section 11 of the NPPF and Policy 1 of the JCS.

### *Heritage Assets*

- 4.39 The heritage asset in closest proximity to the site can be considered to be Poringland House, which is not designated but has been identified as a non-designated heritage asset. The impact on Poringland House, including any impact on its setting, needs to be considered with regard to paragraph 135 of the NPPF. It was constructed in the nineteenth century as a large house of some status with a designed landscape and wider rural setting. Although development has taken place to the north of the site and the house itself modified and extended, extensive landscape remains in place to the south. The most sensitive part of the site in regard to the setting of this house is the south-western portion of the site where it is proposed to create a large area of public open space. The Senior Conservation and Design Officer is of the view that this will offset any harm to the setting of the asset resulting of the development to the east. Consequently, development should not result in any significant degree of harm to that asset.
- 4.40 The nearest designated heritage assets are listed buildings on Yelverton Road to the north. However, these are some distance to the north with intervening features and as such there is not considered to be any harm from development of the site to the setting of these buildings. Norfolk County Council's Historic Environment Services have commented that the known heritage assets within the site include former field boundaries, at least one trackway, an infilled pond and an area of possible archaeological activity. They are satisfied that planning permission can be granted, subject to a condition requiring site investigation. Overall the development is therefore considered to accord with Policy DM4.10 and section 12 of the NPPF.

### *Agricultural Land*

- 4.41 A number of comments have been made in regard to the loss of agricultural land. The land is classified as Grade 3, although no records appear to exist as to whether it is Grade 3a or Grade 3b. Whilst Grade 3a soil is a relatively high quality soil for agriculture, it is not considered that even if the land were proved to be Grade 3a the loss of such land would in itself be a reason to refuse the application.

### *Public open space / green infrastructure*

- 4.42 Public open space is proposed in the south-western corner of the site, adjacent to the two public right of ways that pass along the western and southern boundaries of the site. This is connected with green infrastructure including new planting and pedestrian links around the site which have been presented by the applicant as a significant benefit resulting from the development. The Council's Landscape Architect has commented that the local footpath network is already comparatively extensive by local standards; in any case, footpaths can be secured by permissive agreement and new hedgerows are easily planted and do not need to be driven by development. As such, whilst satisfactory to meet policy requirements for open space in the event that planning permission were to be granted, they are not considered to constitute an overriding benefit that outweighs the harm to the landscape from development of the site.

### *Summary of Environmental Role*

- 4.43 Significant harm has been identified to the local landscape from residential development of this site. Benefits are provided through the provision of public open space and green infrastructure provided in association with this space and along the boundaries; however for the reasons outlined above it is not considered that they would provide overriding benefits to justify residential development in this location.

## Other Issues

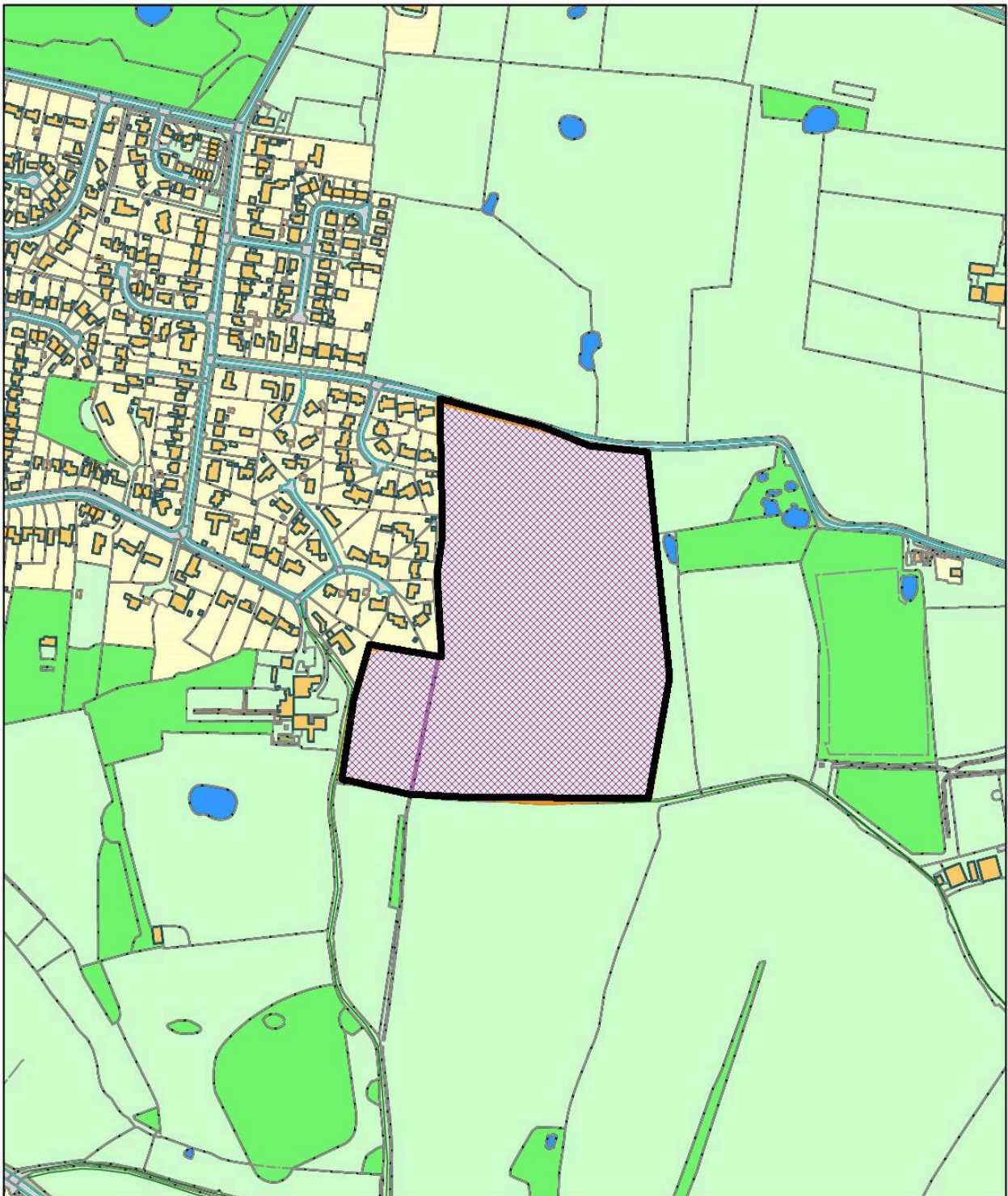
- 4.44 Under Section 143 of the Localism Act the council is required to consider the impact on local finances. This can be a material consideration but in the instance of this application the other material planning considerations detailed above are of greater significance.
- 4.45 The application is liable for CIL although this would be calculated at the reserved matters where floor spaces would be known. Should consent be granted a section 106 agreement would be needed to be entered into to ensure the provision of affordable housing and in regard to the provision and management of the open space.

## 5. Conclusion and Reasons for Refusal

- 5.1 The proposed development does not represent a sustainable development, having regard to the three tests (social, economic and environmental) set out in the NPPF, by virtue of the detrimental impact the scheme would have on the rural landscape and loss of important hedgerows and likely ecological harm in the absence of sufficient information which significantly and demonstrably outweighs the benefit of housing in the Norwich Policy Area where there is not an up to date 5 year housing land supply, which is diminished by virtue of the evidence contained in the SHMA. Accordingly the proposal fails to comply with policy DM1.1 of the South Norfolk Local Plan and Paragraph 14 of the NPPF.
- 5.2 The proposed housing is not supported by any specific Development Management Policy which allows for development outside of the development boundary and nor does it represent overriding benefits when having regard to the harm caused in relation to the rural landscape and loss of important hedgerows and as such does not satisfy the requirements of either 2 c) or d) of Policy DM1.3 of the South Norfolk Local Plan.
- 5.3 The development would result in a significant harm to the rural character of the landscape, thereby conflicting with Policy 2 of the Joint Core Strategy and Policy DM4.5 of the South Norfolk Local Plan. In particular, the development, which would not be of a density to respect the rural edge of the area, would be apparent from public viewpoints on public footpaths and Bungay Road to the south of the site where there is currently little perception of development thereby leading to a loss of the landscape's rural character.
- 5.4 The proposed development will result in removal of part of the hedgerow fronting Burgate Lane which is considered to be 'important' under the Hedgerow Regulations 1997, thereby conflicting with Policy DM4.8 of the South Norfolk Local Plan.
- 5.5 The application contains insufficient information to demonstrate that the development will not have an adverse impact on protected species. In particular, ponds in the vicinity of the site identified in the Ecological Appraisal submitted with the application as having the potential to support Great Crested Newts have not been surveyed to ensure the development would not result in a loss of habitat to these species contrary to Policy 1 of the Joint Core Strategy and Section 11 of the National Planning Policy Framework.

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2. **Appl. No** : **2017/2794/O**  
**Parish** : **KESWICK AND INTWOOD**
- Site Address : Land West Of Ipswich Road Keswick Norfolk  
 Proposal : Outline Application for Proposed employment development consisting of B1, B2 and B8 uses, associated access and landscaping; and proposed link road between the A140 and the B1113, including new roundabout with some matters reserved (resubmission)
- Recommendation : Approval with Conditions
- 1 Outline time limit
  - 2 Reserved matters to be approved – appearance, landscape, layout, scale
  - 3 Reserved matters substantially in accordance with Parameters plan 402 and Landscape Strategy drawing 2035 01 (to control building heights, strategic landscape buffers and B1 uses to north)
  - 4 Landscape scheme for whole site to be submitted with first reserved matters
  - 5 Phasing/implementation of Landscaping scheme
  - 6 Restrict total floorspace to 28,329sqm (max 9443sqm B1; max 9443sqm B2 and max 9443sqm B8)
  - 7 Restrict Permitted Development for change of use from the respective B1, B2 and B8
  - 8 Renewable energy
  - 9 Sustainable construction measures
  - 10 Water efficiency
  - 11 Highway – turning area
  - 12 Highway – cycle parking
  - 13 Highway – construction parking
  - 14 Highway – wheel cleaning facilities
  - 15 Highways – wheel cleaning facilities retained
  - 16 Highways – protection of improvement line
  - 17 Highway – safeguarding of land for Bus Rapid transit route
  - 18 Highways – detailed off site highway scheme to be approved
  - 19 Highways – scheme for traffic calming of Low Road
  - 20 Highways – detailed off site highway scheme – A47 junction to be approved
  - 21 Archaeology
  - 22 Fire hydrants
  - 23 Surface water drainage (including pollution prevention water quality)
  - 24 Materials Management Plan (Minerals) to be submitted
  - 25 Updated Ecological survey and Ecological management plan
  - 26 Noise levels
  - 27 Construction environmental management plan
  - 28 Restriction of refrigeration units
  - 29 No plant or machinery without consent
  - 30 No dust/grit/extraction system without consent
  - 31 Details of external lighting
  - 32 Foul water to mains sewer only
  - 33 Contamination

## 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 03 : Supporting a prosperous rural economy

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  
 NPPF 13 : Facilitating the sustainable use of minerals

## 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 5 : The Economy  
 Policy 6 : Access and Transportation  
 Policy 9 : Strategy for growth in the Norwich Policy Area  
 Policy 16 : Other Villages  
 Policy 20 : Implementation

## 1.3 South Norfolk Local Plan Development Management Policies

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

## 1.4 Site Specific Allocations and Policies

KES 2 : Land west of Ipswich Road:

Land amounting to some 4 hectares is allocated for employment uses restricted to uses in classes type B1.

The developer of the site is required to provide the following:

1. An access road across the site from B1113 to A140 at Tesco Harford, to be agreed with Highways Authority
2. Right turn junction into site from B1113
3. Landscaping/bunding to protect properties to the north
4. Use restricted to light industrial/workshop type uses (B1)
5. Norfolk Minerals and Waste Core Strategy Policy CS16 applies, as this site is underlain by safeguarded mineral resources

## 1.5 Supplementary Planning Documents

South Norfolk Place Making Guide 2012

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

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

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

### **2. Planning History**

2.1	2014/2618	Proposed Employment Development	EIA Not Required
2.2	2016/0764	Outline Application for Proposed employment development consisting of B1, B2 and B8 uses, associated access and landscaping; and proposed link road between the A140 and the B1113 with some matters reserved	Refused

### **3. Consultations**

3.1	Caistor Parish Council	No views or comments	
	Keswick and Intwood Parish Council	<p>Refuse:</p> <ul style="list-style-type: none"> <li>Do not believe that the resubmitted Application, albeit with minor changes, contains anything to alter the fundamental principles of the original decision. Moreover, the Council believes that the extended nature of the site to provide for cosmetic screening; and further evidence which has emerged about existing sites makes the application less credible for approval than previously</li> </ul> <p>In summary:</p> <ul style="list-style-type: none"> <li>The extended nature of the site (and new evidence about existing sites) is further testimony that the Application goes well beyond the intention of South Norfolk Council's policy DM 4.6 of the South Norfolk Plan causing significant harm to the NSBLPZ.</li> <li>Believe that overall (even allowing for the proposed junction improvement) the proposed Development will have a negative impact on the local highway network and compromise the safety of vulnerable road users. This is contrary to the Inspector's report on the South Norfolk Plan which requires the Development to achieve a positive effect on the local highway network. Moreover, the increase in HGV's already using Low Road is a contrary to Council Policy DM 3.13.</li> <li>Considers that the independent evidence from the GNLP demonstrates that there is no economic justification for this development. It cannot therefore be claimed there is evidence to support contribution to jobs as a material benefit.</li> <li>The size and nature of this development conflicts with policy DM 4.6 which in itself creates reason to (again) reject the Application.</li> </ul>	

		<ul style="list-style-type: none"> <li>The size and nature of the proposed development conflicts with JCS Policy 16 designed to protect "Other Villages" from inappropriate large-scale development</li> </ul>
	Cringleford Parish Council	<p>Refuse</p> <ul style="list-style-type: none"> <li>The substance of the application remains the same as the previous version. The objections made to that are still valid and the reasons of the Development Management Committee for rejecting it still stand</li> <li>The site has been expanded well beyond that for which planning permission was originally sought and this is likely to impact on the volume of traffic along Keswick Road. This is unacceptable</li> <li>Damage will be done to the environment. The A47 protection zone and the Strategic Gap will be significantly eroded, contrary to Joint Core Strategy and the South Norfolk Local Plan.</li> <li>Disagree with the transport assessment which <i>establishes</i> that there 'will not be a substantial increase in traffic as a result of the development'. In fact, are convinced that there will be a substantial increase in the volume of traffic using Keswick Low Road in Keswick and Intwood Parish through to Keswick Road in Cringleford. The increase will include heavy commercial vehicles, despite the weight restrictions on the road, which are ignored. Consequently, the risk to other users of the road will be increased. Particular danger spots are 1) the narrow section of the Low Road beside the wall bounding Keswick Old Hall (addressed to some extent in the new proposals) and 2) the junction between Keswick Road and Intwood Road</li> </ul>
3.2	District Councillors	To be reported if appropriate
3.3	Historic Environment Service	No objections subject to conditions
3.4	Anglian Water Services Ltd	No objections subject to advisory comments to be included on any decision notice
3.5	SNC Community Services - Environmental Quality Team	To be reported.
3.6	NCC Highways	<p>No objections subject to conditions</p> <ul style="list-style-type: none"> <li>The application is a re-submission of Application 2016/0764 which was not refused on highway grounds and this re-submission has few changes in terms of highways apart from improved cycle links from the Yellow Pedalway at The Marsh Harrier to the B1113 and an off-carriageway cycleway along the B1113 to Low Road. This will provide a significant improvement for pedestrians and cyclists between Low Road and the A140 and then connecting to the existing provision of Pedalways.</li> <li>The application site is an allocated site with the allocation bringing forward highway improvements which aim to address existing issues of congestion particularly at the junction of the A140/B1113. The highway improvements identified and being brought forward with this application not only mitigate the development but enhance the highway network into Norwich with the introduction of two ahead lanes inbound which will bring considerable benefit to highway users particularly in the</li> </ul>

		<p>morning peak period and should relieve congestion for traffic travelling into Norwich.</p> <ul style="list-style-type: none"> <li>• The proposed off-site highway works are shown indicatively on drawing no 731_03_020 Rev H. The off-site works include the removal of signals at the B1113/A140 junction with the prohibition of right turn movements and allows left turn only onto the A140, the provision of a new roundabout on the B1113 to provide a junction for the new link road, changes to the signalised Tesco's junction where the new link road joins the A140 and the provision of two ahead lanes into Norwich from the Tesco's junction to the Hall Road junction. These works are only shown indicatively and will be subject to detailed design. Land is also being dedicated as highway along the A140/site boundary in order to facilitate the future delivery of a Bus Rapid Transit scheme.</li> <li>• Drawing 731_03_020 Rev H shows indicatively a footway link along Low Road. This will be designed to ensure that there is an appropriate 'landing pad' at both ends to ensure that pedestrian safety is not compromised. In addition, a traffic management scheme will be delivered along Low Road, Keswick. The precise nature of this scheme is to be determined at detailed design in consultation with the Parish Council.</li> </ul>
3.7	NCC Lead Local Flood Authority	<p>Our previous comments under 2016/0764 still stand: No objections subject to conditions</p>
3.8	Police Architectural Liaison Officer	<p>I recommend the applicant fully embraces the principles of Crime Prevention through Environmental Design (CPTED) to this development and security measures recommended in the current SBD, Commercial Developments 2015 V2 guidance.</p>
3.9	SNC Conservation and Design	<ul style="list-style-type: none"> <li>• The nearest heritage assets are the remains of Keswick Church and the new church, both grade II listed buildings. Although the original church dates from the C12th, and parts of the round tower dates from C12, the church was heavily rebuilt and the tower restored in the C19 by the Gurney family; the chancel of the earlier church having been pulled down in 1597 is now in ruins. Hence, the heritage assets are grade II listed. Historic England defines setting as "the surroundings in which a heritage asset is experienced". The asset sits in a wooded landscaped area surrounded by fields and this contributes to its significance. There is very limited intervisibility between the assets and the site. There would be a low degree of impact on the setting due to the distance between the church and the site, and the church would still be viewed within an isolated rural context. The B1113 lies between the site and has quite an impact, to the degree that from within the proposed site, any views, which may be only glimpsed at best, do not make a significant contribution to the setting of the asset. The church can be considered to form part of the wider landscape character. I therefore agree with paragraph 8.8 with regard to any harm to the significance of the heritage assets being less than substantial, and relatively low.</li> <li>• It should be borne in mind that this is an outline application. From a design point of view the impact of new buildings within the landscape can also be mitigated by a sympathetic design approach in terms of form and materials to appear more like contemporary agricultural building forms in the landscape.</li> </ul>

3.10 NCC Ecologist

No objections subject to conditions

- Based on the ecological assessment, it is unlikely that there would be grounds for objection to this application with regard to biodiversity
- The content and conclusions of the ecological assessment are appropriate and the proposed mitigation and enhancements are suitable to support the majority of species recorded at the site.
- The loss of arable land from the centre of the site might impact on priority species for conservation in the UK such as skylark and brown hare however by the nature of the site they would always be subject to the management cycle and type of crops being grown each year. Therefore, not permanently using the site and similar suitable habitat exists on adjoining and surrounding land
- All existing hedgerows and trees being retained must have tree protection zones around them to prevent driving or storage of materials on the habitats being retained.
- Overall there is unlikely to be any net loss of biodiversity on the site

3.11 Highways England

No objection

3.12 SNC Landscape Architect

The application is supported by a Landscape and Visual Impact Technical Addendum Note (LVITAN), which is to be read in conjunction with the previous LVIA and LVIA Addendum that were submitted for the previous refused application (2016/0764). This Note has been produced by chartered landscape architects, different to the authors of the original LVIA, and together the information presents a much more comprehensive assessment package.

Landscape Impact

*Policy DM 4.5 Landscape Character and River Valleys states: All development should respect, conserve and where possible, enhance the landscape character of its immediate and wider environment. Development proposals that would cause significant adverse impact on the distinctive landscape characteristics of an area will be refused. All development proposals will be expected to demonstrate how they have taken the following elements (from the 2001 South Norfolk Landscape Assessment as updated by the 2012 review) into account:*

- *The key characteristics, assets, sensitivities and vulnerabilities;*
- *The landscape strategy; and*
- *Development considerations.*

*Particular regard will be had to protecting the distinctive characteristics, special qualities and geographical extents of the identified Rural River Valleys and Valley Urban Fringe landscape character types.*

The site sits in the C1 Yare Tributary Farmland with Parkland landscape character area . It is adjacent to the F1 Yare Valley Urban Fringe landscape character area, and near to the B1 Tas Tributary Farmland. The site is not directly within a River Valley policy area (although it is near).

For the C1 Landscape Character Area, the most pertinent considerations to this proposal are:

#### Key characteristics and assets

- *Shelving landform with a gently undulating topography*
- *Transitional landscape (between rural and urban landscape)*
- *Arable and pastoral farmland*

#### Sensitivities and vulnerabilities

- *Proximity to Norwich and loss of rural farmland character through expansion of the urban edge of the City beyond the Yare Valley*
- *Incremental change including upgrading of the rural lane network (e.g. kerbing and lighting) plus isolated developments (e.g. institutions) resulting in a more urban character.*
- *A gently shelving topography from the plateau and long views making this area especially sensitive to the location of any new development/infrastructure – and potential impact on views to the City.*

#### Landscape strategy

*The overall strategy is to conserve the peaceful rural character of the Yare Tributary Farmland and parkland landscape and to maintain the clarity and distinction with the urban edge of Norwich. [Including]: management of the small farm woodlands which contribute to the more enclosed character, plus renewal of boundary hedgerow trees.*

#### Development considerations

- *Ensure that the rural character of the landscape of the Norwich Southern Bypass Protection Zone is maintained and that differential development North and South of the road do not erode the unity of the Character Area*

With regards to the Sensitivities and Vulnerabilities, whilst the site is “beyond the Yare Valley”, the fact that a proportion of it is already allocated for development in the Local Plan makes avoidance of the expansion of the urban edge very difficult. The additional, non-allocated, site extent does increase the adverse effect on the landscape.

Whilst the B1113 is not regarded as a lane as such, and is a much-used route to the City, it is identified as an ‘undeveloped approach’ and at present is only kerbed to one side. The introduction of a new roundabout and highways works will undoubtedly have an urbanising effect, but this will be as part of a development that, by its very nature, will add to the urban fabric. The provision of a wooded belt along the west of the Mulbarton Road (on an extended site to accommodate this) is one of the key changes for this current application. The planting in itself will result in a change of the character of the undeveloped approach; at present there are views across a relatively low hedgerow to fields, but as the planting



matures the road will become a wooded corridor and peripheral views will be blocked. Evidence has been presented (extract of First Edition OS map) which indicates that there were trees worthy of note present in the late nineteenth century and aerial photography shows that they remained until at least 1946, but are largely gone by 1988 (a result of Dutch elm disease, possibly?). It appears that the proposed new feature will be broader than the historic planting, but I do not see this as an issue; there are other approaches to Norwich that have a wooded character (such as Dereham Road and Watton Road), furthermore, such planting does not require consent, and could be implemented at any time separate to any planning situation.

Views to the city are limited and the site is not within an identified 'viewing cone' (see NSBLPZ below).

With regards to other landscape features not explicitly mentioned in the Landscape Character descriptions, the main consideration is loss of hedgerows, which are all potentially subject to the Hedgerows Regulations due to the existing land use. Where the breaches of hedgerow are required for the connecting road between Mulbarton and Ipswich Roads, these are contained within the allocated site for KES 2 and as such my view is that the proviso within DM4.8 is satisfied. The proposed roundabout requires loss of existing hedgerow outside of the allocated site boundary and as such DM4.8 could have more weight. However the presumption is for the retention of 'important' hedgerows and site observations reveal that the hedge to the west of Mulbarton Road is comparatively young and is therefore unlikely to be 'important'; I therefore do not consider that the proposed loss can be resisted, especially as replacement planting could be secured via planning condition.

### Visual Impact

The LVITAN has re-assessed the viewpoints of the original LVIA and also additional viewpoints, which enable fuller consideration of the potential effects from the west, the undeveloped approach (Mulbarton Road) and from the Park and Ride site. The overall conclusion is that there still will be significant visual effects from the viewpoints generally west of the site and I agree with this. What is not stated, however, is whether these effects are adverse or beneficial. As already noted, a key new element of this revised scheme is the re-introduction of a tree belt along the west of Mulbarton Road and, in time, the visual effect of the buildings from the viewpoints west of the site be mitigated by the proposed planting. This in itself will be a change too - resulting in a significant visual effect – however this is arguably beneficial.

### Norwich Southern Bypass Landscape Protection Zone

The element of the application site that is not part of the allocated KES 2 site is also within the NSBLPZ; policy DM 4.6 (Landscape Setting of Norwich) states:

*All development proposals will not harm and where possible should enhance the landscape setting of Norwich with regard to the following considerations:*

**NSBLPZ**

*All development proposals within the Norwich Southern Bypass Landscape Protection Zone (NSBLPZ), as shown on the Policies Map, should have regard to protecting the openness of the Zone and, where possible, enhancing the landscape setting of the southern bypass, including the practice of wild flower planting and management regimes.*

*Key Views - All development proposals located within the Key Views 'cones' shown on the Policies Map should ensure they do not obstruct the long distance views to and from the City.*

*Undeveloped Approaches - All development proposals within the visual zone of influence viewed from the identified Undeveloped Approaches to Norwich should reinforce and avoid undermining the rural character of the Undeveloped Approaches to Norwich.*

*Gateways - All development proposals on the approaches to defined Gateways (shown on the Proposal Map) shall reinforce and avoid undermining the significance of these Gateways as the visual points of the landscape and townscape change marking the 'arrival' at and 'departure' from the city of Norwich.*

*Development which would significantly harm the NSBLPZ or the landscape setting of the Norwich urban area will not be permitted.*

The site is not within an identified key viewing cone, nor at a defined 'gateway' point.

Both the Ipswich Road (A140) and Mulbarton Road (B1113) are identified as 'undeveloped approaches'. From the LVIA and LVITAN it is clear that the visual effect of the proposed development will be less from Ipswich Road, however the effect on the Mulbarton Road approach will be more apparent; the introduction of a new roundabout and highways works will have an urbanising effect, and the introduction of buildings and associated block planting will, in time, change the field of view from this route and reduce the 'openness' of the NSBLPZ at this point. Also, one of the key visual changes from the western viewpoints will be a reduction in visibility across the site to the rising land beyond as a result of the introduction of the new block of planting along the road. Whether the introduction of vegetation in itself constitutes a reduction in the openness is open to debate. However, in pure landscape character terms, the area already has blocks of woodland (for example, nearby at Mangreen Lane and also associated with Keswick Hall) so I do not consider that the concept is uncharacteristic, especially in light of the historic planting precedent along Mulbarton Road.

My conclusion for 2016/0764 was based on three concerns, for which I comment in light of the current submission:

*- the visual effect of the scheme in the views from the west (bridleway and the church) which the LVIA states can be considered significant.*

There will still be a significant visual effect from the west, however in the long-term, this effect is a result of a new substantial planted feature which - in landscape character terms – I conclude is acceptable.

*- the effect on undeveloped approaches to the city*

The character of the undeveloped approach will be changed, but the proposal to create a wooded ‘corridor’ approach is acceptable. The adjusted road (kerbing, roundabout etc.) will have an effect, but the KES2 allocation means that these are inevitable in any case.

*- impact on the openness of the Bypass Protection Zone*

Whether this is compromised by the proposed wooded belt is debatable, however in pure landscape character terms – I do not consider the application could be refused on the impact of the planting on this.

There will be significant harm in terms of visual effect, but this will be from the west only. Furthermore, there is an un-assessed potential further impact from night-time lighting, which has not been considered by the LVIA.

The summary of the LVITAN states: *“Overall in landscape and visual terms, the revised layout and landscape masterplan lead to reduced impacts than those previously identified in the original application”* and *“it is considered that the revised scheme would lead to an overall reduction in the significance of impacts identified with the original submission”*. I do not dispute these conclusions.

The reason for refusal for 2016/0764 stated: *“The proposed development results in a significant adverse impact on the Norwich Southern Bypass Landscape Protection Zone (NSBLPZ), and the landscape setting of Norwich by virtue of the extent of the application site and the identified harm to the openness of the NSBLPZ when viewed from the west. The proposal therefore conflicts with Policy DM4.6 of the South Norfolk Local Plan 2015.”*

DM4.6 states: *“All development proposals will not harm and where possible should enhance the landscape setting of Norwich”* and *“should have regard to protecting the openness of the Zone”*. It concludes: *“Development which would significantly harm the NSBLPZ or the landscape setting of the Norwich urban area will not be permitted”*.

The Development Management Policies Document explains that the NSBLPZ *“has been identified where there is a high level of visual accessibility to and from the road to a predominantly open rural area, that positively enhances the setting of Norwich.”*

The submitted LVIA and LVITAN demonstrate that visibility of the site from the southern approaches is not significant, and that the significant visual effects of the development (as viewed from the west) will – in time – be screened by the proposed woodland planting; as a consequence, this will limit visual accessibility to the site. As the woodland planting does not require consent in its own right, it could be implemented at any time, thus limiting views to the site (and NSBLPZ), thereby reducing the ‘openness’ of the Zone. Furthermore, the treatment of the undeveloped approach with woodland planting alongside the road will create an enhancement for the landscape setting of Norwich via a new feature that is not contrary to the identified landscape character.

I therefore conclude that the current proposals are not incompatible with DM4.6.

- |      |   |   |
|------|---|---|
| 3.13 | NCC Minerals and Waste Planning Officer | No comments received  |
| 3.14 | Norwich City Council                    | Given the allocation of the site I would not wish to comment on the current proposals   |
| 3.15 | Norfolk Fire Service                    | <p>No objections subject to conditions</p> <ul style="list-style-type: none"> <li>• Taking into account the location and infrastructure already in place and type of proposals Norfolk Fire and Rescue Service will require an additional hydrant/s to be installed</li> </ul>  |
| 3.16 | Norwich Rivers Heritage Group           | No comments received  |
| 3.17 | Yare Valley Society                     | <p>Object on following grounds</p> <ul style="list-style-type: none"> <li>• Contrary to Policies DM4.6 and DM4.5</li> <li>• Significant adverse impact on the distinctive landscape characteristics of the area</li> <li>• Significantly harm the landscape setting of the Norwich urban area will not be permitted.</li> <li>• Completely undermine the rural character of the Undeveloped Approach to Norwich</li> <li>• Significantly harm the NSBLPZ</li> <li>• Contrary to the site specific land allocations in the local plan</li> </ul>   |
| 3.18 | Norwich Cycling Campaign                | <p>To the original submission:</p> <p>Object unless the developer can bring forward a cycling scheme that meets the requirements of DM3.10</p> <ul style="list-style-type: none"> <li>• A large part of the proposed development area is outside the allocated employment area KES2 in the local plan and the application also seeks to increase the range of industrial and warehousing use.</li> <li>• The allocated area and its designated classification was agreed only after extensive consultation. Ad hoc developments outside of the agreed local plan can be expected to further increase the unsustainability of transport (and other service) arrangements in the Greater Norwich area.</li> <li>• If this development is to go ahead it is imperative that all possible opportunities should be taken to mitigate its affects by promoting sustainable modes of transport such as cycling.</li> </ul> |

- The current cycling proposals fail completely to provide safe cycling connectivity, and greatly reduce the opportunities for sustainable travel contrary to DM3.10
- There is no safe connection for cyclists between the Yellow Pedalway to the north of Harford Bridge, and the advisory cycle lanes to the south on the B1113
- A three lane A140 with traffic travelling at the national speed limit will be a serious disincentive to most cyclists wishing to commute between the new employment area, Tesco's, and the Norwich area.
- Failure by the developer to provide a cycle route to Norwich that is safe, and perceived to be safe, means the development does not *"maximise the use of sustainable forms of transport appropriate to the location"*, as required by DM 3.10

To the additional information  
No comments received

### 3.19 Other Representations

To the original submission  
22 letters of objection

- The revised plans do not address the issues raised and give cause to overturn the original refusal for planning permission on grounds stated in final decision
- The development does not meet the KES2 criteria
- This proposal is unwanted, not needed, and in totally the wrong location
- Will not deliver the job creation to outweigh the policy conflict.
- Does not justify a departure from the development plan.
- This is a prominent and still primarily rural location a short distance outside the City boundary. It should remain as such.
- Proposal will have significant detrimental impact on the character of the locality, including on the aesthetic nature of Norwich as people enter this 'fine' city.
- Will be a huge blight and eyesore
- Highway safety
- A considerable number of people would be employed on the site and generate a significant volume of traffic which some local roads would have difficulty accommodating
- Keswick Road/Low Road which runs from Newmarket Road in Cringleford to the B1113. This winding, partly residential road is already an unsafe rat-run. There is a particularly narrow section of Low Road, with no footpath, where vehicles have difficulty in passing.
- Keswick Road-Intwood Road junction already an accident hotspot, which the additional traffic will only exacerbate
- Will create a significant detrimental impact on the safety of the surrounding minor roads, including Low Road/Keswick Road and B1113, which do not have capacity to handle the additional traffic the development will generate
- The use of cycles would not increase due to the lack of cycle lanes.
- It will increase risk to life at the rail crossing on Low Road as a result of the increase traffic, especially to those not familiar with the area

- Significant detrimental impact on people's health, quality of life and general wellbeing in the area as a result of noise, light and air pollution and further urbanisation of the area.
- It poses a significant increased flood risk to land, roads and surrounding property as the proposed development is directly adjacent to River Yare flood plain. The B1113 and flood plain are already prone to flooding. Experience shows that most attempt to mitigate such risks when urbanising such areas do not work
- There are more suitable, underdeveloped brownfield sites in the South Norwich area, including the Hall Road industrial area that could be utilised without further destruction of Greenfield sites.
- With many of the surrounding industrial units empty or with land yet undeveloped (e.g. next to Hall Road B&Q and Cattle Market).
- The application contends the need for modern A grade offices on business parks located on the Southern side of Norwich. This ignores the fact that B1, B2 and B8 premises already lie vacant in the Bessemer Road and Hall Road areas of Norwich, and that B1 premises lie empty in Keswick Hall Business Park.
- Environmental impact with the loss of farmland, hedges and open spaces.
- The South Norfolk Plan allows for KES 2, a 10-acre plot for B1 office use only within the Norwich Southern By-pass Landscape Protection Zone
- Conflicts with both Policy DM 4.6 of the Council in causing significant harm to the NSBLPZ and also conflicts with Policy DM4.5 in causing a significant impact on the distinctive landscape of the area
- Conflicts with Joint Core Strategy 16 which exists to give protection to villages such as Keswick against inappropriate large-scale development
- Local authorities have already identified that Norwich will have a significant surplus of land earmarked for commercial development over the next twenty years, there is, therefore, no need to allocate more for this purpose
- Along the B1113 we are already going to be affected by the works for the Hornsea Offshore Windfarm infrastructure
- There are now no material benefits arising from this application as it is not required for job creation
- It will not bring no net transport infrastructure benefits
- It will not create significant economic benefits
- The Committee were concerned at the increase in the number of developers obtaining an allocation by firstly gaining approval for small scale developments and then returning shortly after on the basis of financial viability to significantly increase the size and scope of developments
- The Committee Members stated that they had spent thousands of hours in preparing the Council Plan and Policies to assist and guide them when considering complex/controversial applications and should not ditch these policies under pressure from the developer.
- The new LVIA still identifies harm to the Landscape and openness of the Zone, but states the impact has reduced from the previous harm. The previous conclusions of the Council's Landscape Officer therefore still stand, but in addition the further significant adverse impact of the introduction of the block thick screening needs to be taken into account

- Plans have come forward for additional housing in Swardeston, Mulbarton, Bracon Ash and Hethel which will increase traffic and impact on junction
- Light, noise and air pollution

To additional information

6 letters of objection raising the following additional concerns:

- The cycle lane does nothing to change our stance that this application is wholly in acceptable and unnecessary
- The plans to offer a footpath on Low Road must not be approved
- The current application proposes to have pedestrians exiting the path into the narrowest and most dangerous part of the road
- The footpath would also be inaccessible for anyone with physical impairments, elderly, horse riders, buggies/prams etc.
- The ecological report is likely to be outdated and therefore how can we be certain that the condition of the habitats have not changed and no protected species have begun using this site without an up to date ecology survey?
- It does little to assist with safety on Low Road which is the paramount issue for myself and local residents
- The situation of this proposed footpath is in area subject to constant flooding from the adjacent field which will make it unusable on many occasions
- Who will accept maintenance responsibility for the path?
- To be of any use the path would have to at the same level as the road, and constructed to a high quality and of sufficient width to offer protection to all users
- It does nothing to restrict a significant increase in HGVs as the current signs are routinely ignored and proven to be unenforceable

#### 4 Assessment

4.1 This application seeks outline planning consent with all matters reserved with the exception of the access for a proposed employment development consisting of B1, B2 and B8 uses, associated access and landscaping; and proposed link road between the A140 and the B1113, including new roundabout at land west of Ipswich Road, Keswick.

4.2 The previous application 2016/0764 was refused by Members at the 21<sup>st</sup> June 2017 Development Management Committee meeting for the following reason:

*The proposed development results in a significant adverse impact on the Norwich Southern Bypass Landscape Protection Zone (NSBLPZ), and the landscape setting of Norwich by virtue of the extent of the application site and the identified harm to the openness of the NSBLPZ when viewed from the west. The proposal therefore conflicts with Policy DM4.6 of the South Norfolk Local Plan 2015.*

*It is not considered that the material considerations of job creation or the delivery of the proposed highway works outweigh the identified policy conflict to justify a departure from the development plan in line with Paragraph 12 and 210 of the NPPF, S38(6) of the Planning and Compulsory Purchase Act 2004 and S70(2) of the Town and Country Planning Act 1990.*

- 4.3 This application seeks to overcome the reason for refusal set out above and the following modifications have been made:
- In order to accommodate additional landscape screening on the north/west side of the B1113 to mitigate views from the west, the site area has been increased to 12.7 Ha. Overall, the site area now consists of 7.85 Ha of 'operational development' and 4.85 Ha of landscaping. In comparison to the previous application, the operational area has been reduced and the landscaping increased.
  - 28,329 sq m of employment floor space equitably split across B1, B2 and B8 uses has been retained within the scheme. This is the required floorspace (and associated operational area) limited only to the extent of land necessary to accommodate the quantum of development that will fund the highway and drainage infrastructure associated with the scheme and no more.
  - A substantial tree and landscaping belt has been introduced along the north-western side of the B1113.
  - On the indicative masterplan and parameters plan the B1 Office buildings have been placed along the western boundary of the site to create a more office / domestic feel to the development when viewed from the west.
  - On the submitted indicative masterplan and parameter plans the B8 buildings have been removed from the southern (higher) part of the site and replaced by the B2 buildings. The B8 have been relocated to the centre, and along the eastern boundary of the site.
  - As per the indicative layout, the development has been set into the ground within a series of terraces (having the effect of lowering the development).

#### *The Proposal*

- 4.4 The site area is 10.94Ha with proposals for B1 (office), B2 (General industrial) and B8 (warehousing) across the site together with a proposed link road from the A140 to the B1113, new roundabout and necessary planting and drainage.
- 4.5 Floor space proposed total 28,329sqm (2.8Ha) of employment floor space equitably split across B1, B2 and B8 uses. The application suggests that this would equate to approximately 1009 jobs (525 from the B1; 295 from the B2 and 189 from the B8).
- 4.6 The off-site works include the removal of signals at the B1113/A140 junction with the prohibition of right turn movements and allows left turn only onto the A140, the provision of a new roundabout on the B1113 to provide a junction for the new link road, changes to the signalised Tesco's junction where the new link road joins the A140 and the provision of two ahead lanes into Norwich from the Tesco's junction to the Hall Road junction.

#### *Strategic Landscaping and surface water attenuation features*

- 4.7 In order to accommodate additional landscape screening on the north/west side of the B1113 to mitigate views from the west, the site area has been increased to 12.7 Ha. Overall, the site area now consists of 7.85 Ha of 'operational development' (namely, new access, new link road, internal estate roads, buildings, car parking and associated internal landscaping, including tree lines); and 4.85 Ha of landscaping. In comparison to the previous application, the operational area has been reduced and the landscaping increased.
- 4.8 Whilst only indicative at this stage the northern area of the site is proposed to form a green buffer/attenuation basin and a secondary access to the development.
- 4.9 The submitted parameters plan indicates three areas of operational development are proposed across the site. The B1 Office buildings (maximum building height 10.5) have been placed along the western boundary of the site to create a more office / domestic feel to the development when viewed from the west. The B8 buildings (maximum height 9m) have been removed from the southern (higher) part of the site and replaced by the B2



buildings (maximum height of 10m). The buildings have been relocated to the centre, and along the eastern boundary of the site. The development has been set into the ground within a series of terraces (having the effect of lowering the development).

4.10 Green planted buffers are also proposed around the edge of the site, in the two southern corners of the site and to the northeast on the opposite side of the B1113 to the development. Overall, the site area now consists of 7.85 Ha of 'operational development' and 4.85 Ha of landscaping.

4.11 The application is supported by the following documents:  
Design and Access Statement  
Landscape and Visual Impact Assessment update document  
Statement of Community Involvement  
Archaeology and Heritage Assessment  
Arboricultural assessment  
Transport Assessment  
Energy, water and Construction Statement  
Flood Risk Assessment and Drainage Strategy  
Noise Assessment  
Air Quality Assessment  
Utilities Assessment  
Phase 1 contamination report  
Viability Assessment  
Phase 1 Ecology report  
Planning statement  
Suite of plans including context plan; site location plan, site contours plan; development parameters plan; illustrative masterplan, landscape strategy plan; access and road details and drawings

#### The Application Site

4.12 The site comprises a parcel of arable land of approx. 10.94Ha, triangular in nature bounded by the A140 to the east and the B1113 to the west. There is an existing field access from the B1113 on to the site.

4.13 In terms of topography there is a marked change in levels across the site rising from the north of the site to the south with the southern part of the application site sitting on a natural highbrow.

4.14 To the east of the site lies a supermarket with farmland beyond; to the west farmland; to the south arable farmland immediately adjacent to the site with the A47 and the Harford Park and Ride further south. To the north of the site are 5 residential dwellings as existing with a recent planning permission (ref 2016/1973) which would result in 8 dwellings in total here if implemented. The B1113/A140 junction is beyond.

4.15 The village of Keswick is located to the south-west via the B1113 with the nearest properties of Keswick village being approx. 560m away.

4.16 There is a Grade II Listed church approx. 180m to the west of the site served from the B1113 which sits in an elevated position.

4.17 The River Yare runs east-west and is located approximately 240m to the north of the site, beyond the B1113 and A140 junction. There are also a number of field drainage channels in land to the north of the B1113 approximately 100m to the north of the site which drain towards the River Yare.

4.18 A pit (assumed to be a former marl/borrow pit) is noted on the topographical survey in the south western corner of the site.

- 4.19 A County Wildlife Site is located approx. 170m to the north-east of the application site between the Tesco supermarket and the River Yare.
- 4.20 There are a number of trees on the site but limited to the field boundaries and small wooded area to the south-west corner.
- 4.21 The east and west boundaries are delineated by hedgerow with trees interspersed.
- 4.22 The main considerations in this case are:
- Principle of the development
  - Highway safety
  - Impact on the landscape and visual amenities
  - Ecology
  - Drainage
  - Residential amenity
  - Heritage Assets

#### Principle and policy considerations

- 4.23 Planning law requires that applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise. The National Planning Policy Framework (NPPF) is a material consideration in determining planning applications.
- 4.24 Paragraph 197 of the NPPF requires that in assessing and determining development proposals local planning authorities should apply the presumption in favour of sustainable development.
- 4.25 Policy DM1.3 has regard to the sustainable location of new development. It is a positively worded policy supporting new development where it positively contributes to the sustainable development of South Norfolk as led by the Local Plan.
- 4.26 The policy advises the council will work with developers to promote and achieve proposals that are:
- a) Located on allocated sites or within development boundaries of settlements; and
  - b) Of a scale proportionate to the level of growth planned in that location and the role and function of the settlement within which it is located.
- 4.27 The policy continues to set out that permission for development in the countryside outside of the defined development boundaries of settlements will be only be granted if:
- c) specific Development Management Policies allow for development outside of development boundaries or
  - d) otherwise demonstrates overriding benefits in terms of economic, social and environment dimensions addressed in Policy DM1.1.
- 4.28 The part of the site which is allocated falls to be considered by parts a and b of Policy DM1.3. The proposal is acceptable in principle under part a of policy DM1.3.
- 4.29 Part b of the policy requires that all development is of a scale proportionate to the level of growth planned in that location and the role and function of the settlement within which it is located.
- 4.30 In respect of this policy part of the application site forms the site allocation KES2 (4Ha) the remainder (8.7Ha) is additional to the allocation land and is submitted to be required to enable the allocation to come forward. The scale of the development is therefore significantly greater than that allocated, however this includes areas of land for drainage and structural landscaping (approx. 4.85Ha) and so the area of land available for employment uses would be 7.85Ha.

- 4.31 Whilst the site lies in the parish of Keswick, and Keswick has a development limit as an 'other village' defined by Policy 16 of the JCS where small scale business is considered acceptable, the site lies outside of the development limit but is allocated for development by site allocation KES2. The site is located along the A140 which is the main highway corridor between Ipswich and Norwich and in close proximity to the Norwich boundary. This was recognised when the site was allocated for employment (B1) in the site allocations and policies document (KES2). It is considered that the additional land and use classes required above that already allocated, subject to compliance with other policies of the development plan, can be considered to be proportionate given its location and need to be delivered to enable the employment allocation to come forward and the proposal complies with part b of policy DM1.3.
- 4.32 The part of the site which is not allocated falls to be considered by parts c and d of Policy DM1.3.
- 4.33 In relation to part c) Policy DM2.1 has specific regard to employment and business development and advocates positive consideration to proposals for new sites in the countryside where they meet specific criteria. Assessment against that specific policy is set out in the employment section below where it is considered that the principle of the proposal complies with Policy DM2.1 which allows for employment development outside of development boundaries. The proposal therefore accords with part c of policy DM1.3. Part d of the policy is therefore irrelevant as requires only part c or d to be complied with.
- 4.34 The proposal is therefore considered to comply with Policy DM1.3 in principle subject to viability and employment considerations below along with other policies of the development plan.

#### Employment policies

- 4.35 In relation to the general principle of employment and business development, Policy DM2.1 is supportive of proposals which provide for or assist the creation of new employment opportunities, inward investment and or provide for the adaptation and expansion of an existing business unless there are significant adverse impacts.
- 4.36 It supports proposals for employment on allocated employment areas and in part 7 sets out the criteria for proposals in the countryside where positive consideration will be given.
- 4.37 The principle of employment land on the area of land forming the KES2 allocation is established through that allocation and is also acceptable in principle under part 1) and 2) of Policy DM2.1 subject to considerations of other policies of the development plan.
- 4.38 Part of the site is not covered by the allocation (approx. 8.7Ha) and as such falls in the countryside designation. Assessment of Part 7) of policy DM2.1 is set out below in regards to whether the additional employment is appropriate in the countryside.
- 4.39 Policy DM2.1 part 7 advises that:  
Proposals for new sites in the countryside will be assessed against the policies of the Local Plan, with positive consideration given to proposals that:
- a) Re-use redundant rural buildings and hardstanding's; and/or
  - b) Are located on sites well related to rural towns and villages and it is demonstrated that there are no sequentially preferable sites available; and or
  - c) Create accessible jobs and business opportunities in the rural area.

- 4.40 The additional employment land proposed in the countryside designation is submitted on the basis of this being a package to enable the land allocated by KES2 to come forward. As such the elements of the proposal in the countryside designation are intrinsically linked to and assist the creation of the KES2 allocation and cannot therefore reasonably be located elsewhere. Therefore, in respect of part b of the policy there would be no sequentially preferable sites that could be considered to fulfil the same function. Further consideration of the case for the need for the larger area of land and use classes based on viability are set out in the viability section below.
- 4.41 In respect of part c of the policy, the proposal would create accessible jobs and business opportunities in the rural area by virtue of its location adjacent to the site allocation, close to public transport routes and to the city with improved cycle/pedestrian links from the site to the wider area. The proposal is therefore considered to comply with Part 7 of Policy DM2.1.
- 4.42 Full consideration has been given to the findings of the 'Greater Norwich; Employment Land Assessment August 2017' undertaken as part of the Greater Norwich Local Plan evidence base which suggests that the existing 'allocated' sites would provide over the capacity that is required. However, it goes on to say that some sites are likely to be more suitable for specific types of future employment activity than others. Therefore, the report emphasises the importance of understanding the balance of land required to accommodate future employment growth, to ensure the right type of employment location can be provided for the range of potential employment activity in Greater Norwich. As stated above the additional employment land proposed in this application is to enable the land allocated by KES2 to come forward, it is not being argued that the additional employment is required to meet a deficit of employment provision.
- 4.43 Overall therefore subject to there being no significant adverse impacts in respect of the three roles of sustainability, which is assessed elsewhere in the report, and accordance with other policies, the proposal would accord with Policy DM2.1.

#### Access, highway and parking considerations

- 4.44 Policy DM3.10 advises that new development should be designed to reduce the need to travel and to take advantage of sustainable forms of travel. Policy DM3.11 advises that development will not be permitted which would have a negative impact on the local highway network. Para 32 of the NPPF also requires decision takers to take into account that opportunities for sustainable transport modes have been taken up; safe and suitable access to the site can be achieved for all people and; improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development.
- 4.45 The site is located on a Corridor of Movement (the A140) where Policy DM3.11 requires that development involving the formation or intensified use of a direct access onto a corridor of Movement will be granted providing it would not:
- a) Prejudice the safe and free flow of traffic or planned proposals for sustainable transport initiatives along the corridor of movement;
  - b) Be practical to gain access from the site to the corridor of movement via a secondary road; and
  - c) Facilitate the use of the Corridor of Movement for short local journeys
- 4.46 KES2 site allocation was made on the basis of delivering an improved junction. The site allocation therefore requires this to form part of any application for employment on the site.
- 4.47 This application is a re-submission of 2016/0764 which was not refused on highway grounds. The proposal has little changes from the previous application apart from improved cycle links from the Yellow Pedalway at The Marsh Harrier to the B1113 and an

off-carriageway cycleway along the B1113 to Low Road. NCC Highways consider this will provide a significant improvement for pedestrians and cyclists between Low Road and the A140 and then connecting to the existing provision of Pedalways.

- 4.48 The site allocation requires highway improvements which aim to address existing issues of congestion particularly at the junction of the A140/B1113. NCC Highways consider that the highway improvements identified and being brought forward with this application not only mitigate the development but enhance the highway network into Norwich with the introduction of two ahead lanes inbound which will bring considerable benefit to highway users particularly in the morning peak period and should relieve congestion for traffic travelling into Norwich. The off-site works include:
- The removal of signals at the B1113/A140 junction with the prohibition of right turn movements and allows left turn only onto the A140
  - The provision of a new roundabout on the B1113 to provide a junction for the new link road
  - Changes to the signalised Tesco's junction where the new link road joins the A140 and the provision of two ahead lanes into Norwich from the Tesco's junction to the Hall Road junction
  - Land is also being dedicated as highway along the A140/site boundary in order to facilitate the future delivery of a Bus Rapid Transit scheme
  - A footway link along Low Road. This will be designed to ensure that there is an appropriate 'landing pad' at both ends to ensure that pedestrian safety is not compromised.
  - In addition, a traffic management scheme will be delivered along Low Road, Keswick.
  - A complete foot/cycleway along the northern side of the B1113 carriageway between Low Road and the B1113/A140 junction.
  - A new pedestrian refuge on the A140 at the junction of the A140 and B1130 to facilitate appropriate connectivity to the Yellow Pedalway
  - Proposed changes to the lining arrangement on the approach to the give-way line for the eastbound off step of the A47 as well as on the roundabout and downstream on the A140 northbound.
- 4.49 It is considered that the proposal creates a new junction which accords with the requirements of site allocation KES2. It creates an appropriate access to the new development, makes a significant contribution in alleviating existing congestion issues at the junction, and aids traffic flow along the A140 corridor of movement. Furthermore, provision is made in the proposals to safeguard land for a potential future bus corridor along the A140 and so ensures that these sustainable transport initiatives along the corridor would not be compromised by the proposals.
- 4.50 The concerns raised by Parish Councils and local residents in respect of the impact of the proposals on Low Road, Keswick and the junction are fully appreciated, however under the last application the Highway Authority confirmed that Low Road is subject to an environmental weight restriction so should not be subjected to an increase in heavy goods vehicles. They also advise that the transport assessment submitted also indicates that the proposal would not result in a substantial increase in traffic on Low road as a result of this development. They advise that the impacts of the development on Low Road cannot be considered to be severe under the NPPF, they therefore have no objection to the proposal on this basis. As the applicant is offering improvements to Low Road in respect of a new footway on part of the road at an existing pinch point together with traffic calming, these are to be conditioned to be secured/promoted. It should also be noted that Highways England raise no objection to the application subject to a road safety audit (Stage 1) being carried out as a matter of course at the detailed highway design stage.
- 4.51 In view of the above, I do not consider that the application can be refused on highway safety ground and the proposal is considered to comply with Policy DM3.11 subject to the imposition of conditions.

- 4.52 In respect of sustainable forms of travel to/from the site as required by policy DM3.10, the existing footpath along the B1113 from Low Road to the B1113/A140 junction would be reinstated along the northern side of the carriageway and this would facilitate pedestrian movements from the site to the north and to Keswick. Also proposed are cycle links from the Yellow Pedalway at The Marsh Harrier to the B1113 and an off-carriageway cycleway along the B1113 to Low Road.
- 4.53 Given the proposed mix of uses, the reduction of traffic on the stretch of the B1113 between the B1113 junction and the new site roundabout, and the constraints of width of the Harford Bridge, it is considered that the level and type of cycle/pedestrian facilities proposed are reasonable and proportionate to ensure there are suitable sustainable travel options. The NCC Highway Officer raise no objections to the application and considers that the amended scheme will provide a significant improvement for pedestrians and cyclists between Low Road and the A140 and then connecting to the existing provision of Pedalways. On that basis, subject to the imposition of conditions the proposal is considered to accord with Policy DM3.10.

#### Parking

- 4.54 The site is of a sufficient size to ensure that adequate parking for the proposed uses can be accommodated on site. Precise levels of parking and their arrangement will need to be considered in further detail on submission of the reserved matters for the buildings. In view of the above the proposal accords with Policy DM3.12.

#### Viability

- 4.55 The application has been submitted on the basis of viability in so far as the site as allocated is suggested to be unviable to deliver and the extent of the proposals submitted are therefore required to make the allocation viable. In this context it is important to re-visit the allocation and its rationale.
- 4.56 The allocation is for some 4 Hectares for employment uses restricted to uses in class type B1, but specifically requires a new junction connecting the B1113 and A140 to be agreed with the Highway Authority.
- 4.57 The policy pre-text advises that Keswick is a very rural parish despite abutting Norwich, with development concentrated on Low Road. It confirms that the parish of Keswick stretches along the B1113 linking with the A140 Ipswich Road into Norwich. The traffic light junction where these roads converge has become increasingly busy, with queuing traffic waiting to turn right towards Tesco (Harford Bridge) and the A47, often blocking those wanting to turn left toward Norwich City Centre. It therefore advises that whilst Keswick is not an identified employment location the overriding need to make improvements to the junction of the B1113/A140 could be achieved through the allocation of land for employment uses restricted to use class B1 workshops and light industrial uses. This would facilitate the provision of an alternative access route from the B1113 through to the A140 at Tesco Harford.
- 4.58 Viability assessments were requested under the last application and have been provided again to demonstrate, given the known landscape sensitivities of the site, that only the minimum amount of land necessary for the delivery of employment on the site and the highway improvements required by KES2 was being proposed since this was greater than the site allocation envisaged.

- 4.59 Viability appraisals for three scenarios were submitted by the applicant following discussion with the Council and these were:
1. The viability of the scheme as proposed (11 Ha of B1, B2 and B8 use classes).
  2. The viability of the site as allocated (4Ha of B1 only) and
  3. The minimum land take and floor space required for an extended B1 only (2Ha of B1 floorspace on an approx. 6Ha site area (excluding necessary strategic landscaping areas)
- 4.60 The viability assessments set out the cost of the project including the infrastructure (highway improvements, internal link roads, drainage, strategic landscaping and drainage) and CIL set against development land values.
- 4.61 As submitted by the applicant and verified by independent assessment by the District Valuer under the previous application, the employment uses and potential quantum of development specified in the site allocation KES2 will not deliver the highway improvements as required by that policy and is not therefore viable.
- 4.62 The District Valuer confirmed that the two other options submitted i.e. the application as proposed and the extended B1 site are both viable. It is clear therefore that in order to deliver a scheme that is viable and capable of delivering the highway improvements, a larger land take is required, however further consideration needs to be had, given the landscape sensitivities of the site, whether the scheme as proposed (B1, B2, B8) is acceptable when there is another option viable with a lesser land take (extended site of B1 only)
- 4.63 In respect of the extended B1 option whilst acknowledging that this would result in lesser land take (approx. 6Ha) than the proposal as submitted thereby to some degree reducing the landscape/visual impact, this has to be balanced with the impacts such a proposal would create and the benefits of the mixed-use application as proposed.
- 4.64 Officers considered that a mix of use classes as proposed is preferred to the B1 only option given that this delivers a wider, more resilient to the market, employment offer thereby having more certainty of delivering jobs as required by the JCS and is likely to have less impact on the existing office stock of Norwich. In addition, it is considered that the B2/B8 uses are suited for the location and its proximity to key routes of the A140 and A47. Furthermore, the highway impacts of a B1 office only proposal at the scale required to deliver the highway works, would likely have a severe impact on the highway network due to the increased vehicular movements of a B1 use with its likely heavier traffic volumes at peak periods; and there would likely be issues with the ability of the site to accommodate high parking levels for a B1 only site and the resultant likely on street parking.
- 4.65 Therefore, whilst there is an alternative viable option of B1 only on the site, for the above reasons it was considered that the mix of B1, B2 and B8 proposed is the best option in planning and highway terms for the site, and any reduced landscape visual impact resulting from the B1 scheme, would not likely be of such a degree as to outweigh the above identified benefits of the proposal/harms of B1 only use.
- 4.66 Therefore, as evidenced through the submission of the viability assessment and verified by the District Valuer the scheme proposed is that which is necessary to bring forward the employment and highway improvements on the site. Without the scale of development proposed the site would not be viable and the creation of jobs and the highway improvements required by the allocation would not be delivered.
- 4.67 Therefore, to conclude in respect of the policy and principle considerations, the development is considered acceptable as the highway costs require the amount of land and use classes proposed as shown in the viability assessment. Extension into the open countryside is therefore acceptable in principle subject to other policy considerations.

### *Landscape and visual impact*

- 4.68 NPPF Paragraph 61 requires development to address the connections between people and places and the integration of new development into the natural, built and historic environment.
- 4.69 Policy 2 of the JCS relates to design and includes requiring development to respect local distinctiveness including landscape character and the wider countryside. Policy 12 of the JCS sets out more detailed objectives for areas of growth in the Norwich Policy Area (NPA) which cover the protection, maintenance and enhancement of green infrastructure and the protection of the landscape setting of the urban area.
- 4.70 Policy DM4.5 requires all development to respect, conserve and where possible enhance the landscape character of its immediate and wider environment. It advises that development that would cause significant adverse impact on the distinct landscape characteristics of an area will be refused. Particular regard will be had to protecting the distinctive characteristics, special qualities and geographical extents of the identified Rural River Valleys and Valley Urban Fringe landscape character types.
- 4.71 Policy 4.6 has regard to the landscape setting of Norwich which includes the sites location within the Norwich Southern bypass protection zone and on two undeveloped approaches to Norwich (A140 and B1113).
- 4.72 The specific aims of policy DM4.5 are the protection of the landscape character at a wider level. DM4.6 specifically seeks protection of the setting of Norwich and maintaining the rural approach to Norwich.
- 4.73 Officers previously concluded the proposal complied with Policy DM4.5 however whilst concluding the impact on the openness of the bypass protection zone was at a localised level and harm was only from the west, officers considered the harm resulted in a significant adverse effect and therefore conflicted with DM4.6. Members resolved to refuse the application in respect of the harm from the west and the conflict with DM4.6.
- 4.74 The previous application was refused for the following reason:

*The proposed development results in a significant adverse impact on the Norwich Southern Bypass Landscape Protection Zone (NSBLPZ), and the landscape setting of Norwich by virtue of the extent of the application site and the identified harm to the openness of the NSBLPZ when viewed from the west. The proposal therefore conflicts with Policy DM4.6 of the South Norfolk Local Plan 2015.*

*It is not considered that the material considerations of job creation or the delivery of the proposed highway works outweigh the identified policy conflict to justify a departure from the development plan in line with Paragraph 12 and 210 of the NPPF, S38(6) of the Planning and Compulsory Purchase Act 2004 and S70(2) of the Town and Country Planning Act 1990.*

- 4.75 The revised scheme aims to enhance the landscape resource of the site and minimise the landscape and visual effects of the proposed development by:
- Creation of thick linear wooded belts on both sides of the B1113 in order to help reinforce the character of the 'undeveloped approaches' into the City of Norwich and to help screen the development in views from the west. These proposed wooded belts would reinstate the historically treed approach along this section of road, as identified by the 1886 OS mapping
  - Creation of a wide section of woodland planting on the eastern boundary of the site to provide visual screening of the proposals as well as enhance biodiversity.



- Creation of a wide section of woodland and hedgerow planting on the southern boundary of the Site to extend the character of the existing woodland in the south west corner of the Site to integrate the development into the surrounding landscape.
- Incorporation of larger blocks of hedgerow and tree planting within and between the development plots on the site in order to give the development a treed character and to integrate the development into the surrounding landscape.
- Creation of 5m conservation strip of a mix of native grasses and wildflowers along the redefined field margin on the western side of B1113 to enhance biodiversity.
- The incorporation of species rich wildflower and marginal planting into the attenuation basins in the north of the site to enhance biodiversity.

4.76 Whilst landscape is not a formal matter for consideration at this outline stage a series of plans including a masterplan, landscaping strategy and parameter plans have been submitted to demonstrate the landscape approach which, if approved, the application can be conditioned to be followed substantially. Therefore, weight can be afforded to the proposed landscape strategy in considering the principle and landscape effects of the proposal.

4.77 In respect of Policy DM4.5 the site sits in the C1 Yare Tributary Farmland with Parkland landscape character area It is adjacent to the F1 Yare Valley Urban Fringe Landscape Character Area and near to the B1 Tas Tributary Farmland. The site is not directly within a River Valley Policy Area although it is near.

4.78 The application has been submitted with a Landscape Visual Impact Assessment (LVIA) which has been updated to reflect the updated landscape strategy.

4.79 For the C1 Landscape Character Area the most pertinent consideration to this proposal are:

#### Key characteristics and assets

- Shelving landform with a gently undulating topography
- Transitional landscape (between rural and urban landscape)
- Arable and pastoral farmland

#### Sensitivities and vulnerabilities

4.80 Proximity to Norwich and loss of rural farmland character through expansion of the urban edge of the City beyond the Yare Valley  
Incremental change including upgrading of the rural lane network (e.g. kerbing and lighting) plus isolated developments (e.g. institutions) resulting in a more urban character.  
A gently shelving topography from the plateau and long views making this area especially sensitive to the location of any new development/infrastructure - and potential impact on views to the City.

#### Landscape strategy

4.81 The overall strategy is to conserve the peaceful rural character of the Yare Tributary Farmland and parkland landscape and to maintain the clarity and distinction with the urban edge of Norwich.

#### Development considerations

4.82 Ensure that the rural character of the landscape of the Norwich Southern Bypass Landscape Protection Zone (NSBLPZ) is maintained and that differential development North and South of the road do not erode the unity of the Character Area

- 4.83 Having regard to the allocation of part of the site for employment and the key landscape character area considerations together with the amendments made in this resubmitted scheme which include significant additional woodland belt planting which is typical within this landscape, Officers conclude that the landscape effects will be localised to the site and whilst at a site-scale they are significant, the effect on the wider landscape character will not be significant.
- 4.84 Mitigation is proposed in the form of structural planting around the site including additional woodland in the south east and south west corners, around the perimeter of the site, a buffer to the dwellings to the north together with landscape/open space corridors within the development to break up the mass of the development and a significant wooded belt along the B1113. Also proposed to mitigate landscape impacts is limiting the scale of the development in two zones and this is reduced further compared to the previously submitted scheme, to 10.5m max ridge height to the northern (lower lying area) and 9m and 10m to the south (to elevated part of the site).
- 4.85 Policy DM4.5 advises development proposals that would cause significant adverse impact on the distinctive landscape characteristics of an area will be refused. In this case the effect on the wider landscape character is not considered to be significant adverse and the proposal does not therefore conflict with Policy DM4.5.
- 4.86 As per the previous application, it is acknowledged in the updated LVIA that given the outline nature of the proposals and the assumptions on lighting that therefore must be made, that an assessment of the impact of lighting in landscape and visual terms is difficult. Officers consider in respect of lighting that there will be a change as a result of lighting which could be a harm although can't be quantified at this stage, however harm will be able to be mitigated through design, layout and lighting specifications.
- 4.87 The key issue in respect of the reason for refusal was the conflict with DM4.6 and the impact on the openness of the zone when viewed from the west. This significant impact was from viewpoints 7, 8, and 9 to the west and was acknowledged to be a localised impact, significant from one viewpoint only as there would be no other viewpoints including from the A47 or from a wider distance where the openness would be visually harmed to a significant degree.
- 4.88 DM4.6 states: *"All development proposals will not harm and where possible should enhance the landscape setting of Norwich"* and *"should have regard to protecting the openness of the Zone"*. It concludes: *"Development which would significantly harm the NSBLPZ or the landscape setting of the Norwich urban area will not be permitted"*.
- 4.89 In terms of visual effect - from views from the west there will still be a significant visual effect from the west, however in the long-term - this effect is a result of a new substantial planted feature which in landscape character terms is acceptable.
- 4.90 In respect of the impact on the openness of the Bypass Protection Zone, when viewed from the west it is the proposed woodland planting that would be visible rather than the proposed development. Whether the openness of the zone is compromised by the proposed wooded belt is debatable, however in pure landscape character terms the Council's Landscape Architect would not consider the application could be refused on the impact of the planting has on openness, particularly as the planning is not incompatible with the landscape character type.
- 4.91 In terms of the effect on undeveloped approaches to the city, the character of the undeveloped approach will be changed, but the proposal to create a wooded 'corridor' approach is acceptable. The adjusted road (kerbing, roundabout etc.) will have an effect, but Officers consider that the KES2 allocation means that these are inevitable in any case.

- 4.92 The submitted Landscape Visual Impact Assessment and the Landscape Visual Impact Addendum Note demonstrate that visibility of the site from the southern approaches is not significant, and that the significant visual effects of the development (as viewed from the west) will, in time, be screened by the proposed woodland planting; as a consequence, this will limit visual accessibility to the site. Officers concur with that conclusion and consider that as the woodland planting does not require consent in its own right, it could be implemented at any time, thus limiting views to the site (and NSBLPZ), thereby reducing the 'openness' of the Zone. Furthermore, the treatment of the undeveloped approach with woodland planting alongside the road will create an enhancement for the landscape setting of Norwich via a new feature that is not contrary to the identified landscape character.
- 4.93 Overall, in respect of Policy DM4.6, this advises that development that would significantly harm the Bypass Protection Zone or the landscape setting of Norwich urban area will not be permitted. As set out above whilst there is a level of harm identified in respect of the openness of the zone and the rural approach to the city, these are not at a level that are significant adverse and do not conflict with Policy DM4.6.

#### *Tree implications*

- 4.94 Policy DM 4.9 advises that the Council will promote the retention and conservation of significant trees, woodlands and traditional orchards.
- 4.95 The proposal necessitates the removal of 5 no. category B trees (poplars) and 2 no. category C trees (Field maples). These are required to enable the new road required by KES2 allocation to be realised.
- 4.96 Mitigation for the loss of trees is proposed with replacement tree planting across the site to result in no less than 14 new trees within the available remaining space along the A140 roadside.
- 4.97 Tree protection is proposed during construction for the remaining trees on site.
- 4.98 The proposals are considered acceptable in respect of impact on trees on the site and subject to condition in respect of tree protection and replacement planting as mitigation for the loss of trees is proposed the proposal is considered to comply with Policy DM4.9.

#### *Ecology*

- 4.99 Policy 1 of the JCS requires the development to both have regard to and protect the biodiversity and ecological interests of the site and contribute to providing a multi-functional green infrastructure network. Policy DM4.4 looks for new development sites to safeguard the ecological interests of the site and to contribute to ecological and Biodiversity enhancements
- 4.100 The application is supported by a Phase 1 Habitat Survey which assessed the proposed development site for notable habitats and species.
- 4.101 The site is mainly arable land however is reasonably close to Depot Meadow CWS, though this is separated from the site by the A140. The NCC Ecologist has advised that based on the ecological assessment, it is unlikely that there would be grounds for objection to this application with regard to biodiversity. The content and conclusions of the ecological assessment are appropriate and the proposed mitigation and enhancements are suitable to support the majority of species recorded at the site.
- 4.102 The NCC Ecologist also confirms that the loss of arable land from the centre of the site might impact on priority species for conservation in the UK such as skylark and brown hare however by the nature of the site they would always be subject to the management cycle and type of crops being grown each year, therefore, not permanently using the site and

similar suitable habitat exists on adjoining and surrounding land. All existing hedgerows and trees being retained must have tree protection zones around them to prevent driving or storage of materials on the habitats being retained.

- 4.103 Due to the date of the survey (2014/2015) the Ecologist has requested that a re-visit to the site/ site walkover will be required by the applicant's ecologist to ensure the habitats/ conditions on the site have not changed, and that no signs of protected species using the site are evident. This update will be required to be submitted as part of any reserved matters application.
- 4.104 Further information on the proposed landscaping, in terms of the planting and also the timetable of works together with proposed ecological enhancements to the site would need to be agreed by condition.
- 4.105 On that basis, the Council's Ecologist advises no objection as there is unlikely to be any net loss of biodiversity on the site.
- 4.106 Therefore, in respect of ecology and biodiversity, subject to conditions as set out above, the proposal would accord with Policy 1 and DM4.4.

*Amenity, noise and pollution*

- 4.107 Policy DM3.13 requires development to have regard to the impacts on residential amenity. Furthermore, Policy DM3.14 has regard to pollution and emissions in respect of air quality, water quality, land quality and condition and the health and safety of the public.
- 4.108 In respect of mitigating impacts of construction, the application suggests construction hours and movement of construction related traffic should be restricted to 8-6pm Mon to Fri and 8-1pm Saturdays with no working on Sundays and bank holidays. This would need to be secured by condition by a construction management plan. This would need to include matters such as activity at site boundaries and site management practices to mitigate impacts on residential properties as far as is practicable in respect of noise, vibration, dust etc. A construction Management Environmental Plan would need to be secured by condition to fully assess and control the impacts of the construction.
- 4.109 In terms of the impacts from the operation of the proposed development from noise, lighting, dust, air quality whilst the application is in outline form and specific impacts cannot therefore be assessed, it is accepted that the principle of the uses on the site is or can be made acceptable through the imposition of conditions as set out in the Environmental Quality Officer comments made under the previous application. This acknowledges the B1 office uses would be those located nearest residential properties which would be separated by a landscape and drainage buffer and the need for conditions as stated.
- 4.110 As such subject to the imposition of conditions it is considered that the proposal accords with Policy DM3.13 and DM3.14.

*Flood risk and drainage*

- 4.111 JCS Policy 1 requires development to be located to minimise flood risk, mitigating any such risk through design and implementing sustainable drainage. Paragraph 103 of the NPPF advises that Local Planning Authorities should ensure that flood risk is not increased elsewhere and only consider development appropriate in area at risk of flooding where informed by site specific flood risk assessment and give priority to the use of sustainable drainage systems. Policy DM4.2 requires sustainable drainage measures to be fully integrated within the development to manage any surface water arising from the development proposals and to minimise the risk of flooding on the site and surrounding area. It advises that development must not cause any deterioration in water quality and

measures to treat surface water runoff are to be included in the design of the drainage system.

- 4.112 The site is located with Flood Zone 1 (low probability). The EA Surface Water Flood Risk Maps indicate the majority of the site to be at 'very low' risk of flooding in the event of extreme rainfall. A narrow corridor along the north-eastern side of the site is shown to be at 'low' risk of surface water flooding, whilst the pit in the south-western corner is shown to have areas of 'medium' and 'high' risk. The River Yare, a major River defined by the EA, lies approx. 240m to the north of the site.
- 4.113 The previous application was submitted with a Flood Risk Assessment (FRA) as required by the size of the site in Flood Zone 1. This includes the surface water drainage strategy.
- 4.114 The key issues for consideration are therefore surface water drainage.
- 4.115 The proposed surface water drainage strategy comprises of surface water flows being attenuated using SuDS such that runoff from impermeable areas is either retained on site and infiltrated or restricted prior to a discharge into the River Yare to the north.
- 4.116 The submitted FRA acknowledged that infiltration is a viable form of drainage for part of the site, however given the presence of shallow structureless chalk across the northern side of the site and low infiltration rates across the south east it is not possible to drain all buildings and hard standings to infiltration features.
- 4.117 The FRA indicated that further site investigation at the detailed design stage will determine the structural properties of the chalk to a sufficient depth to fully ascertain whether this can be used for infiltration drainage.
- 4.118 The FRA advised that Sustainable drainage methods have been included where practicable to provide the required attenuation in accordance with the SuDs hierarchy. The following SuDs are proposed:
- An attenuation basin (split either side of the access road) of approx. volume 4048 m<sup>3</sup> and an area of approx. 5750sqm in the northern part of the site with a gravity connection flowing from the north of the site into the River Yare (controlled at a flow rate of 5l/s) which will drain the southern part of the site, the approx. 50% of the roofs of the northern part of the site and all highways.
  - All other roof areas on the northern part of the site will drain to cellular soakaways
  - The northern part of the site will have permeable paving
  - Appropriate pollution control measures will be incorporated at the detailed design stage.
- 4.119 The Lead Local Flood Authority have confirmed they have no objections, subject to conditions (which includes a surface water drainage scheme addressing the following matters: surface water runoff rates are attenuation to the existing rate of 5l/s; attenuation is designed to 1:100 event; detailed design and calculation at 1:30 and 1:100 events; management and maintenance; suitable treatment stages for water quality prior to discharge; exceedance flow paths) the proposal is acceptable. As such, the proposal is considered to accord with JCS1 and DM4.2.

#### *Water Framework Directive*

- 4.120 Subject to conditions in respect of pollution prevention from the proposed uses and sustainable drainage incorporating sufficient water quality measures it is considered that there would be no significant adverse impact on the water quality of the River Yare and accordingly the proposal would not conflict with the aims of the water framework directive.

#### *Foul water*

- 4.121 In respect of foul water, Anglian Water has confirmed that there is available capacity in the foul sewerage network and at the waste water treatment centre (Whitlingham Trowse Water Recycling Centre) for these flows. They advise an application will be required to them to discharge trade effluent and to connect to the foul sewerage network.

#### *Archaeology*

- 4.122 NPPF paragraph 128 and policy DM4.10 have regard to the archaeology of the site.
- 4.123 The desk-based assessment highlighted that the site has a high potential to contain heritage assets with archaeological interest, and that their significance would be adversely affected by the proposed development. The geophysical survey predominantly identified modern features but did not reveal any evidence of archaeological features previously recorded at the site from cropmarks. This suggests that the survey was not entirely effective in identifying buried archaeological remains, possibly due to an insufficient difference in the magnetic susceptibility of the fills of the archaeological features and the soils/geology into which they are cut. Consequently, the lack of anomalies of possible archaeological origin recorded by the geophysical survey cannot, in this instance, be taken as evidence that no significant buried archaeological remains are present at the site.
- 4.124 Norfolk County Council Historic Environment Service requested trial trenching be carried out. The trial trenching would ensure that sufficient information was available about the presence, form, surviving condition and significance of any heritage assets at the proposed development site for a fully informed and reasonable planning decision to be made. Trial trenching has not been carried out.
- 4.125 However, the HES have advised that whilst this is preferable to be considered prior to determination, this can be included as a condition of the permission, which is the usual process on smaller scale sites.
- 4.126 Therefore, subject to an archaeological mitigation condition, the proposal would accord with Paragraph 128 of the NPPF and policy DM4.10.

#### *Heritage assets*

- 4.127 The setting of listed buildings requires consideration under policy DM4.10 of the Development Management Policies Document, S66 of the Listed Buildings Act 1990 and section 12 of the NPPF.
- 4.128 There are no designated heritage assets including Listed Buildings, Conservation Areas, Scheduled monuments within the site. There are a number of Grade II Listed buildings in the vicinity of the site the majority of these are not deemed to be sensitive to the proposed development due to the distance, topography and intervening features (vegetation and buildings). There are two heritage assets namely the Church of All Saints and the remains of Church of All Saints (Grade II) which lie approximately 160m to the west of the site on the opposite side of the B1113.
- 4.129 The key issue for consideration in respect of heritage assets is therefore the impact of the proposal on the setting of the remains of Keswick Church and the new church, and the extent to which the site and proposals impact on their significance.
- 4.130 Although the original church dates from the C12th, and parts of the round tower dates from C12, the church was heavily rebuilt and the tower restored in the C19 by the Gurney family; the chancel of the earlier church having been pulled down in 1597 is now in ruins. Hence, the heritage assets are grade II listed. Historic England defines setting as “the surroundings in which a heritage asset is experienced”. The asset sits in a wooded landscaped area

surrounded by fields and this contributes to its significance. There is very limited intervisibility between the assets and the site. There would be a low degree of impact on the setting due to the distance between the church and the site, and the church would still be viewed within an isolated rural context.

- 4.131 The B1113 lies between the site and has quite an impact, to the degree that from within the proposed site, any views, which may be only glimpsed at best, do not make a significant contribution to the setting of the asset. The church can be considered to form part of the wider landscape character. Officers therefore agree with the submitted Heritage Statement that any harm to the significance of the heritage assets is less than substantial, and relatively low.
- 4.132 Paragraph 134 of the NPPF advises that where, as is the case here, the proposal leads to 'less than substantial harm to the significance of the heritage asset' this harm should be weighed against the public benefits of the proposal.
- 4.133 In this case there are significant public benefits in respect of the creation of employment and highway improvements that are considered to outweigh the identified level of harm.
- 4.134 The proposal is therefore on balance considered to comply with Policy DM4.10, Section 12 of the NPPF and fulfils the Council's duties in respect of S66 of the Listed Buildings Act 1990 having due regard to the desirability of preserving the building or its setting.

#### *Sustainable construction/renewable energy*

- 4.135 Policy 3 of the JCS requires the sustainable construction of the building, water conservation measures to be included in addition to requiring 10% of the predicted energy requirements to be delivered by on site decentralised and renewable or low carbon energy. JCS policy 3 is consistent with NPPF paragraphs 95, 96 and 97, which includes supporting the transition to a low carbon future in a changing climate and encouraging the use of renewable resources. Paragraph 96 of the Framework specifically indicates that Local Planning Authorities should expect new development to "comply with adopted Local Plan policies on local requirements for decentralised energy supply unless it can be demonstrated by an applicant... that it is not feasible or viable".
- 4.136 The application is submitted with a sustainable design and construction statement which sets out an energy efficiency strategy and low and zero carbon technologies assessment which suggests that 10% of the schemes expected energy requirement can be secured on site with the use of air source heat pumps.
- 4.137 Compliance with sustainable construction, renewable energy and water efficiency would need to be secured by condition.

#### *Other matters*

- 4.138 Norfolk County Council Planning Obligations have confirmed that fire hydrants would be required, the number, type and location dependent on the scheme that comes forward at reserved matters. This would need to be secured by condition.
- 4.139 Concerns were raised under the previous application by Norfolk County Council in respect of minerals safeguarding on the site and the information available with the application in order to understand the resource available. Whilst considering the preferred option in line with the NPPF is to have the details available to consider the resource which could be recovered at this outline stage, NCC Minerals and Waste confirmed that a condition could be imposed to require this detail as part of the reserved matters as a suitable and pragmatic approach in this case. It is considered that a condition for a materials management plan (minerals) is, in this case, a suitable and appropriate solution to enable the mineral and materials resources available on this site to be assessed for extraction/use.

### *Scope of the application and conditions*

- 4.140 Whilst the application is in outline form only with only access for formal consideration, the applicant has submitted an indicative masterplan, parameter plans etc. to inform assessments such as the noise reports, landscape impact etc. These have been used to base the acceptability of the proposal in these contexts.
- 4.141 Therefore, as set out in the amenity section above, notwithstanding that layout is a reserved matter, to inform the acceptability of the proposals in principle and based on the noise assessment submitted, the B2/B8 uses will need to be located away from the northern boundary where there are residential properties. It is therefore considered necessary to require by condition that the parameter plan in respect of general zones of use class is substantially followed in the submission of the reserved matters application.
- 4.142 Similarly, in forming a view on the principle of the development in respect of landscape impact, it is evident that the landscape visual impact assessment submitted is based on the principles set out in the masterplan/parameter plans in respect of general scale of buildings across the site. The parameter plan establishes the overall maximum scale of building by zones and also the structural landscaping around the site. Therefore, it is considered necessary to condition the landscape plan and parameter plan in respect of scale to be substantially followed in the submission of the reserved matters application to ensure that the proposal in landscape impact terms continues to follow the impacts as assessed.

### *Material considerations*

- 4.143 S38(6) Planning and Compulsory Purchase Act 2004 and S70(2) of the Town and Country Planning Act 1990 gives primacy to the development plan advising planning applications should be determined in accordance with the development plan unless other material considerations indicate otherwise. The NPPF is one such material consideration. Furthermore, Para 12 of the NPPF clarifies that the NPPF does not change the statutory status of the development plan as the starting point for decision making, reinforcing that proposed development that accords with an up to date Local Plan should be approved and proposed development that conflicts should be refused unless material considerations indicate otherwise.
- 4.144 Officers consider the proposal accords with the Development Plan, and importantly Officers consider based on the amended scheme, the additional landscaping and amendments made, that the proposal accords with policy DM4.6. Accordingly, in line with the NPPF the application should be approved without delay. However, in light of the previous refusal Officers have clarified the material considerations that further weigh in favour of the grant of planning permission.

In this case the material considerations are:

- 4.145 Approx. 1/3 of the site is already allocated for employment as part of the employment growth strategy for the district. The ability to deliver this employment site as allocated is fundamentally compromised (on viability grounds) without the grant of this application for the larger site area and extended use classes. To deliver development as allocated by KES2 or that of the larger scale as proposed, there will inevitably be harm to the landscape and this needs to be balanced against the strategic aims of the Development Plan and the presumption in favour of sustainable development.
- 4.146 The number of jobs that the proposed development would create are in the region of 1000 which is not insignificant. This is to be balanced with the level of harm identified in landscape and visual terms.



- 4.147 One key reason for the allocation of the employment on this site was the identified need to improve the junction of the A140/B1113. Again, as supported by the assessment of the district valuer, without the extent of development proposed, and therefore the landscape/visual harm identified, the delivery of the highway improvements funded by the developer would not be viable and would not therefore be delivered.
- 4.148 The presumption in favour of sustainable development provided by the NPPF. Paragraph 17 of the NPPF identifies one of the core planning principles to proactively drive and support sustainable economic development to deliver business and industrial units and infrastructure that the country needs. Paragraph 19 of the NPPF is the Government's commitment to ensuring the planning system does everything it can to support sustainable economic growth, advising that planning should act to encourage not impede sustainable growth.
- 4.149 It is material that there would have already been some harm to the landscape/visual impact from the delivery of the allocation by virtue of the urbanisation that would result from the allocation and highway infrastructure. This was accepted to be at an acceptable level by the Planning Inspector as part of the allocation of the site.
- 4.150 It is considered that these material considerations are both objective and substantial and which further weigh in favour of the grant of planning permission.

#### Sustainable Development

- 4.151 Sustainable development is defined by the NPPF as the NPPF when taken as a whole. It has three overall dimensions of social, economic and environmental roles which are not to be undertaken in isolation, because they are mutually dependent.
- 4.152 There is a level of harm in the environmental role which is the landscape and visual harm from the west of the site however this is not of a level to conflict with the relevant policy and there are significant and demonstrable benefits in respect of the economic and social role by virtue of the employment creation and highway improvement which is considered to outweigh the harm in the environmental role.
- 4.153 Therefore, when balancing all three roles of sustainable development and having due regard to sustainable development being considered as the NPPF when taken as a whole, it is considered on balance the proposal would represent a sustainable development.

#### Crime and disorder

- 4.154 In relation to the Council's duties under Section 17 of the Crime and Disorder Act 1998, the application raises no significant crime and disorder issues. It is considered that a scheme can be submitted at reserved matters that takes all opportunities as far as is practicably possible to 'design out crime'.

#### Environmental Impact Assessment (EIA)

- 4.155 The application was screened by Screening opinion 2014/2618 issued in January 2015. This remains valid for this proposal and the Council's conclusions of the screening therefore remain that the proposal is not EIA development.

#### Appropriate assessment

- 4.156 The proposal would not affect the integrity of any internationally protected sites (Special Protection Areas, Special Areas of Conservation) individually or in accumulation with other permitted development and extant consents in the surrounding area and therefore, in accordance with Regulation 61 of the Conservation of Habitats and Species Regulations 2010, it is considered that the development would not have a significant impact on any

protected habitats and accordingly no Appropriate Assessment of the development is required.

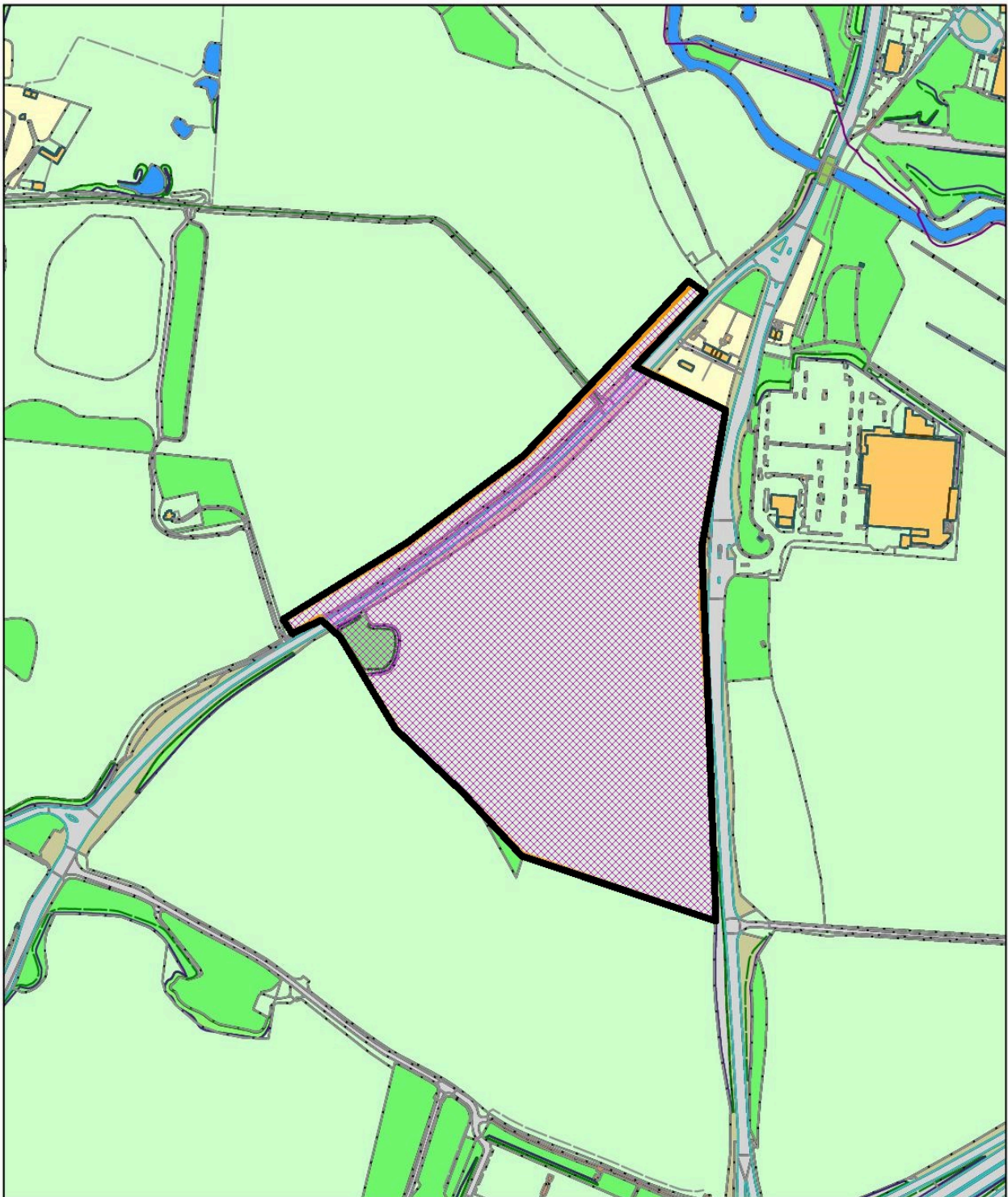
#### Financial considerations

- 4.157 This application is liable for Community Infrastructure Levy (CIL) which would be calculated at the reserved matters stage when floor areas are submitted and approved.
- 4.158 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.
- 4.159 This application is liable for Community Infrastructure Levy (CIL)

#### 5 Conclusion

- 5.1 Whilst there would be a level of harm to the Bypass Protection Zone, this is not at a level to conflict with the policy.
- 5.2 Additional pedestrian and cycling measures have been proposed as part of this resubmission which strengthen the connectivity from the site to the north to connect to the yellow pedal way and to the City beyond.
- 5.3 Overall the proposal is considered to comply with the development plan, subject to condition, and should therefore be approved. Furthermore, the material considerations of the need for the scheme to enable the employment allocation and highway improvements to be viable and deliverable are of such significance that they are considered to further weigh in favour of the grant of planning permission.
- 5.4 The application is recommended for approval subject to the imposition of conditions as set out in the report.

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3.     **Appl. No**                 :     **2017/2843/O**  
        **Parish**                 :     **LITTLE MELTON**
- Applicants Name     :     Glavenhill Strategic Land (Number 8) Limited  
 Site Address         :     Land South of School Lane Little Melton Norfolk  
 Proposal             :     Development of land for residential dwellings, together with a single point of access into the site from School Lane.
- Recommendation    :     Refusal  
                               1     Not sustainable development contrary to DM1.1 and NPPF 14  
                               2     No overriding benefit contrary to DM1.3  
                               3     Harm to landscape  
                               4     Harm to form and character of settlement and lack of integration

# 1     Planning Policies

- 1.1     National Planning Policy Framework  
        NPPF 01 : Building a strong competitive economy  
        NPPF 04 : Promoting sustainable transport  
        NPPF 06 : Delivering a wide choice of high quality home  
        NPPF 07 : Requiring good design  
        NPPF 10 : Meeting the challenge of climate change, flooding and coastal change  
        NPPF 11 : Conserving and enhancing the natural environment  
        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 3: Energy and water  
        Policy 4 : Housing delivery  
        Policy 6 : Access and Transportation  
        Policy 9 : Strategy for growth in the Norwich Policy Area  
        Policy 15 : Service Villages  
        Policy 17 : Small rural communities and the countryside  
        Policy 20 : Implementation
- 1.3     South Norfolk Local Plan Development Management Policies  
        DM1.1 : Ensuring Development Management contributes to achieving sustainable development in South Norfolk  
        DM1.2 : Requirement for infrastructure through planning obligations  
        DM1.3 : The sustainable location of new development  
        DM1.4 : Environmental Quality and local distinctiveness  
        DM3.1 : Meeting Housing requirements and needs  
        DM3.8 : Design Principles applying to all development  
        DM3.10 : Promotion of sustainable transport  
        DM3.11 : Road safety and the free flow of traffic  
        DM3.13 : Amenity, noise, quality of life  
        DM3.15 : Outdoor play facilities/recreational space  
        DM4.2 : Sustainable drainage and water management  
        DM4.3 : Facilities for the collection of recycling and waste  
        DM4.5 : Landscape Character Areas and River Valleys  
        DM4.8 : Protection of Trees and Hedgerows  
        DM4.9 : Incorporating landscape into design  
        DM4.10 : Heritage Assets
- 1.5     Supplementary Planning Documents  
        South Norfolk Place Making Guide 2012

### **Statutory duties relating to the setting of Listed Buildings:**

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

## 2. Planning History

### 2.1 No recent planning history

## 3. Consultations

### 3.1 Parish Council

#### Object

Following receipt of additional information:

- The proposed relocation of the Vehicle Activated Signs to positions outside peoples houses where they will irritate residents and will become a hazard on narrow pavements. It is also questioned as to whether there is space to provide one outside Rose Cottage and if it is installed there it is likely to be hit by buses and lorries, may not receive sufficient sunlight and would be hazardous to retrieve data from
- The improvements to the bus stops proposed was already scheduled to be carried out by the County Council
- Parking at the school is already the source of complaints and a new road and a further four houses accessing onto this road is going to result in road rage. Development cannot be seen in isolation given other developments in the area
- Endorse the comments of the Highway Authority in regard to connections to Burnthouse Lane, especially measures to encourage walking and cycling to other parts of the village

Comments on original plans:

- The Transport Statement is based on a traffic survey that predates three developments being built in Little Melton and the major development at Hethersett. There are also numerous flaws in the statement relating to date and relevance, exits onto School Lane, the direction and nature of traffic trips, the limitations of the bus service which makes it unviable for use by commuters and limited cycle and walking facilities
- A cycle route should be provided along Burnthouse Lane to connect to cycle routes being provided in Hethersett
- Much consideration was given to preserving a strategic gap between Little Melton and Hethersett. Hethersett is already set to come within 650 metres of the edge of Little Melton – this development would leave only one field between the two villages. The development is outside the recently updated development boundary.
- Note that the Lead Local Flood Authority object to the proposed development because there is insufficient proof that infiltration will work properly. If there are problems with infiltration then there is no ditch to take the water. The roads in the area already suffer from large puddles during heavy rain. A nearby development was given permission the basis of infiltration but this turned out not to be possible and ended up discharging into a ditch which has caused significant problems.
- Houses would be out of character on School Lane frontage

3.2	District Councillor Cllr Wheatley	To Committee - the site is outside the development boundary and there are serious highway considerations
	Cllr Kemp	To be reported if appropriate
3.3	Anglian Water Services Ltd	No objections - sewerage system has capacity
3.4	Historic England	No comments
3.5	Hethersett Surgery	No comments received
3.6	NCC Historic Environment Service	Conditional support <ul style="list-style-type: none"> <li>the trial trenching uncovered significant archaeological remains and therefore any permission needs include a condition requiring a programme of archaeological mitigatory work.</li> </ul>
3.7	NCC Lead Local Flood Authority	Conditional support <ul style="list-style-type: none"> <li>following receipt of further information with borehole and soakaway results we no longer have an objection subject to a surface water drainage condition being attached</li> </ul>
3.8	NCC Highways	Conditional support <ul style="list-style-type: none"> <li>whilst it is disappointing the applicant has not amended the access strategy to accommodate earlier comments, it is acknowledged that the access arrangement has been designed to meet technical guidance and as such we do not have grounds on which to substantiate a refusal</li> </ul>
3.9	NCC Planning Obligations Co Ordinator	<ul style="list-style-type: none"> <li>contributions from CIL required for funding of additional school places and library capacity</li> <li>fire hydrant will be required</li> <li>connections to the Green Infrastructure network should be considered</li> </ul>
3.10	NCC Ecologist	Conditional support
3.11	NHS England	No comments received
3.12	Norfolk And Waveney Local Medical Council	No comments received
3.13	Police Architectural Liaison Officer	<ul style="list-style-type: none"> <li>support linear access roadway and cul-de-sac to actively dissuade criminals from driving through the development</li> <li>details needed of boundary treatment between amenity land and scrubland to the north to prevent criminal or anti-social use, or use of the land to connect through to Burnthouse Lane. If no boundary treatment is proposed, then the play area should be located further away</li> <li>vehicle mitigation measures should be provided to prevent unauthorised access onto amenity areas</li> </ul>
3.14	SNC Water Management Officer	LLFA are statutory consultee for providing technical assessment of this application

3.15	SNC Senior Conservation and Design Officer	No objection - Raises some comments about layout and questions whether there is a possibility to create a link to Burnthouse Lane
3.16	SNC Community Services - Environmental Quality Team	Conditional support
3.17	SNC Housing Enabling & Strategy Manager	No objection <ul style="list-style-type: none"> <li>• subject to clarification and agreement of the affordable housing mix</li> </ul>
3.18	SNC Landscape Architect	No objections on grounds of landscape or visual harm <ul style="list-style-type: none"> <li>• compatible with landscape character areas</li> <li>• satisfied that the hedgerow to be removed is not 'important'</li> <li>• changes to layout suggested in regard to woodland buffer, shading of some plots, management of woodland planting and amenity space for some plots</li> </ul>
3.19	Other Representations	19 letters of objection <ul style="list-style-type: none"> <li>• need to meet Council's housing targets should not be at the expense of existing residents</li> <li>• Little Melton will lose its identity</li> <li>• already suffering from other developments in village</li> <li>• the proposal should be considered alongside the construction and impact of 1000 houses on Hethersett's boundary with Little Melton</li> <li>• will reduce gap between Hethersett and Little Melton</li> <li>• traffic assessment inadequate as it does not take into account other developments</li> <li>• access will be almost opposite school which is already congested at rush hour</li> <li>• would create obvious and unacceptable safety issues</li> <li>• use of crash data is worthless as it only records injury accidents</li> <li>• concern raised about headmaster about hazard of parked cars, children accessing site even with present levels of traffic and potential impact of construction traffic</li> <li>• visibility splay for access not within land under applicant's control</li> <li>• access onto Burnthouse Lane would be far more practicable</li> <li>• village already suffering from rat-running</li> <li>• difficult to get out of Little Melton onto the Watton Road in the rush hour</li> <li>• few facilities in the village</li> <li>• one shop in village likely to close</li> <li>• bus service is very limited and inadequate for commuters</li> <li>• no safe cycling route to the UEA, hospital or city centre</li> <li>• site is greenfield</li> <li>• would result in loss of privacy and be over-dominant on neighbours</li> <li>• high density development out of character for Little Melton</li> <li>• damaging precedent for further development</li> <li>• primary school very limited in size with no capacity for expansion</li> <li>• adjacent woodland hosts a number of species such as deer which use the site</li> <li>• hedgerow should be considered important due to age</li> <li>• potential of flooding from ponds</li> </ul>

- present drainage system is struggling to cope
- compromise rural setting of the listed barn at Elm Farm
- noise and disturbance from road link between two parcels of land on adjoining rear gardens
- children's play area would create noise and disturbance

## 4 Assessment

### Site description and proposal

- 4.1 The site comprises of two parcels of agricultural land adjoining the southern side of the built-up area of Little Melton. The northern parcel is bound by School Lane to the north, a residential property and its curtilage to the west and the Village Apartments holiday complex to the east. The southern parcel is larger in area with an area of scrubland to the north separating it from residential properties along School Lane and a small belt of vegetation separating it from Burnthouse Lane to the west. Its southern boundary is not currently defined as the land to the south is currently part of the same field as this part of the application site.
- 4.2 The application is an outline application for residential development of the site with all matters reserved except access. As such, whilst the application forms states 30 dwellings the amount of dwellings, their layout, scale, appearance and landscaping within the site would be considered at the reserved matters stage in the event that this application is approved.
- 4.3 The key issues for consideration are the principle of development on the site, access and the impact on the local highway network, the impact on the landscape and the form and character of the village, drainage of the site, the impact on the amenities of existing residents and any ecological impact of the development.

### Principle of development

- 4.4 The site falls outside of the development boundary for Little Melton, albeit that much of the site is immediately adjacent to the boundary. Policy DM1.3 states that permission for development outside of development boundaries will only be granted where specific Development Management Policies allow for development outside of development boundaries or where development otherwise demonstrates overriding benefits in terms of economic, social and environmental dimensions as set out in Policy DM1.1.
- 4.5 Members are advised that a key material consideration in regards housing land supply is the Central Norfolk Strategic Housing Market Assessment (SHMA), the most recent version of which was published in June 2017. This is significant new evidence. There is an 8.08 year housing land supply against the SHMA assessment of the Objectively Assessed Need (OAN) for housing. The following paragraphs explain why this effectively diminishes the weight attached to the benefits of increased housing supply.
- 4.6 Planning law (section 38(6) of the Planning and Compulsory Purchase Act 2004) requires that applications be determined in accordance with the Development Plan, unless material considerations indicate otherwise. Material considerations include the National Planning Policy Framework (NPPF).
- 4.7 In accordance with both the Council's adopted development plan and the NPPF, in cases where there are no overriding material considerations to the contrary, development proposals for housing that accord with the development plan should be approved without delay.



- 4.8 In this regard, consideration should be given to Policy DM1.3 which makes provision for development to be granted outside of Development Boundaries, such as this, where one of two criteria are met: either where specific development management policies allow; or, where there are overriding benefits in terms of economic, social and environmental dimensions of sustainable development, as set out in Policy DM1.1.
- 4.9 Where development proposals do not accord with the development plan consideration should be given to whether there are material considerations that otherwise indicate that development should be approved.
- 4.10 Of particular relevance to applications for housing development in this regard is paragraph 49 of the NPPF. This states that: *'housing applications should be considered in the context of the presumption in favour of sustainable development; and that, relevant (local plan) policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites'*. Where policies in the Local Plan are not considered to be up-to-date, paragraph 14 of the NPPF requires decision-taking to approve applications for housing unless the adverse impacts of granting permission, *'would significantly and demonstrably outweigh the benefits'*, when assessed against the policies of the NPPF as a whole.
- 4.11 The 2017 Greater Norwich Area Housing Land Supply Assessment, published as Appendix A of the Joint Core Strategy Annual Monitoring Report, shows that against the JCS requirements there is 4.61 years supply in the combined Norwich Policy Area (NPA), a shortfall of 1,187 dwellings. Consequently, relevant policies for the supply of housing in the NPA cannot be considered up-to-date and applications for housing should continue to be determined within the context of paragraph 14 of the NPPF, taking into consideration the narrow interpretation set out in the judgment *Suffolk Coastal District Council (Appellant) v Hopkins Homes Ltd and another (Respondents) Richborough Estates Partnership LLP and another (Respondents) v Cheshire East Borough Council (Appellant)*.

The narrow interpretation states:

- 4.12 *limited to policies dealing only with the numbers and distribution of new housing and excluding any other policies of the development plan dealing generally with the disposition or restriction of new development in the authority's area.*  
The JCS housing requirement is, however, now several years old (the JCS was adopted in March 2011, with amendments in January 2014). The evidence on which the requirement is based has now been superseded. In June 2017 an updated Strategic Housing Market Assessment (SHMA) was published for Central Norfolk (the Greater Norwich authorities plus, North Norfolk and Breckland). The SHMA assesses the Objectively Assessed Need for housing between 2015 and 2036 using the most recent evidence available. Unlike the evidence underpinning the JCS, the SHMA also includes an assessment of the contribution made by student accommodation in line with the Planning Practice Guidance.
- 4.13 The SHMA is significant new evidence that is also a material consideration in the determination of planning applications. A housing land supply of 8.08 years can be demonstrated against the SHMA assessment of OAN, a surplus of 5,368 units. The abundant housing land supply that is apparent in relation to the most up-to-date evidence of housing needs should be given weight in the decision making process. This factor effectively diminishes the weight that would otherwise be attached to the benefits of increased housing delivery in the context of Policy DM1.1 and NPPF Paragraph 14.
- 4.14 On the basis of the above, the following assessment seeks to establish the benefits of the scheme and any harm that would be caused in the context of the relevant development plan policies and the NPPF, with reference to the three dimensions of sustainable

development (economic role, social role and environmental role). These three headings form a convenient basis for structuring the assessment of the proposal against development plan policies.

#### Economic Role

- 4.15 The NPPF confirms the economic role as:

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

- 4.16 The scheme would result in some short term economic benefits as part of any construction work and in the longer term by local spending from the future occupants.
- 4.17 It should also be noted that the development would be the subject of Community Infrastructure Levy.
- 4.18 It is therefore considered that the scheme would bring forward a level of economic benefit.

#### Social Role

- 4.19 The NPPF confirms the social role as:

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

- 4.20 The proposed scheme would provide housing in a location where the JCS identifies a shortfall in housing land supply against requirements which would represent a social benefit. However, the significance of this benefit is diminished by the most recent evidence of the updated SHMA which identifies a housing land supply in excess of 8 years and this is material consideration in determining this application.
- 4.21 Affordable housing is to be provided on the site, proposed at policy compliant levels with 33% of the dwellings to be affordable units but the precise details of the tenure mix has not been agreed as yet. Clearly the provision of affordable housing would be of benefit and in the event that permission were to be granted, and to support the social benefit attributed to the delivery of affordable housing in the planning balance, this would need to be subject of the applicant demonstrating through the submission of a viability assessment that policy compliant affordable housing can be delivered as proposed.

#### Highways

- 4.22 One of the main concerns raised is the access of the development onto School Lane near to the school. Whilst it is appreciated that in common with many villages across the district there are issues with on-street parking at school opening and closing times it is considered that the proposal is unlikely to make the situation worse as any pupils living in the proposed development would be in close walking distance of the school and would potentially offer some benefits from the provision of a new footway along the site frontage allowing better pedestrian access to the school. The Highway Authority have not objected to the access arrangement, subject to suitable visibility splays being provided. Whilst there has been an assertion that the visibility splay would cross third party land, the access drawings submitted show visibility splays entirely within land under the control of the applicant or within the public highway.

- 4.23 Another issue raised is the potential of access being achieved from Burnthouse Lane. To achieve a vehicular access from Burnthouse Lane it is likely that most if not all of the vegetation on this boundary would need to be removed which would completely alter the current rural character of this stretch of Burnthouse Lane to its detriment. There would be some benefits in terms of encouraging walking and cycling to provide a pedestrian and a cycle access onto Burnthouse Lane which would require much less loss of vegetation. However, Burnthouse Lane has no footways to connect to at this point and insufficient width for footways to be provided. The applicant does not control the land to the north necessary to allow for footways to be provided to connect to footways along Burnthouse Lane to the north and as such providing a pedestrian link to Burnthouse Lane adjacent to the site cannot be achieved in a way that does not result in an arrangement that would compromise highway safety. As such, no such links have been provided.
- 4.24 The Parish Council have raised concerns regarding the position of the proposed relocation of vehicle activated signs (VAS) on School Lane. However, whilst locations for these signs have been shown on the submitted drawings the full details would be provided through condition of any approval and it is at this stage that the most appropriate location for the signs would be agreed.

#### Residential amenity

- 4.25 Development of the southern parcel of land is unlikely to result in any harm to residential amenity as the existing scrubland between the site and existing dwellings on School Lane would screen any development. The area of potential concern is on the northern parcel of land where development adjoins existing dwellings on the western boundary of this parcel of land.
- 4.26 The indicative layout shows four dwellings adjoining this boundary with some dwellings orientated in a position that could result in overlooking of the existing dwellings. However the precise position of dwellings, and their size and potential for overlooking would be considered at the reserved matters stage in the event that outline planning permission were to be granted and there is scope through the design of the dwellings and reorientation of the positioning of the dwellings to ensure that the development does not have an adverse impact on the amenities of these properties.

#### Education

- 4.27 Norfolk County Council have commented that although there is spare capacity at Early Education and High School levels, Little Melton Primary School has no spare capacity and would be unable to accommodate the children generated from this proposed development should it be approved. Funding would therefore be required for these additional school places, which would be through the Community Infrastructure Levy.

#### Public Open Space

- 4.28 Public open space is to be provided in the southern parcel of land in accordance with Policy DM3.15. This provides some public benefit, but would be used primarily by occupants of the new development particularly given its location well away from any through routes. As such its wider benefit is limited.

#### Summary of Social Role

- 4.29 The development provides some benefits from additional housing, including affordable housing, but the significance of this benefit is diminished by the most recent evidence in the SHMA. No other overriding social benefits have been identified.

## Environmental Role

### 4.30 The NPPF confirms the environmental role as:

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

### Impact on Landscape and form and character

- 4.31 The site falls within the D1 Wymondham Settled Plateau Farmland landscape character area, but close to the C1 Yare Tributary Farmland with Parkland landscape character area. The Council's Landscape Architect has advised that the proposed development will be generally compatible with these. Nonetheless, the development will intrude into the open countryside, particularly in the case of the southern parcel of land where development will divide an existing field into two and create a new southern boundary which would be apparent to users of Burnthouse Lane. This will also have the effect of reducing the sense of openness of the land in between Little Melton and Hethersett, thereby reducing the sense of a gap between the settlements, which is a concern raised by the Parish Council. Development of the northern parcel will enclose School Lane with development where currently there is an open aspect, thereby reducing the sense for users of School Lane that you are within a village close to open countryside.
- 4.32 Furthermore, the development will result in the creation of a long cul-de-sac off School Lane resulting in a poor, awkward form of development which will not relate well to the existing linear form and character of School Lane at this point and would not appropriately be integrated into the form and character of the settlement. Overall, there will therefore be harm to the landscape and to the form and character of the settlement.
- 4.33 The Council's Landscape Architect has raised a number of issues with the layout in relation to the indicative layout. Whilst these would be addressed at the reserved matters stage in the event that planning permission was to be granted, the applicant has nonetheless attempted to address some of these comments at this stage to demonstrate that a workable layout for the site. He has commented that there is still a potential concern from shading although this could be resolved by further adjustments to the scheme.
- 4.34 The proposed development necessitates the removal of an existing hedgerow along the boundary of the site with School Lane which is the subject of the Hedgerow Regulations. An assessment against the importance criteria in the regulations has been provided which the Council's Landscape Architect is satisfied that demonstrates the hedgerow is not 'important' and such its removal to achieve access to the site would not be contrary to Policy DM4.8 of the Local Plan. None the less the removal of the hedge represents a level of environmental harm in the planning balance.

### Drainage

- 4.35 The site is entirely within Flood Risk Zone 1 and therefore is not at risk from fluvial flooding. A Flood Risk Assessment has been submitted with the application which proposes to drain the site via permeable paving and soakaways with further infiltration into the ground.
- 4.36 Surface water from the site is to be drained by filter trenches and soakaways for infiltration, and with permeable paving used on private driveways. Following additional soakaway and further information that shows that groundwater is 10.97 metres below ground level, the Lead Local Flood Authority is satisfied that the drainage strategy is

appropriate subject to a condition of any permission requiring further details to ensure the scheme is effective.

- 4.37 In regard to foul water and sewerage, Anglian Water have commented that sewerage system currently has capacity for flows from this development.

#### Heritage Assets

- 4.38 An archaeological desk based assessment including a geophysical survey was submitted with the application. This concluded that there was a high potential for heritage assets for heritage assets of later prehistoric, Roman or early medieval date to be present at the site. The Historic Environment Service required trial trenching to investigate this further prior to determination of the planning application. Trial trenching has now been undertaken and based on the results, the Historic Environment Service have advised that whilst the trial trenching did uncover significant archaeological remains the nature of them is such that the effect of the development will have on their significance can be adequately mitigated by post-determination archaeological conditions. They also advise that they will not be recommending preservation of any of the remains in situ and will therefore not require any changes to the submitted development design or layout.
- 4.39 The nearest listed building is a Grade II listed barn associated with Elm Farm. However, due to existing vegetation and the position of buildings on Elm Farm it is not considered that the development will affect the setting of this heritage asset.
- 4.40 It is therefore considered that the development will not have an adverse impact on any heritage assets and accords with Policy DM4.10 of the Local Plan and Section 12 of the NPPF and satisfies the Council's duties under S66(1) Listed Buildings Act 1990 to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

#### Ecology

- 4.41 The application is supported by an Ecological Impact Assessment. The County Council's Ecologist has commented that the report is to a high standard and fit for purpose and supports the Assessment's recommendation that an Ecological Mitigation Method Statement is submitted prior to site clearance and construction. This approach should ensure that no adverse impacts on protected species or any infringement of wildlife legislation should result from the development as proposed.

#### Summary of environmental role

- 4.42 The development would result in harm to the landscape and form and character of the settlement for the reasons identified above. Whilst the applicant has stated that the development will include new planting and new ecological habitat these are mitigation measures from loss of the existing hedgerow and therefore do not provide a net gain of habitat on such a scale that it could be considered an overriding environmental benefit.

#### Other Issues

- 4.43 Norfolk County Council have advised that the proposed development will require one fire hydrant. This could be secured through planning condition in the event that planning permission was granted for the development.
- 4.44 The application is liable for CIL although this would be calculated at the reserved matters where floor spaces would be known. Should consent be granted a section 106 agreement would be needed to be entered into to ensure the provision of affordable housing and in regard to the provision and management of the open space.

4.45 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. Conclusion and Reasons for Refusal

- 5.1 The proposed development does not represent a sustainable development, having regard to the three tests (social, economic and environmental) set out in the NPPF, by virtue of the detrimental impact the scheme would have on the landscape and form and character of the area due to a proposed layout that relates poorly to the existing form of the settlement and intrudes into the open countryside and which significantly and demonstrably outweighs the benefit of housing in the Norwich Policy Area where there is not an up to date 5 year housing land supply, which is diminished by virtue of the evidence contained in the SHMA. Accordingly the proposal fails to comply with policy DM1.1 of the South Norfolk Local Plan and Paragraph 14 of the NPPF.
- 5.2 The proposed housing is not supported by any specific Development Management Policy which allows for development outside of the development boundary and nor does it represent overriding benefits when having regard to the harm caused in relation to the impact on the landscape and form and character of the area and as such does not satisfy the requirements of either 2 c) or d) of Policy DM1.3 of the South Norfolk Local Plan.
- 5.3 The development would result in an intrusion into the open landscape to the south of the settlement, reducing the sense of openness both between Little Melton and Hethersett and also by enclosing School Lane with development on a section of road that currently has an open aspect on its southern side. The development is therefore considered contrary to Policy 2 of the Joint Core Strategy and Policy DM4.5 of the South Norfolk Local Plan.
- 5.4 The development will result in the creation of a long cul de sac off School Lane which would not relate well to the existing linear character of School Lane at this point nor integrate itself appropriately into the settlement form and character and its surroundings. The proposal would therefore conflict with the aims of Policy 2 of the JCS and Policy DM3.8 of the South Norfolk Local Plan.

Contact Officer, Telephone Number    Tim Barker 01508 533848  
and E-mail:                                    tbarker@s-norfolk.gov.uk





## Major Applications Referred Back to Committee

4.     **Appl. No**                 :     **2016/1627/O**  
       **Parish**                 :     **PORINGLAND**

Applicants Name     :     Mr Kittle  
Site Address         :     Land to the north of Heath Loke Poringland Norfolk  
Proposal             :     Erection of 19 dwellings with access and all other matters reserved

Recommendation    :     Authorise Director of Growth and Business Development to approve  
                                  subject to submission of a viability assessment to demonstrate affordable  
                                  housing can be secured

- 1   Outline permission time limit (reduced)
- 2   Condition requiring reserved matters
- 3   Ecological enhancements
- 4   Fire hydrant
- 5   Contaminated land scheme
- 6   Implementation of approved remediation
- 7   Reporting of unexpected contamination
- 8   Construction Management Plan
- 9   Air source heat pumps
- 10  Water conservation
- 11  Surface water management scheme
- 12  Standard highway conditions
- 13  Detailed design of surface water scheme

Subject to S106 agreement to secure affordable housing, open space  
and commuted sum for play equipment

### 1.     Planning Policies

- 1.1   National Planning Policy Framework  
       NPPF 06 : Delivering a wide choice of high quality home  
       NPPF 07 : Requiring good design  
       NPPF 10 : Meeting the challenge of climate change, flooding and coastal change  
       NPPF 11 : Conserving and enhancing the natural environment
- 1.2   Joint Core Strategy  
       Policy 1 : Addressing climate change and protecting environmental assets  
       Policy 2 : Promoting good design  
       Policy 3: Energy and water  
       Policy 4 : Housing delivery  
       Policy 14 : Key Service Centres  
       Policy 17 : Small rural communities and the countryside
- 1.3   South Norfolk Local Plan  
       Development Management Policies  
       DM1.1 : Ensuring Development Management contributes to achieving sustainable  
              development in South Norfolk  
       DM1.3 : The sustainable location of new development  
       DM1.4 : Environmental Quality and local distinctiveness  
       DM3.1 : Meeting Housing requirements and needs  
       DM3.8 : Design Principles applying to all development  
       DM3.10 : Promotion of sustainable transport  
       DM3.11 : Road safety and the free flow of traffic  
       DM3.12 : Provision of vehicle parking



DM3.13 : Amenity, noise, quality of life  
 DM4.2 : Sustainable drainage and water management  
 DM4.3 : Facilities for the collection of recycling and waste  
 DM4.8 : Protection of Trees and Hedgerows  
 DM4.9 : Incorporating landscape into design

1.4 Supplementary Planning Document  
 South Norfolk Place Making Guide 2012

2. Planning History

2.1 No recent planning history directly relevant to this site

3. Consultations

3.1 Parish Council Continue to object to this application

The developer appears to have raised the site by 0.9 metres so that the affordable homes are lifted out of the predicted flood area. It is not clear how they want to raise the level – movement of soil on this site has no guarantee that it will stay put and not move

Continue to object to the clustering of affordable housing as being in conflict with the 'sustainable' requirement of the NPPF. The Council would prefer to see the affordable housing redistributed around the site, so that all residents could enjoy the benefits of this improvement.

There is an increased flood capacity in the open space but we have given no calculations that this will be adequate for the 1 in 100 event being considered. There is no detail of a management plan for the area and who is going to pay for it.

There is concern that if the site was raised by 0.9 metres this could have an overpowering effect and impact upon the existing Norfolk Homes site.

Original comments:

- contrary to Local Plan policies relating to development boundaries
- it exacerbates the problems well known and documented within the Poringland Urban Drainage Strategy as it does not as it does not detail how surface /flood water will be treated on a site that is known for flooding and integral to the drainage strategy
- involves the removal of a quantity of mature trees
- the site will significantly overlook the properties on Tubby Drive
- the proposed site is an overcrowded ribbon development
- the Council is concerned as about how services will get to the site, as they will need access through the Norfolk Homes development and then under the River Chet
- there is a lack of definition around the site access

3.2 District Members  
 Cllr Overton

Should only be determined by Committee

I have concerns about:

- Access
- Services

		<ul style="list-style-type: none"> <li>• Surface water soakage</li> <li>• Intrusion into the countryside</li> </ul> <p>Previously raised concerns about sewerage and contamination</p>
	Cllr Neal	To be reported if appropriate.
3.3	Anglian Water	<p>Conditional support</p> <ul style="list-style-type: none"> <li>• Condition requiring a foul water strategy to be submitted and agreed</li> </ul>
3.4	NCC Ecologist	Conditional support
3.5	SNC Community Services - Environmental Quality Team	Conditional support
3.6	NCC Highways	Would be useful if the developer could provide a plan overlaying the existing and proposed arrangements in the vicinity of the new junction which has yet to be received
3.7	SNC Senior Conservation and Design Officer	<p>Design is now broadly acceptable</p> <ul style="list-style-type: none"> <li>• Some suggestions to the design which would need to be considered at reserved matters stage</li> </ul>
3.8	SNC Housing Enabling & Strategy Manager	<p>Conditional Support</p> <ul style="list-style-type: none"> <li>• the mix on the indicative site layout is acceptable</li> <li>• I note that the application is for 19 dwellings, with 7 affordable houses indicated. Under JCS Policy 4 the affordable housing requirement of 6 affordable dwellings is unchanged (<math>19 \times 33\% = 6.27</math>, rounded down to 6). I would suggest this is resolved now rather than a later date by retaining Plots 10-15 as affordable homes with Plot 16 no longer an affordable dwelling</li> <li>• there is no mention of tenure. JCS Policy 4 specifies 85% of the affordable homes for rent, with 15% to be intermediate tenures. On this basis I wish for one of the 3 bedroom houses to be for shared ownership or shared equity, with the remaining five to be for rent.</li> </ul>
3.9	SNC Environmental Waste Strategy	No comments received
3.10	SNC Water Management Officer	To be reported
3.11	NHS England	No comments received
3.12	NHSCCG	No comments received
3.13	NCC Lead Local Flood Authority	<p>Conditional support</p> <ul style="list-style-type: none"> <li>- Following submission of revised proposal</li> </ul>
3.14	Norfolk And Waveney Local Medical Council	No comments received

3.15	SNC Play and Amenities Technical Advisor	<ul style="list-style-type: none"> <li>• Would prefer to leave the open space as a grassed area and receive an amount of money for off-site provision</li> <li>• Open space close to the properties which may have potential issues in the future</li> </ul>
3.16	NCC Planning Obligations Co-Ordinator	<p>Education and library contributions to be delivered through CIL</p> <p>Although the schools have capacity there are three developments already permitted in Poringland equating to 310 houses meaning there are insufficient places at Poringland Primary &amp; Nursery School</p>
3.17	SNC Landscape Architect	<p>No objections</p> <p>Without a better survey / assessment of the existing trees it is not possible to ascertain whether or not what is shown on the indicative drawing tallies with the best trees, but this could be resolved at reserved matters</p>
3.18	Norfolk Fire Service Station Master	Conditional support
3.19	NCC Social Services	No comments received
3.20	Other Representations	<p>3 letters of objection to the amended plans</p> <ul style="list-style-type: none"> <li>• Will still be a drastic effect on privacy from overlooking</li> <li>• Noise from building work would be disruptive</li> <li>• Concerns about increased traffic from the new dwellings</li> <li>• Concern about land prone to flooding</li> <li>• Repeat previous comments regarding misleading comments in supporting information, need for housing being met elsewhere in Poringland and loss of trees</li> <li>• Degrade value of properties</li> </ul> <p>4 letters of objection to the originally submitted plans</p> <ul style="list-style-type: none"> <li>• acknowledge the existence and importance of the NPPF and the Government's commitment to improve the supply of housing, however there are four large developments in the local area which contribute to this commitment in accordance with the Local Plan. Approval of this scheme would call into question the validity and purpose of the Local Plan</li> <li>• the proposed dwellings would ruin the view from my main living space, which currently overlooks beautiful open fields with horses</li> <li>• landscaping would enclose our currently open boundary</li> <li>• the statement that built-up areas effectively encircle the site is far from accurate as the land directly to the west and south is open grassland</li> <li>• the noise from the building work would be disruptive when I work from home</li> <li>• the proposed dwellings would overlook existing properties</li> <li>• noise from traffic once the development is completed, currently only sounds of nature can be heard</li> <li>• development would inevitably result in an increase in traffic through Tubby Drive which is a private drive; it will also become an obvious shortcut for pedestrians using the local park, Budgens and community facilities</li> </ul>

- insufficient consideration has been given to the headwaters of the River Chet which runs along the eastern boundary of the site; development would require three river crossings
- in times of heavy rain a surface 'river' forms on the field, with significant areas of standing water
- removal of trees would affect the visual outlook of a large number of properties as they can be seen above existing houses
- local facilities are already overburdened
- concerned about possible effects to existing wildlife in the area - bats, woodpeckers and owls have been seen on the site

## 4 Assessment

### Background

- 4.1 Members resolved to grant planning permission for the erection of 19 dwellings at the meeting of Development Management Committee on 7 December 2016. This was subject to surface water matters being adequately resolved and submission of a viability assessment to demonstrate affordable housing can be secured. Members resolved to approve the application as it was considered that the harm identified from the development was not so significant that it outweighed the benefits of providing additional housing given that at the time the Council was unable to demonstrate that the Council had a 5-year housing land supply in the Norwich Policy Area.
- 4.2 The issue of surface water drainage was subsequently resolved to the satisfaction of the Lead Local Flood Authority. However, the applicant has still yet to submit the viability assessment necessary to demonstrate that the development is viable with affordable housing in line with the requirements of the Joint Core Strategy.
- 4.3 Given the change to the position in regard to the housing land supply in light of the evidence from the Strategic Housing Market Assessment, it is necessary to reconsider whether when balancing the harms identified against the benefits provided this development is still considered acceptable.

### Site description and proposal

- 4.4 The site comprises partly of land used as a paddock and partly land that has been left and is now partially wooded. The site is immediately to the west of a site that is allocated for development, originally within the South Norfolk Local Plan 2003 and now within the Site Specific Allocations and Policies Document of the Local Plan by Policy POR4. The allocation, which is being developed by Norfolk Homes, is within the Key Service Centre of Poringland and is in the process of being built out.
- 4.5 Adjoining the site to the south is the alignment of the private drive Heath Loke, which has been bisected by the spine road of the new development and is no longer accessible. To the west is land that currently forms part of the same portion of the land as the application site and therefore the site currently has no physical boundary on its western side.
- 4.6 The recently built development on the allocated site to the east consists of a mix of two storey properties. To the north of the site development of the allocation is ongoing. The entire boundary between the site and the Norfolk Homes site is defined by a watercourse that forms the headwaters of the River Chet.

## The application

- 4.7 The application is an outline application for 19 dwellings, with all matters reserved other than access. The application proposes affordable housing to be in line with the policy requirements of Policy 4 of the Joint Core Strategy. This equates to 6 units.
- 4.8 Vehicular access is proposed from the north-east through the allocated site. This area of the allocation is still under construction and the road from which the development is to be allocated is still under construction and therefore not publicly accessible. In addition, a pedestrian access is proposed from the completed section of the allocation at Utting Close. Both accesses will need to cross the River Chet. A further pedestrian access has been shown to the south to link up with Heath Loke.
- 4.9 The main issue for consideration is the principle of development in light of the latest housing land supply information taking into account access, the impact of the development on the character of the area and on trees on the site, its relationship with the built and being built dwellings on the Norfolk Homes site, ecology, drainage and affordable housing.

## Principle of development

- 4.10 The site falls outside of the development boundary for Poringland, albeit the site is immediately adjacent to the boundary. Policy DM1.3 states that permission for development outside of development boundaries will only be granted where specific Development Management Policies allow for development outside of development boundaries or where development otherwise demonstrates overriding benefits in terms of economic, social and environmental dimensions as set out in Policy DM1.1.
- 4.11 Members are advised that a key material consideration in regards housing land supply is the Central Norfolk Strategic Housing Market Assessment (SHMA), the most recent version of which was published in June 2017. This is significant new evidence. There is an 8.08 year housing land supply against the SHMA assessment of the Objectively Assessed Need (OAN) for housing. The following paragraphs explain why this effectively diminishes the weight attached to the benefits of increased housing supply.
- 4.12 Planning law (section 38(6) of the Planning and Compulsory Purchase Act 2004) requires that applications be determined in accordance with the Development Plan, unless material considerations indicate otherwise. Material considerations include the National Planning Policy Framework (NPPF).
- 4.13 In accordance with both the Council's adopted development plan and the NPPF, in cases where there are no overriding material considerations to the contrary, development proposals for housing that accord with the development plan should be approved without delay.
- 4.14 In this regard, consideration should be given to Policy DM1.3 which makes provision for development to be granted outside of Development Boundaries, such as this, where one of two criteria are met: either where specific development management policies allow; or, where there are overriding benefits in terms of economic, social and environmental dimensions of sustainable development, as set out in Policy DM1.1.
- 4.15 Where development proposals do not accord with the development plan consideration should be given to whether there are material considerations that otherwise indicate that development should be approved.
- 4.16 Of particular relevance to applications for housing development in this regard is paragraph 49 of the NPPF. This states that: '*housing applications should be considered in the context of the presumption in favour of sustainable development*'; and that, *relevant* (local plan)

*policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites'. Where policies in the Local Plan are not considered to be up-to-date, paragraph 14 of the NPPF requires decision-taking to approve applications for housing unless the adverse impacts of granting permission, 'would significantly and demonstrably outweigh the benefits', when assessed against the policies of the NPPF as a whole.*

- 4.17 The 2017 Greater Norwich Area Housing Land Supply Assessment, published as Appendix A of the Joint Core Strategy Annual Monitoring Report, shows that against the JCS requirements there is 4.61 years supply in the combined Norwich Policy Area (NPA), a shortfall of 1,187 dwellings. Consequently relevant policies for the supply of housing in the NPA cannot be considered up-to-date and applications for housing should continue to be determined within the context of paragraph 14 of the NPPF, taking into consideration the narrow interpretation set out in the judgment *Suffolk Coastal District Council (Appellant) v Hopkins Homes Ltd and another (Respondents) Richborough Estates Partnership LLP and another (Respondents) v Cheshire East Borough Council (Appellant)*.

- 4.18 The narrow interpretation states:

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

The JCS housing requirement is, however, now several years old (the JCS was adopted in March 2011, with amendments in January 2014). The evidence on which the requirement is based has now been superseded. In June 2017 an updated Strategic Housing Market Assessment (SHMA) was published for Central Norfolk (the Greater Norwich authorities plus, North Norfolk and Breckland). The SHMA assesses the Objectively Assessed Need for housing between 2015 and 2036 using the most recent evidence available. Unlike the evidence underpinning the JCS, the SHMA also includes an assessment of the contribution made by student accommodation in line with the Planning Practice Guidance.

- 4.19 The SHMA is significant new evidence that is also a material consideration in the determination of planning applications. A housing land supply of 8.08 years can be demonstrated against the SHMA assessment of OAN, a surplus of 5,368 units. The abundant housing land supply that is apparent in relation to the most up-to-date evidence of housing needs should be given weight in the decision making process. This factor effectively diminishes the weight that would otherwise be attached to the benefits of increased housing delivery in the context of Policy DM1.1 and NPPF Paragraph 14.
- 4.20 On the basis of the above, the following assessment seeks to establish the benefits of the scheme and any harm that would be caused in the context of the relevant development plan policies and the NPPF, with reference to the three dimensions of sustainable development (economic role, social role and environmental role). These three headings form a convenient basis for structuring the assessment of the proposal against development plan policies.

#### Economic Role

- 4.21 The NPPF highlights the economic role as "contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure."
- 4.22 The construction of 19 dwellings in a location adjacent to a Key Service Centre would help enhance the economic viability of that service centre through local spending from future occupants of the dwellings.

- 4.23 In addition to the above, the scheme would also provide some short term economic benefits from construction of the dwellings.

#### Social Role

- 4.24 The NPPF confirms the social role as "supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being."
- 4.25 The proposed scheme would provide housing in a location where the JCS identifies a shortfall in housing land supply against requirements which would represent a social benefit. However, the significance of this benefit is diminished by the most recent evidence of the updated SHMA which identifies a housing land supply in excess of 8 years and this is material consideration in determining this application.
- 4.26 The proposal includes the provision of affordable housing to the requirements of Policy 4 of the Joint Core Strategy which would help meet an identified need within the district for affordable housing. However, as noted above, the applicant has failed as of yet to demonstrate that the scheme is viable with provision of affordable housing to this standard.
- 4.27 As mentioned above, the site is located adjacent to the development boundary of Poringland, which is identified as a Key Service Centre within the Joint Core Strategy. This contains a wide range of services including primary and secondary education provision, healthcare, a small supermarket and other shops, and a range of community facilities. These services can be accessed easily on foot through the built out part of the allocation and access to services within the north of the village, which include the high school, will improve when more direct links become available through completion of development of the allocation.
- 4.28 A number of comments have been raised about the suitability of the estate roads to access the site, with particular concern about Tubby Drive. Norfolk County Council's Highways Officer has been consulted about the proposal. They are satisfied that the access arrangements are acceptable and have not questioned the suitability of the estate roads within the allocation to be able to safely accommodate traffic from the additional dwellings. As such, it would be difficult to substantiate a refusal on these grounds.
- 4.29 Norfolk County Council have commented that there are potential capacity issues at Poringland Primary and Nursery School to accommodate children given the level of permitted development elsewhere in Poringland. However, the number of children likely to require school places from this development are two at nursery school age and five at primary school age. Contributions from CIL will be required to mitigate for this.
- 4.30 Public open space is provided within the site to the level required by the Council's guidance on open space provision. The Council's Play and Amenities Technical Advisor has commented that he would prefer to see the open space as a grassed area with money provided for off-site provision of play equipment. This would provide some benefit to the local community, but is limited in value as it is primarily to mitigate the impact of additional users of the equipment created by the new development.

#### Summary of Social Role

- 4.31 The development provides some social benefits through the provision of additional housing including the provision of affordable housing, although the viability of the scheme to provide affordable housing fully in accordance with the level set out in the Joint Core Strategy has not been demonstrated. In addition, there would be the benefit of some open space within the site and to the upgrading of play equipment provision in the area although these would

primarily be of benefit to residents of the new development. The site is however within a location that is well related to the main services within a Key Service Centre.

#### Environmental Role

- 4.32 The NPPF confirms the environmental role as "contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy."
- 4.33 The development would result in an infringement into open countryside, albeit countryside that is not subject to any specific justification. The site is not particularly prominent, with the only public views from a footpath within the new development.
- 4.34 An indicative layout has now been provided that sites the new dwellings away from the boundary with the existing development and providing open space alongside the watercourse to allow it to be a feature that unites the site with the Norfolk Homes development.
- 4.35 Concerns have also been raised regarding the impact on the amenities of existing residential properties from disturbance during construction of the dwellings. A condition is recommended by the Council's Community Protection Team to require a construction management plan to minimise the disturbance to existing residents during the construction phase should permission be granted for the application.
- 4.36 An Ecological Report has been submitted in support of this application. Norfolk County Council's Ecologist has commented that it appears fit for purpose. The Ecologist does recommend that enhancements should be considered and recommends these are provide through condition in the event permission is granted.
- 4.37 The site is within Flood Risk Zone 1 and therefore not considered to be at risk from fluvial flooding. However, Poringland is an area with known surface water drainage issues. As mentioned above, this issue was subject to negotiation with the Lead Local Flood Authority subsequent to the original consideration of this application by the Development Management Committee and a satisfactory scheme for surface water drainage was agreed.
- 4.38 Some concern has also been raised about historic uses of the site and surrounding area which may result in contamination issues. The Council's Community Protection Team have recommended conditions to be imposed on any permission to ensure that if there is any contamination it is detected and mitigated against appropriately. It is not thought likely that there is any likely contamination that would prevent development of the site.
- 4.39 Air source heat pumps are proposed to generate the required 10% renewable energy under Policy 3 of the Joint Core Strategy. A condition would also be required to ensure appropriate water efficiency measures are secured as required by the same policy.

#### Summary of environmental role

- 4.40 The development would result in an intrusion into the open countryside to the west of the built-up area of Poringland. However this intrusion is relatively limited in its scale, particularly given the relatively few public viewpoints from which the development would be visible.

#### Other issues

- 4.41 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.

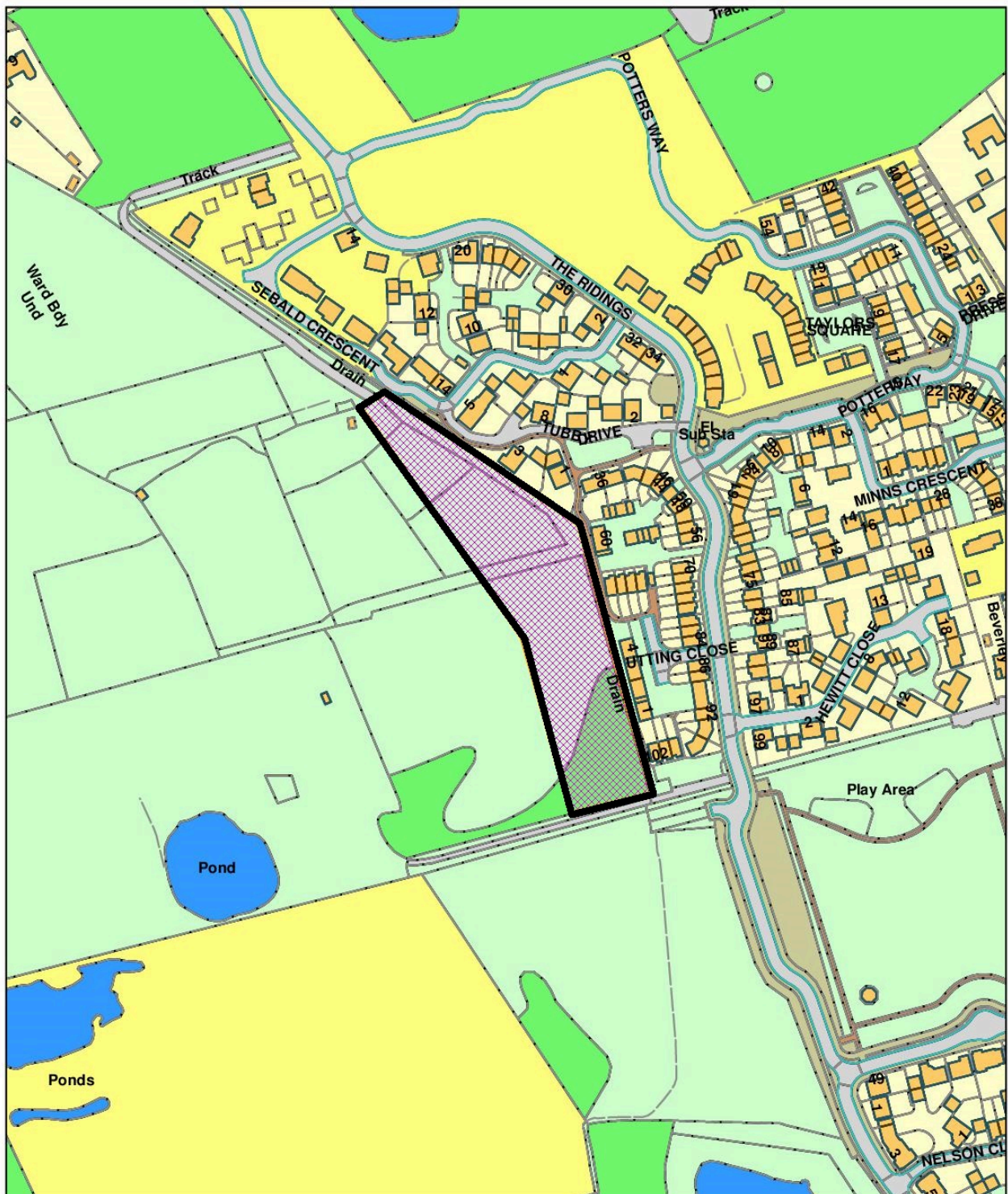


4.42 The application is liable for CIL although this would be calculated at the reserved matters where floor spaces would be known. Should consent be granted a section 106 agreement would be need to be entered into to ensure the provision of affordable housing and in regard to the provision and management of the open space.

5. Conclusion

5.1 The proposal would satisfy the three roles of sustainability (economic, social and environmental). It is not considered there is a level of harm that significantly and demonstrably outweighs the benefits of housing delivery, notwithstanding that the benefits of housing are diminished as a result of the SHMA 5 year supply figures as a material consideration. Accordingly the application satisfies the requirements of Policy DM1.1 of the Development Management Policies and Paragraph 14 of the NPPF. The application therefore remains recommended for approval.

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## Other Applications

**5. Appl. No : 2018/0091/O**  
**Parish : HETHERSETT**

Site Address : Land Rear Of 86 And 88 Ketts Oak Hethersett Norfolk  
Proposal : New dwelling

Recommendation : Approval with Conditions  
1 Time Limit  
2 Standard outline requiring RM  
3 Surface Water  
4 Standard Outline Condition  
5 Boundary treatment to be agreed  
6 Single 1.5 storey only  
7 Permission to replace plot to front

### 1 Planning Policies

#### 1.1 National Planning Policy Framework

NPPF 03 : Supporting a prosperous rural economy  
NPPF 06 : Delivering a wide choice of high quality home  
NPPF 07 : Requiring good design  
NPPF 10 : Meeting the challenge of climate change, flooding and coastal change  
NPPF 11 : Conserving and enhancing the natural environment

#### 1.2 Joint Core Strategy

Policy 1 : Addressing climate change and protecting environmental assets  
Policy 2 : Promoting good design  
Policy 3: Energy and water  
Policy 4 : Housing delivery  
Policy 6 : Access and Transportation  
Policy 9 : Strategy for growth in the Norwich Policy Area  
Policy 10 : Locations for major new or expanded communities in the Norwich Policy Area  
Policy 14 : Key Service Centres

#### 1.3 South Norfolk Local Plan Development Management Policies

DM1.1 : Ensuring Development Management contributes to achieving sustainable development in South Norfolk  
DM1.3 : The sustainable location of new development  
DM1.4 : Environmental Quality and local distinctiveness  
DM3.1 : Meeting Housing requirements and needs  
DM3.8 : Design Principles applying to all development  
DM3.11 : Road safety and the free flow of traffic  
DM3.12 : Provision of vehicle parking  
DM3.13 : Amenity, noise, quality of life  
DM3.14 : Pollution, health and safety  
DM4.2 : Sustainable drainage and water management  
DM4.3 : Facilities for the collection of recycling and waste  
DM4.4 : Natural Environmental assets - designated and locally important open space  
DM4.5 : Landscape Character Areas and River Valleys  
DM4.7 : Strategic gaps between settlements within the Norwich Policy Area  
DM4.9 : Incorporating landscape into design

## 2. Planning History

2.1	2012/0856	Outline planning application for the erection of a detached single storey dwelling house with rooms in roof and detached garage including means of access.	Refused
2.2	2016/2638	Proposed dwelling	Refused
2.3	2017/1699	Demolition of existing storage building and erection of proposed replacement storage building.	Approved
2.4	2017/2789	Proposed storage building (revised)	Approved
2.5	2017/2790	Discharge of Condition 4 following planning permission 2017/1699/F - samples and materials	Approved

## Appeal History

2.6	2012/0856	Outline planning application for the erection of a detached single storey dwelling house with rooms in roof and detached garage including means of access.	Appeal dismissed
2.7	2016/2638	Proposed dwelling	Dismissed (On insufficient contamination details only)

## 3. Consultations

3.1	Town / Parish Council	No comments received
3.2	District Councillors Cllr Dale	Can be delegated
	Cllr Bills	To be reported if appropriate
3.3	SNC Water Management Officer	Support subject to surface water condition.
3.4	NCC Highways	Support subject to condition for specific details of: <ul style="list-style-type: none"> <li>• Surface Water drainage (access)</li> <li>• Visibility splays.</li> <li>• Access arrangements.</li> <li>• Parking provision in accordance with adopted standard.</li> <li>• Turning areas.</li> </ul>
3.5	SNC Community Services - Environmental Quality Team	No comments received

- 3.6 Other Representations      1 letter of support
- Proposed location is preferable option to that of approved scheme and visually much better.

#### 4 Assessment

- 4.1 This application seeks outline consent for the erection of a dwelling on land to the rear of east of 88 Ketts Oak, Hethersett. The proposed dwelling would be situated to the rear of nos 82 and 82 Ketts Oak Oak with the access between the commercial garage and No 86.

##### Background:

- 4.2 A previous outline application 2016/2638 for a dwelling was refused, but dismissed on appeal for the following reasons:
- 4.3 Following the refusal, the applicant appealed the Council's decision. Notwithstanding the concerns, the Planning Inspector considered that the two-storey dwelling would not harm the character of the area; there would be no harmful effect on the living conditions of the existing neighbours or future occupiers via loss of privacy or noise and disturbance; and the proposal would not harm the existing business use. The Planning Inspector did dismiss the appeal, however, she considered that it had not been demonstrated that land contamination would not pose a hazard to human health.
- 4.4 The application submitted under reference number 2017/2802 for a dwelling in the same location, which included all the necessary contamination details was approved at Committee in January 2018.
- 4.5 The main issues for consideration in this case are the principle of development in this location; layout; highway safety; and residential amenity.

##### Principle of development

- 4.6 Planning law (section 38(6) of the Planning and Compulsory Purchase Act 2004) requires that applications be determined in accordance with the Development Plan, unless material considerations indicate otherwise. Material considerations include the National Planning Policy Framework (NPPF).
- 4.7 In accordance with both the Council's adopted development plan and the NPPF, in cases where there are no overriding material considerations to the contrary, development proposals for housing that accord with the development plan should be approved without delay.
- 4.8 In this regard, consideration should be given to Policy DM1.3 which makes provision for development to be granted outside of Development Boundaries, such as this, where one of two criteria are met: either where specific development management policies allow; or, where there are overriding benefits in terms of economic, social and environmental dimensions of sustainable development, as set out in Policy DM1.1.
- 4.9 Where development proposals do not accord with the development plan consideration should be given to whether there are material considerations that otherwise indicate that development should be approved.
- 4.10 Of particular relevance to applications for housing development in this regard is paragraph 49 of the NPPF. This states that: 'housing applications should be considered in the context of the presumption in favour of sustainable development; and that, relevant (local plan) policies for the supply of housing should not be

considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites'. Where policies in the Local Plan are not considered to be up-to-date, paragraph 14 of the NPPF requires decision-taking to approve applications for housing unless the adverse impacts of granting permission, 'would significantly and demonstrably outweigh the benefits', when assessed against the policies of the NPPF as a whole.

- 4.11 The 2017 Greater Norwich Area Housing Land Supply Assessment, published as Appendix A of the Joint Core Strategy Annual Monitoring Report, shows that against the JCS requirements there is 4.61 years supply in the combined Norwich Policy Area (NPA), a shortfall of 1,187 dwellings. Consequently, relevant policies for the supply of housing in the NPA cannot be considered up-to-date and applications for housing should continue to be determined within the context of paragraph 14 of the NPPF, taking into consideration the narrow interpretation set out in the judgment *Suffolk Coastal District Council (Appellant) v Hopkins Homes Ltd and another (Respondents)* *Richborough Estates Partnership LLP and another (Respondents) v Cheshire East Borough Council (Appellant)*.

- 4.12 The narrow interpretation states:

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

- 4.13 The JCS housing requirement is, however, now several years old (the JCS was adopted in March 2011, with amendments in January 2014). The evidence on which the requirement is based has now been superseded. In June 2017 an updated Strategic Housing Market Assessment (SHMA) was published for Central Norfolk (the Greater Norwich authorities plus, North Norfolk and Breckland). The SHMA assesses the Objectively Assessed Need for housing between 2015 and 2036 using the most recent evidence available. Unlike the evidence underpinning the JCS, the SHMA also includes an assessment of the contribution made by student accommodation in line with the Planning Practice Guidance.

- 4.14 The SHMA is significant new evidence that is also a material consideration in the determination of planning applications. A housing land supply of 8.08 years can be demonstrated against the SHMA assessment of OAN, a surplus of 5,368 units. The abundant housing land supply that is apparent in relation to the most up-to-date evidence of housing needs should be given weight in the decision making process. This factor effectively diminishes the weight that would otherwise be attached to the benefits of increased housing delivery in the context of Policy DM1.1 and NPPF Paragraph 14.

- 4.15 On the basis of the above, the following assessment seeks to establish the benefits of the scheme and any harm that would be caused in the context of the relevant development plan policies and the NPPF, with reference to the three dimensions of sustainable development (economic role, social role and environmental role) and the diminished weight that can be attributed to housing land supply as set out above. These three headings form a convenient basis for structuring the assessment of the proposal against development plan policies.

#### Economic Role

- 4.16 The NPPF confirms the economic role as:

"contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support

growth and innovation: and by identifying and coordinating development requirements, including the provision of infrastructure.”

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

#### Social Role

- 4.18 The NPPF confirms the social role as

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

- 4.19 The proposed scheme would provide housing in a location where the JCS identifies a shortfall in housing land supply against requirements which would represent a social benefit. However, the significance of this benefit is diminished by the most recent evidence of the updated SHMA which identifies a housing land supply in excess of 8 years and this is a material consideration in determining this application.
- 4.20 The indicative outline layout shows one dwelling with a separate garage set to the rear of existing properties on Ketts Oak and to the west of No 70 Ketts Oak. The land to the north of the site is grassed with a well established line of trees on the south west boundary of the site. The character of this area comprises of dwellings fronting the highway forming linear development, the exception to this is No 70 Ketts Oak which is set to the rear of other dwellings. The dwelling allowed at appeal, if constructed would also break this established building line. This proposal could be considered as back-land development as the new proposed dwellings would be located behind existing properties, contrary to the prevalent character, which is frontage development. However, a material consideration is the previous appeal approval for a dwelling adjacent to the garage (which this scheme seeks to supersede), the position of No 70 and the enclosed nature of the site. It is considered that a new dwelling in this location, not visible from the highway would be preferable to the approved dwelling, which is in a prominent position, breaking the building line and has a relatively narrow plot not sympathetic to the wider character. A condition can be reasonably imposed to prevent this frontage dwelling being constructed as well as this new dwelling to ensure an adequate access to the plot at the rear can be achieved.
- 4.21 This proposal is an outline application with all matters reserved, therefore the design details of the scheme would be comprehensively assessed at reserved matters stage if this application was supported. Subject to the proposed dwelling being single storey/one and half storey then it is considered an appropriate design could be achieved. An appropriately worded condition can be added in this regard.
- 4.22 As set out above, the current position with regards to the lack of a five-year supply is diminished having regard to the evidence as set out in the SHMA. Notwithstanding this, the provision of one dwelling on this enclosed site, close to where an extant permission is located and where there is access to public transport and other facilities does provide limited social benefit.

## Highways

- 4.23 The application for one dwelling would result in some traffic movement adjacent to the existing dwelling onto Ketts Oak, however, the principle for this has already been accepted by the granting of the 2017/2802 permission. Subject to various details which are required by condition relating to surface water drainage, visibility splays, parking and turning the Highways Authority supports the application. The proposal subject to the details being approved accords with DM3.11 and DM3.12.

## Environmental role

- 4.24 The NPPF confirms the environmental role as:

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

- 4.25 The proposed dwelling would occupy a plot to the rear of other dwellings on Ketts Oak. The building pattern along Ketts Road frontage has a mixture of one and two-storey dwellings of semi-detached and detached form. While the site is to the rear of Ketts Oak, the site is adjacent to an established dwelling (No70) and therefore sits on an enclosed plot and is not out of character with the wider pattern of development.
- 4.26 The site falls within the Strategic Gap as identified by the South Norfolk Local Plan. Given the nature of the site, located on an enclosed site and to the rear of existing dwellings, I do not consider the proposal would erode or undermine the openness of the Strategic Gap as the proposal would be secluded by other development, and an existing established tree line to the rear of the commercial garage which forms a definite boundary between the developed and the undeveloped land to the west preventing further development of the strategic gap. Therefore, I consider the proposal would comply with Local Plan Policy DM4.7.

## Residential amenity

- 4.27 At this stage no details of the design have been included and will be fully assessed at Reserved Matters stage. However, given the suggested layout and the space between the plot and the neighbouring properties I am satisfied a scheme can be designed with appropriate boundary treatment to ensure the privacy and amenities of the existing neighbouring properties are protected and the future occupiers of the dwelling. The scheme therefore accords with policy DM3.13 of the SNLP 2015.

## Self Build

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



## 5 Conclusion

- 5.1 Having established that this proposal does represent sustainable development in the context of the NPPF, it is necessary to have regard to paragraph 14 in respect of the presumption in favour of sustainable development.
- 5.2 It is accepted that the Council's housing-related policies are out of date by virtue of not being able to demonstrate an adequate 5 year housing land supply in the Norwich Policy Area. Therefore, the Council should only refuse planning permission if the adverse impacts of the development would significantly and demonstrably outweigh the benefits of the scheme when assessed against the policies of the NPPF when taken as a whole or specific policies of the NPPF indicate restricting development and considering all other material considerations.
- 5.3 In this instance it is considered that the very limited harm to the existing landscape character of the area by the construction of one dwelling on this plot and the limited harms in respect of connectivity would not significantly and demonstrably outweighs the benefits of providing additional housing within a location where local services and public transport are available, notwithstanding the diminished weight afforded to the benefits of housing by virtue of the SHMA 5 years supply figures as a material consideration.
- 5.4 The proposed location, and the conditions suggested ensure a dwelling could be accommodated on the site which will have no adverse harm on the character of the area, the amenities of the neighbouring properties, or highway safety and therefore accords with the principles of the above policies and approval is recommended.

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6. **Appl. No** : **2018/0101/CU**  
**Parish** : **BAWBURGH**
- Site Address : Villa Farm Watton Road Bawburgh Norfolk NR9 3LQ  
 Proposal : Retention of change of use of land from agricultural storage to extension to Car Display and Sales Area
- Recommendation : Approval with Conditions

- 1 Full Planning permission time limit
- 2 In accord with submitted drawings
- 3 staff parking and turning not for sales
- 4 Full details of external lighting
- 5 Limited Hours for Customer
- 6 Retention of bund

## 1 Planning Policies

- 1.1 National Planning Policy Framework  
 NPPF 01: Building a strong competitive economy  
 NPPF 03: Supporting a prosperous rural economy  
 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
- 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 17 : Small rural communities and the countryside
- 1.3 Development Management Policies  
 DM1.1 Ensuring development management contributes to achieving sustainable development in South Norfolk.  
 DM1.3 Sustainable location of development  
 DM1.4 Environmental Quality and local distinctiveness  
 DM2.1 Employment and business development  
 DM3.8 Design Principles  
 DM3.11 Sustainable transport  
 DM3.12 Road safety and the free flow of traffic  
 DM3.13 Provision of vehicle parking  
 DM3.14 Amenity, noise and quality of life  
 DM4.6 Landscape setting of Norwich  
 DM4.10 Incorporating landscape into design

## 2. Planning History

- 2.1 2015/1810 Variation of conditions 2 (Approved Plans), 9 Approved  
 (Landscaping), 10 (Earth Bunding) and 22  
 (Access, Parking and Vehicle Turning) of  
 planning permission 2009/0910/F.

2.2	2015/1811	Retention of the change of use of land to a car sales display area, associated staff and customer parking area and vehicle turning area, access, retention of and re-profile of existing earth bunds and amended Landscaping Scheme.	Approved
2.3	2015/1812	Retention of use of land for agricultural storage purpose (ie sugar beet, cereals, straw and agricultural Fertilisers); retention and re-profiling of existing earth bunds and amended landscape scheme	Approved
2.4	2014/0368	Proposed change of use of barn to car repairs and MOT testing station	Approved
2.5	2012/1043	Change of use to a concrete hardstanding and grassed area to allow storage for potential occupiers of the already approved employment units.	Refused
2.6	2012/0229	Concrete hard standing to allow external storage for potential occupiers of adjacent approved employment units	Refused
2.7	2009/0910	Change of use of piggery building to a dwelling and change of use of redundant agricultural buildings to B1 (a), (b), (c) and B8 uses (60% limit on B1(a) floor space), car parking, landscaping and associated access improvements.	Refused - Appeal allowed
2.8	1997/0700	Erection of two agricultural cattle & storage buildings	Refused - Appeal allowed
2.9	1997/0157	Construction of new vehicular access from B1108	Refused - Appeal allowed
3.	<u>Consultations</u>		
3.1	Town / Parish Council	Bawburgh Parish Council objects to extending and in effect doubling car sales area to allow 80 spaces further to east of business. This is consistent with our previous objections and concerns when 2015/1811 & 1812 were approved with conditions. The area should be retained as agricultural, on the grounds that this would further increase traffic accident potential and extend the development eastwards – further into the Southern By-pass Protection Zone.	
3.2	District Councillors Cllr Wheatley	This application should only be determined by the Committee as the proposed use is contrary to policy in that it is classified as agricultural land and the proposal is not appropriate. Furthermore, the site is within the Southern Bypass Landscape Protection Zone.	

	Cllr Kemp	To be reported if appropriate.
3.3	NCC Highways	<p>It is considered that the proposed land use will not have a material impact on traffic levels in the area. The site has an existing and acceptable access to the adopted highway. Second hand car sales is a relatively benign use in traffic terms and as such it is considered that the car sales aspect of the application is likely to result in a low traffic generation. The majority of vehicular movements from customers are likely to take place outside of the peak traffic hours. This is confirmed by the agent who has indicated that the number of customers visiting the site is low.</p> <p>As such the impact of the car sales is likely to be minimal. There will be very limited material increase in traffic in the peak hours for traffic on the B1108 and therefore a traffic objection could not be sustained.</p>
3.4	SNC Community Services - Environmental Quality Team	No comments received
3.5	Other Representations	<p>One letter of support has been received stating: We support this application, the requirement for the extension is a reflection of a need for growth within the existing business, which in today's economic climate should be applauded and the opportunity for provision of local jobs becoming available in the future should be welcomed. As one of the nearest neighbours to Villa Farm, this has no impact on us and is not directly visible from our property, therefore we would have no objection.</p> <p>One letter of objection has been received stating: It is surprising that following previous planning applications for this site, this one is again retrospective. Work of extending the sales area having been undertaken towards the end of 2017. At a previous application, 2015/1812, 4th December decision, section 4, the agricultural area was for agricultural produce and agricultural fertiliser only. The 'covering letter' states that the car display and sales area is not visible above the earth bunds. However, the remaining agricultural storage area now has tall vehicles standing on it and these are a visual intrusion as they are visible from the road and surrounding countryside. This application is in an area that is adjacent to an Area of Scenic Beauty and is in part of the Bypass Landscape Protection Zone.</p> <p>The application seems to have a mistake - The dates given in section 3 'Description of the Proposal' seem to be incorrect.</p>
4	<u>Assessment</u>	
	Background	
4.1	In August 2010 (2009/0910) permission was granted on appeal for the change of use of a piggery building to a dwelling and change of use of redundant agricultural buildings to offices (B1), general industrial (B2) and storage and distribution (B8) uses with associated car parking, landscaping and access improvements. A further permission was granted in June 2014 for the change of use of a barn to car repairs and a MOT testing station.	

- 4.2 In October 2014 the Council was made aware that car sales were taking place from the site without planning permission. The applicant was informed that the development required planning permission and an application was received in December 2014 to vary conditions of the car repair/MOT use to include car sales. Following a site visit and assessment of the application it was established that there were further breaches of planning control, because the access route and landscaping required under permission ref. 2009/0910 had not been implemented and a number of bunds had been constructed that did not have permission.
- 4.3 Further planning applications were received to regularise activities on the site and to achieve a suitable landscape scheme. As a result application 2014/2650 was withdrawn and following pre-application discussions, retrospective permission was granted for part of the site to be used for car sales (2015/1811). Retrospective planning permission was also granted for a revised site layout for the original scheme that was approved on appeal, which allows for different internal access and parking arrangements (2015/1810). Planning permission was also granted for a revised landscaping scheme, including a landscaped area for agricultural storage purposes (2015/1812).
- 4.4 Application reference 2015/1810 deals with the change of use of a part of the sugar beet storage area to a car sales display area. The earth bunding is to be retained around the site and, the main area in question measures approximately 25 x 48 meters with the area forming a contiguous extension to the existing sales area and access gained from the existing site access and existing sales area. This application also included new fencing to the front of the application site with the highway.

#### Principle of development

- 4.5 The original permission was allowed on appeal in 2010. Since that time the National Planning Policy Framework (NPPF, 2012) came into force and so has the Joint Core Strategy for Broadland, Norwich and South Norfolk (JCS, 2011 amendments adopted 2014). These documents arguably give a stronger emphasis to the need to support proposals for economic development, including in rural areas, than existed at the time of the appeal decision. In addition, policy DM2.1 of the Development Management Policies document states 'development proposals which provide for the adaptation and expansion of existing businesses will be supported providing there is no significant adverse impact on the local and natural environment, character of the countryside, or neighbouring occupiers'.
- 4.6 Therefore, despite the sites location, outside any designated development boundary, the principle of this use in this location has been established by the granting of earlier permissions. Policy DM2.1 supports the creation of new employment opportunities and proposals for the expansion of existing businesses located in the Countryside. Subject to these not having adverse character and amenity impacts, which are further discussed below. The principle of this type of use in this area is considered to be established, subject to its compliance with all relevant national and development plan policies.

#### Visual impact

- 4.7 The extended car sales operation is screened from public view by a number of earth bunds, and set back within the site away from the main road surrounded by existing similar uses. The existing cars and sales area is not visible from the surrounding highway network due to the bund and ground levels. As such no visual impact is envisaged.
- 4.8 Policy DM4.6 states that all development proposals within the Norwich Southern Bypass Landscape Protection Area, should have regard to protecting the openness of the Zone and, where possible, enhancing the landscape setting of the Southern bypass. This proposal will be viewed on the backdrop of the existing uses. There is existing bunding around the site and due to the previously approved landscaping scheme, which has subsequently been implemented, this will provide additional natural screening once mature. The proposal is therefore considered in accordance with policy DM4.6 of the South Norfolk

Local Plan, as it is unlikely to further impact the openness of this zone, given the existing uses and bund. In addition, given the limited overall landscape impacts as cited above then the proposal is also considered in accordance with Policy 7 of the NPPF and 2 of the Joint Core Strategy.

#### Amenity impacts

- 4.9 There is a residential dwelling in close proximity to the proposals. However, given the intervening buildings and that the proposal is already on the backdrop of the existing use then it is unlikely to have a significant amenity impact to warrant refusal of planning permission in this instance.
- 4.10 It is proposed to further restrict hours of operation to protect the amenity of the neighbouring property to between the hours of 08:00 to 17:00 Monday to Friday and 08:00 to 13:00 Saturday. The use shall not take place on Sundays or public holidays. Subject to this condition, the proposal is considered in accordance with Policy DM3.13 of the Local Plan.

#### Highways impact

- 4.11 Concerns have been raised previously by local residents that the site is accessed from the Watton Road, where there is fast moving traffic and that this proposal to use the site for car sales would lead to increased vehicle movements which would be unsustainable and potentially cause highway safety issues.
- 4.12 Until recently a section of bunding restricted visibility from the entrance to the east, this section of bunding has however now been lowered, ensuring satisfactory visibility exists.
- 4.13 The car sales area as proposed accommodates an additional 33 cars, over and above the existing permitted use, and is already operating. In terms of vehicle movements, the applicant has stated that Mr Kemp undertakes car sales by advertising primarily on the internet but also in the local newspapers. Some customers do visit the site to inspect the vehicles whilst a large proportion buy vehicles unseen. Many of the vehicles are shipped worldwide or delivered to other parts of the UK having been purchased via the internet unseen.
- 4.14 Mr Kemp trades Monday to Friday during normal business hours of 8am to 5pm and Saturday to 1pm. Most customers telephone before visiting the site. The numbers of customers visiting the site varies from day to day with most customers visiting during the day or Saturday mornings outside peak traffic hours.
- 4.15 This information has been assessed by the County Highway Officer, who has no objections and is therefore satisfied that there would be no undue impact from increased vehicle movements on the B1108 (Watton Road), and there is no conflict with local plan policies DM 3.11, DM 3.12 and DM 3.13.

#### Other matters

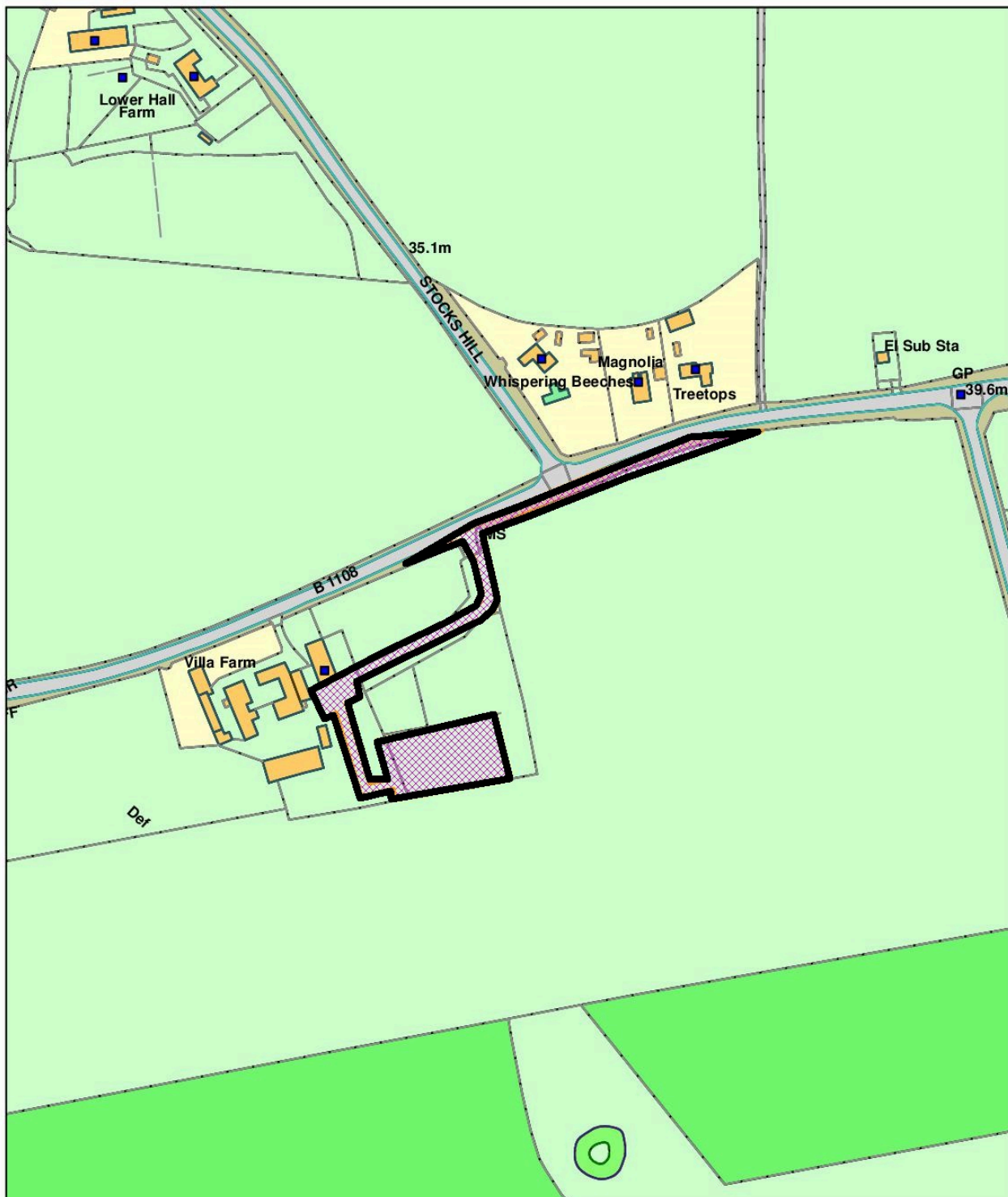
- 4.16 Under Section 143 of the Localism Act the council is required to consider the impact on local finances. This can be a material consideration but in the instance of this application the other material planning considerations detailed above are of greater significance.
- 4.17 The applications are not liable for Community Infrastructure Levy (CIL) because no additional floor space is proposed.

5. Conclusion

- 5.1 The application forms a small extension to an existing business premises within an already screened location, that does not present any harm to visual or residential amenity and does not represent a harmful scheme in terms of highway safety. As such the proposal is considered to accord with the provisions of the NPPF and the Development Plan and approval is recommended subject to the conditions outlined at the beginning of this report.

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





7.     **Appl. No**                 :     **2018/0114/F**  
       **Parish**                 :     **BAWBURGH**

Site Address                 :     Land To The West Of Harts Lane Bawburgh Norfolk  
Proposal                     :     Erection of two detached dwellings, one with new vehicular access

Recommendation     :     Refusal

- 1     Impact on River Valley
- 2     Unsustainable development
- 3     Does not comply with either of the relevant criterion of DM1.3

## 1     Planning Policies

### 1.1     National Planning Policy Framework

NPPF 06 : Delivering a wide choice of high quality home

NPPF 07 : Requiring good design

NPPF 10 : Meeting the challenge of climate change, flooding and coastal change

NPPF 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 3: Energy and water

Policy 4 : Housing delivery

Policy 6 : Access and Transportation

Policy 16 : Other Villages

### 1.3     South Norfolk Local Plan Development Management Policies

DM1.1 : Ensuring Development Management contributes to achieving sustainable development in South Norfolk

DM1.3 : The sustainable location of new development

DM1.4 : Environmental Quality and local distinctiveness

DM3.10 : Promotion of sustainable transport

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

DM3.12 : Provision of vehicle parking

DM3.13 : Amenity, noise, quality of life

DM3.14 : Pollution, health and safety

DM4.5 : Landscape Character Areas and River Valleys

DM4.6 : Landscape Setting of Norwich

DM4.8 : Protection of Trees and Hedgerows

DM4.9 : Incorporating landscape into design

DM4.10 : Heritage Assets

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

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

## 2.     Planning History

### 2.1     No recent history

### 3. Consultations

- |      |   |  |
|------|---|--|
| 3.1  | Town / Parish Council                               | No comments received.  |
| 3.2  | District Councillors                                | To be reported if appropriate.   |
| 3.3  | Environment Agency                                  | <p>Flood Risk Assessment including the evacuation plan has been carried out and concludes that it indicates that there will be no danger to people.</p> <p>This does not mean we consider that the access is safe, or the proposals acceptable in this regard. We remind you to consult with your Emergency Planners and the Emergency Services to confirm the adequacy of the evacuation proposals.</p> |
| 3.4  | SNC Arboricultural Officer                          | Support as it demonstrates the reinstatement of hedging lost from the provision of visibility splays. Includes the planting of Black Poplars as well as the additional planting as shown on the plan.  |
| 3.5  | NCC Highways  | Support subject to conditions for access gates being set back, provision of visibility splays, and access and on-site parking and turning.   |
| 3.6  | SNC Community Services - Environmental Quality Team | To be reported.  |
| 3.7  | SNC Water Management Officer                        | The Flood Risk Assessment (FRA) submitted has included the sequential approach and includes design of the proposal to be resistant and resilient the scheme also includes a flood evacuation route. Subject to the necessary conditions, no objections are raised.   |
| 3.8  | Norfolk Wildlife Trust                              | Proposal is on higher ground and does not overlap the County Wildlife Site which is made up of floodplain habitats. Therefore, subject to a condition to submit an Ecological Management Plan (EMP), no objections are raised.   |
| 3.9  | NCC Ecologist                                       | Support subject to an Ecology Management Plan.   |
| 3.10 | Historic Environment Service                        | Support subject to condition for archaeological written scheme of investigation has been submitted to and approved by the local planning authority in writing.   |
| 3.11 | Other Representations                               | <p>2 letters of support received:</p> <ul style="list-style-type: none"><li>• The proposal will improve the level of accommodation in the village.</li></ul>   |

### 4. Assessment

- 4.1 This proposal seeks full planning permission for two, two-storey detached dwellings and the provision of a new vehicular access. The site is to the west of Harts Lane on arable land with existing hedging/trees on the north and west boundary, an existing hedge provides the highway boundary of the site with the west of the site open leading down to the valley and the River Yare. Bawburgh Conservation Area is to the west of the site and separated by the existing bank of trees. A row of two-storey semi-detached properties lie on the opposite

side of Harts Lane, with substantial detached two storey properties to the north and the south of the site.

- 4.2 The site is outside the defined development boundary for the village but adjacent to it. Bawburgh is an 'Other Village' as defined by the JCS, which can accommodate infilling within its boundary. The site also falls within the River Valley (DM4.5) and the Norwich Southern Bypass Landscape Protection Zone (DM4.6) where all development should respect, conserve and where possible, enhance the landscape character of its immediate environment and the Landscape setting of Norwich.
- 4.3 The site lies within the A2 Yare/Tiffey Rural River Valley which is to the south-west of Norwich defined by the valley landform of the River Yare and its tributary the River Tiffey, with the Norwich Southern Bypass defining the boundary where it crosses the River Yare, east of Norwich. One of the key characteristics is described in the South Norfolk Place Making Guide as being composed of 'distinct small attractive villages with strong vernacular qualities clustered around river crossings on the valley floor. Sparse farmsteads and isolated buildings, scattered across the valley sides'.

#### Principle of development

- 4.4 The application site lies within the Norwich Policy Area. Members are advised that a key material consideration in regards housing land supply is the Central Norfolk Strategic Housing Market Assessment (SHMA), the most recent version of which was published in June 2017. This is significant new evidence. There is an 8.08 year housing land supply against the SHMA assessment of the Objectively Assessed Need (OAN) for housing. The following paragraphs explain why this effectively diminishes the weight attached to the benefits of increased housing supply.
- 4.5 Planning law (section 38(6) of the Planning and Compulsory Purchase Act 2004) requires that applications be determined in accordance with the Development Plan, unless material considerations indicate otherwise. Material considerations include the National Planning Policy Framework (NPPF).
- 4.6 In accordance with both the Council's adopted development plan and the NPPF, in cases where there are no overriding material considerations to the contrary, development proposals for housing that accord with the development plan should be approved without delay.
- 4.7 In this regard, consideration should be given to Policy DM1.3 which makes provision for development to be granted outside of Development Boundaries, such as this, where one of two criteria are met:
- either where specific development management policies allow; or,
  - where there are overriding benefits in terms of economic, social and environmental dimensions of sustainable development, as set out in Policy DM1.1.
- 4.8 Where development proposals do not accord with the development plan consideration should be given to whether there are material considerations that otherwise indicate that development should be approved.
- 4.9 Of particular relevance to applications for housing development in this regard is paragraph 49 of the NPPF. This states that:
- 'housing applications should be considered in the context of the presumption in favour of sustainable development; and that, relevant (local plan) policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites'.

- 4.10 Where policies in the Local Plan are not considered to be up-to-date, paragraph 14 of the NPPF requires decision-taking to approve applications for housing unless the adverse impacts of granting permission, 'would significantly and demonstrably outweigh the benefits', when assessed against the policies of the NPPF as a whole.
- 4.11 The 2017 Greater Norwich Area Housing Land Supply Assessment, published as Appendix A of the Joint Core Strategy Annual Monitoring Report, shows that against the JCS requirements there is 4.61 years supply in the combined Norwich Policy Area (NPA), a shortfall of 1,187 dwellings. Consequently, relevant policies for the supply of housing in the NPA cannot be considered up-to-date and applications for housing should continue to be determined within the context of paragraph 14 of the NPPF, taking into consideration the narrow interpretation set out in the judgment *Suffolk Coastal District Council (Appellant) v Hopkins Homes Ltd and another (Respondents)* *Richborough Estates Partnership LLP and another (Respondents) v Cheshire East Borough Council (Appellant)*.
- 4.12 The narrow interpretation states:
- 'limited to policies dealing only with the numbers and distribution of new housing and excluding any other policies of the development plan dealing generally with the disposition or restriction of new development in the authority's area'.
- 4.13 The JCS housing requirement is, however, now several years old (the JCS was adopted in March 2011, with amendments in January 2014). The evidence on which the requirement is based has now been superseded. In June 2017 an updated Strategic Housing Market Assessment (SHMA) was published for Central Norfolk (the Greater Norwich authorities plus, North Norfolk and Breckland). The SHMA assesses the Objectively Assessed Need for housing between 2015 and 2036 using the most recent evidence available. Unlike the evidence underpinning the JCS, the SHMA also includes an assessment of the contribution made by student accommodation in line with the Planning Practice Guidance.
- 4.14 The SHMA is significant new evidence that is also a material consideration in the determination of planning applications. A housing land supply of 8.08 years can be demonstrated against the SHMA assessment of OAN, a surplus of 5,368 units. The abundant housing land supply that is apparent in relation to the most up-to-date evidence of housing needs should be given weight in the decision-making process. This factor effectively diminishes the weight that would otherwise be attached to the benefits of increased housing delivery in the context of Policy DM1.1 and NPPF Paragraph 14.
- 4.15 On the basis of the above, the following assessment seeks to establish the benefits of the scheme and any harm that would be caused in the context of the relevant development plan policies and the NPPF, with reference to the three dimensions of sustainable development (economic role, social role and environmental role). These three headings form a convenient basis for structuring the assessment of the proposal against development plan policies.

#### Economic role

- 4.16 The NPPF confirms the economic role as:
- "contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation: and by identifying and coordinating development requirements, including the provision of infrastructure."
- 4.17 The scheme would result in some short-term economic benefits as part of any construction work and in the longer term by local spending from the future occupants. It is therefore considered that the scheme would bring forward a limited level of economic benefit.

## Social role

### 4.18 The NPPF confirms the social role as:

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

## Layout and design

- 4.19 The design is for two, substantial two storey dwellings both with attached car ports/garages. Properties to the north and south are also substantial detached dwellings set within large plots and therefore dwellings of this size are not uncommon in this location. However, on the opposite side of the road, the character of the street comprises of pairs of semi-detached properties. The bulk of the proposed dwellings has been reduced by the design which includes dormers which puncture the eaves line on the west elevations, and on the east elevations (towards Harts Lane). The large expanse of roof is relieved by the gables of the cart lodge/garage on plot 2, and the gable elements on plot 1. The span of the proposed dwellings is also reflective of the other large dwellings to the north and south of the application site, although slightly larger. The materials proposed are of a mix of brick and stone/flint with clay tile roofs. The materials of other dwellings in the immediate area are a mix of brick, painted brick, and render.
- 4.20 The site itself is a significant size and the proposed dwellings are set in large plots, much larger than that of surrounding properties. Paragraph 58 of the NPPF seeks to ‘optimise the potential of the site to accommodate development’. The proposal in itself fails to optimise the use of this large site. This said the grain and pattern of development is frontage development and the land to the rear is flood zones 2 and 3 and therefore any additional dwellings would need to be along the frontage. There does appear to be space for additional dwellings along the frontage of the site.
- 4.21 Whilst large dwellings are prevalent within the locality, the social role requires that high quality built environments are created. Policies DM3.8 and NPPF policy 7 require new development to seek to improve the character and quality of an area and protect and enhance the environment. The proposed dwellings would be located behind a strong hedgerow, within an agricultural river valley landscape, which is set out in the South Norfolk Landscape Assessment as being open in nature and have open views which are important to its character. The development of this area of land which is also within the Norwich Southern Bypass Landscape Protection Zone (DM4.6) requires new development to protect the openness of the Zone, where possible.
- 4.22 The location of the dwellings would erode the important open character of this river valley setting resulting in adverse harm on the character of the area and would not protect and enhance the locality, and as such not create a high quality built environment contrary to policies 6 and 7 of the NPPF, DM3.8 and DM4.6 of the Local Plan. The proposal will also involve the removal of important hedgerow to create access for the new dwellings contrary to policy DM4.8 of the Local Plan.

## Highways

- 4.23 Access to the site is off Harts Lane which is a busy road leading from Bawburgh into Costessey to the north east, and to the south through the village and onto the B1108.
- 4.24 The scheme utilises the existing access off Harts Lane for plot 1, and a new access for plot 2. A significant amount of hedge along the frontage will need to be removed to facilitate the visibility splays for both plots. Full consultation has been undertaken with the Highways Authority and subject to conditions relating to the provision of visibility splays as detailed on

the submitted plan, any gates being set back to clear the highway, the provision of on-site parking and turning, no objections are raised. The proposal would accord with policies DM3.11 and DM3.12 of the SNLP 2015.

#### Residential Amenity

- 4.25 The proposed dwellings are set some distance apart, and a considerable distance from the properties to the north and south, and opposite the site. The position of the dwellings together with the design will not result in the loss of privacy or amenity to the existing dwellings the scheme therefore accords with paragraph 17 of the NPPF and policy DM3.13 of the Local Plan 2015.

#### Accessibility

- 4.26 The site is immediately adjacent to the defined development boundary and has easy access to services and facilities without the need to be dependent on the private car.

#### Self-Build

- 4.27 Paragraph 50 of the National Planning Policy Framework (2012) requires Councils to plan for people wishing to build their own homes. This can be a material planning consideration for this application as self-build has been identified as the method of delivering the site. Whilst an indication of self-build has been given by the applicant it should also be noted that at this stage it cannot be certain that the method of delivering this site will be self-build. In the instance of this application the other material planning considerations detailed above are of greater significance.
- 4.28 For this reason, whilst the scheme would fulfil part of the social role in providing dwellings, it would not do so in a way that creates a high quality built environment and as such the social role is not wholly met and the scheme would be contrary to the aims of policies 6 and 7 of the NPPF, DM3.8, DM4.6 and DM4.8 of the Local Plan. Therefore, the provision of dwellings would not significantly and demonstrably outweigh the harm on the landscape as identified, and the provision of housing is further diminished by the identification of a five-year housing land supply as set out in the SHMA.

#### Environmental role

- 4.29 The NPPF confirms the environmental role as:
- “contributing to protecting and enhancing our natural, built and historic environment: and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy.”

#### Landscape and character impacts

- 4.30 As highlighted in the assessment of the scheme against the social role above, the site is located within an agricultural river valley landscape, which is relatively open in nature. A core planning principle of the National Planning Policy Framework is to recognise the intrinsic character and beauty of the countryside, which is reflected in Policy DM1.3 of the Development Management Policies document. Planning Practice Guidance clarifies that conservation and enhancement of the landscape, not only designated landscapes, contribute to upholding this principle.
- 4.31 The development of this area of land which is also within the Norwich Southern Bypass Landscape Protection Zone (DM4.6) would erode the important open character of this river valley setting resulting in adverse harm on the character of the area and would not protect and enhance the locality, conflicting with Policies DM4.5 and DM4.6 of the SNLP 2015.

## Trees and hedging

- 4.32 The site benefits from significant trees and hedging on both the north and south boundary. The boundary adjoining the highway also benefits from a hedge, some of which will be removed to provide the visibility splays for the access to the development. The scheme includes new landscaping to mitigate the loss of the highway boundary, and includes additional planting to enhance the landscaping of the site, which in turn will also be an enhancement opportunity in terms of biodiversity. No objections have been raised to the proposal by the Arboricultural Officer. Although, the landscape impacts can be mitigated as set out above and the proposal considered to accord with policy DM4.9 of the SNLP 2015. As set out above the hedgerow contributes to the character of the area and therefore there are further visual impacts from the removal hedgerow contrary to DM3.8 and DM4.8 of the Local Plan.

## Heritage

- 4.33 The impact on Conservation Areas requires consideration under the development management policy DM4.10 and S72 Listed Buildings Act 1990 requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of Conservation Areas. Given the existing tree belt to the south of the site, which prevents views into and out of the Conservation Area, it is considered that the proposal will not have any harmful impact on the character or appearance of the Conservation Area and therefore accords with the requirements of policies DM4.10 of the Local Plan, paragraph 12 of the NPPF and S72 Listed Buildings Act 1990.
- 4.34 The site lies close to an area where previous archaeological investigations have recorded burials of Roman date and other remains of Roman and prehistoric date. Consequently, there is potential that heritage assets with archaeological interest (buried archaeological remains activity of prehistoric and Roman date) may be present at the site and that their significance will be affected by the proposed development. While not objecting to the proposal, the Historic Environment Officer wishes a condition to be included on any permission for an archaeological written scheme of investigation, this will allow any finding to be recorded and secured in accordance with Section 12 of the NPPF and Policy DM4.10 of the SNLP 2015.

## Ecology

- 4.35 Part of the application site is within arable field with limited ecological value, but the western section of the site is within a County Wildlife Site (CWS no: 239; Yare Valley, Bawburgh). Although the proposed dwellings will be located outside the CWS boundary, the proximity to the designated site and the local topography and presence of wetland habitats, means there may be a potential for adverse impacts to occur during construction both within and outside the construction footprint. Mitigation measures to address this potential impact will be required.
- 4.36 The ecology report suggests some potential biodiversity enhancement in Section 6.4, including the production of a management plan (at least for the section of the CWS included within the 'red-line'). The Norfolk County Council Ecologist and Norfolk Wildlife Trust have both assessed the proposal and subject to a condition for an Ecological Management Plan (EMP) which needs to include a description and evaluation of features to be managed, ecological constraints on the site that might influence management and aims and objectives of management, along with a programme management actions, the proposal is considered to be acceptable. The EMP should also include details of mechanisms by which the long-term implementation of the plan will be secured, on this basis the scheme is not considered to result in harm to the biodiversity of the site and accords with the requirements of policy DM1.4 of the SNLP 2015.



## Flooding

- 4.37 The site falls within Flood Zones 2 and 3 with the section of the site to be development falling in Flood Zone 1. A Flood Risk Assessment (FRA) has been submitted and it is noted that the siting of the two dwellings falls in Flood Zone 1. New residential development should be steered towards Flood Zone 1, where there are no reasonable available sites in Flood Zone 1, then consideration can be given to development in Flood Zone 2.
- 4.38 The position of the dwellings, together with their design which includes raised floor levels and suggested materials is not considered to raise issue in terms of Flood Risk.
- 4.39 The Environment Agency has been consulted as the development is close to the River Yare they have commented "We have considered the findings of the FRA in relation to the likely duration, depths, velocities and flood hazard rating against the design flood event for the development proposals. We agree that this indicates that there will be no danger to people".
- 4.40 Having considered the siting of the development which is outside of Flood Zones 2 and 3, together with the proposed recommendations of the FRA and the required condition of the Water Management Officer in terms of an Evacuation plan. This together with a condition for the submission of flood resilience and resistance then the scheme is considered acceptable and in accordance with Policy 10 of the NPPF.

## Drainage

- 4.41 The scheme proposed will be connected to the mains for the disposal of foul sewage. The disposal of surface water will need to be conditioned to ensure a suitable scheme for drainage will work given the proximity of Flood Zones 2 and 3.
- 4.42 Given the negative landscape impacts identified above, the scheme does not fulfil the requirements of the environmental role of the NPPF and fails to meet the requirements of Policies DM4.5 and DM4.6.

## Other matters

- 4.43 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).

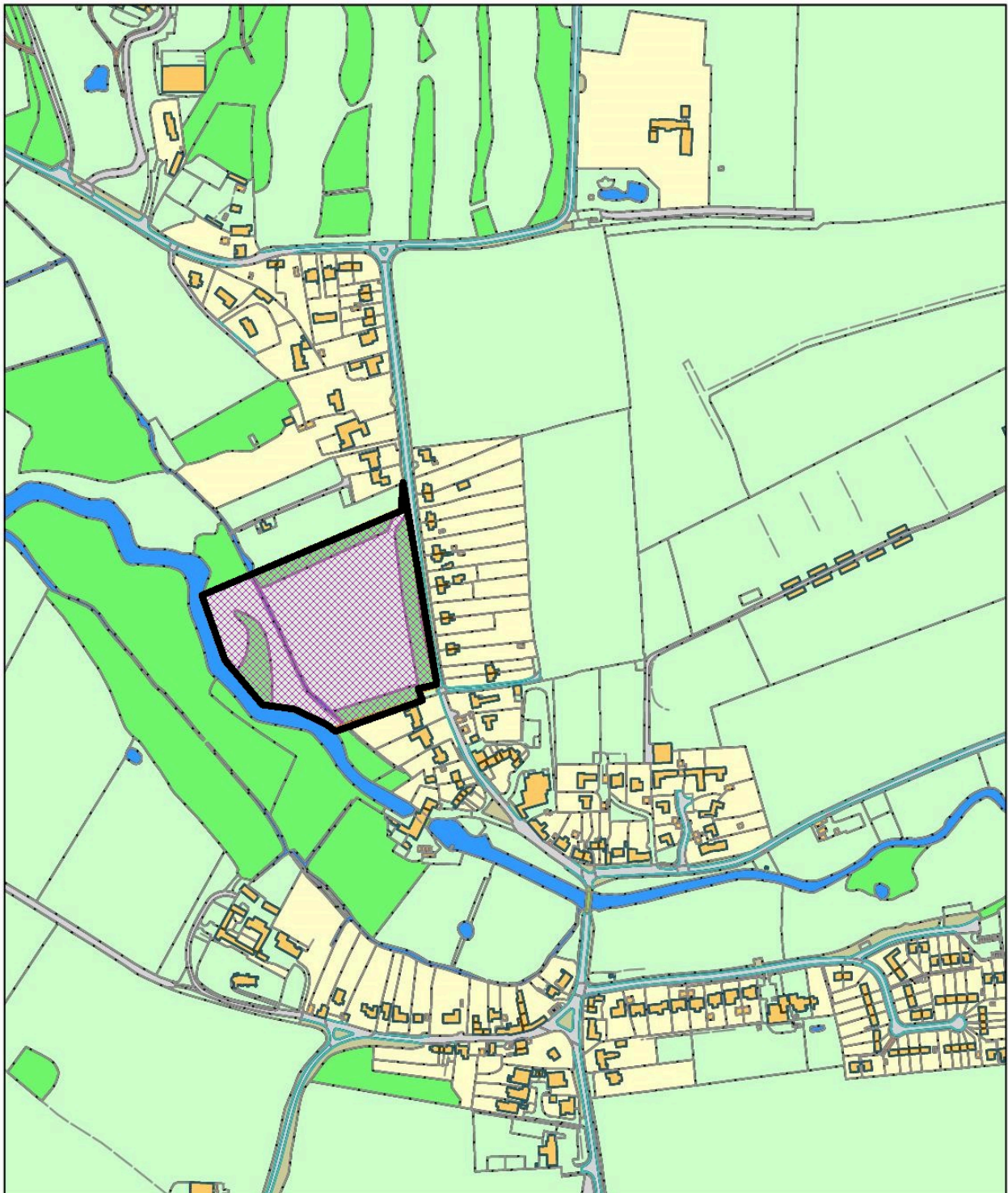
## 5 Conclusion

- 5.1 The proposed landscape impacts, as set out above from development within the river valley on an otherwise open site, which contributes significantly to the character of the street scene would not be significantly or demonstrably outweighed by the modest benefit of two dwellings in the Norwich Policy Area where previously it was demonstrate that there is not an up to date 5 year housing land supply, which is diminished by virtue of the evidence contained in the SHMA. The proposal is therefore considered contrary to Policies 6 and 7 of the NPPF and paragraph 14, policies DM3.8, DM4.5, DM4.6 and DM4.8 of the Local Plan.

6. Reasons for refusal

- 6.1 The proposed development does not represent a sustainable form of development, having regard to the three tests (social, economic and environmental) set out in the NPPF. The proposal would have a detrimental impact on the rural landscape and would not improve the character or quality of the area. The landscape and character impacts identified would significantly and demonstrably outweigh the modest benefit of two dwellings in the Norwich Policy Area where previously it has been demonstrated that there is not an up to date 5 year housing land supply. The social benefit of providing two dwellings is also diminished by virtue of the evidence contained in the SHMA. The proposal is therefore considered contrary to Policies 6 and 7 of the NPPF and paragraph 14.
- 6.2 The proposed housing is not supported by any specific Development Management Policy which allows for development outside of the development boundary and nor does it represent overriding benefits when having regard to the harm caused in relation to the rural landscape and as such does not satisfy the requirements of either 2 c) or d) of Policy DM1.3 of the South Norfolk Local Plan.
- 6.3 The proposal would have a significant detrimental impact on the open rural landscape character of the River Valley setting as identified by the South Norfolk Landscape Assessment (June 2001) and the Norwich southern bypass protection zone contrary to the provisions of Policies DM3.8, DM4.5 and DM4.6 of the South Norfolk Local Plan and Policy 2 of the Joint Core Strategy and parts 6 and 7 of the NPPF.

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8. **Appl. No** : **2018/0588/LB**  
**Parish** : **WORTWELL**
- Site Address : Says Farmhouse 11 Low Road Wortwell IP20 0HJ  
 Proposal : Insertion of additional window in proposed studio (amendment to 2016/2897).
- Recommendation : Approval with Conditions
- 1 Listed Building Time Limit  
 2 In accord with submitted drawings

## 1 Planning Policies

- 1.1 National Planning Policy Framework  
 NPPF 07 : Requiring good design  
 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
- 1.3 South Norfolk Local Plan Development Management Policies  
 DM3.13 : Amenity, noise, quality of life  
 DM4.10 : Heritage Assets  
 DM3.4 : Residential extensions and conversions within Settlements

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

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

## 2. Planning History

- |     |           |  |          |
|-----|-----------|--|----------|
| 2.1 | 1996/0618 | Alterations to rear of house & demolition of timber garage                   | Approved |
| 2.2 | 2002/0757 | Alteration of 2no tie-beams and creation of additional living space in attic | Approved |
| 2.3 | 2012/2246 | Replace existing greenhouse and erect new summerhouse                        | Approved |
| 2.4 | 2012/2248 | Replace existing greenhouse and erect new summerhouse                        | Approved |
| 2.5 | 2016/2896 | Extension to dwelling and conversion of outbuilding                          | Approved |
| 2.6 | 2016/2897 | Extension to dwelling and conversion of outbuilding                          | Approved |

- |     |           |   |          |
|-----|-----------|---|----------|
| 2.7 | 2018/0587 | Non-material Amendment from 2016/2896 - Insertion of additional window in outbuilding and re-positioning of oil tank. | Approved |
|-----|-----------|---|----------|

### 3. Consultations

- |     |                       |                       |
|-----|-----------------------|-----------------------|
| 3.1 | Parish Council        | No views or comments  |
| 3.2 | Other Representations | No responses received |

### 4 Assessment

- 4.1 The house and its former outbuildings to the north, now a separate dwelling, lie within the village development boundary. The house is grade 2 listed building described as being of 17th century origins, a timber framed building which was encased in red brick in the 19th century. The house is set back from the road and has a steep pantiled roof which has been extended with a lean-to at the rear. The garden beyond to the east includes water meadows leading down to the River Waveney. Opposite the house on the west side of the road, is a group of modern dwellings, while the nearest neighbour to the south is some 200 metres away.
- 4.2 The proposal is an amendment to a previous application approved in 2016 for an extension to the dwelling and conversion of the outbuilding/wash house. The proposed amendment is for an additional window in the north elevation of the outbuilding.
- 4.3 The wash house is an attractive ancillary building that makes a positive contribution to the special interest and character of the rear of the dwelling. The proposed window is of a similar design to the existing window within the outbuilding and is considered an appropriate design for this building.
- 4.4 The proposed amendment will have no impact on the neighbours; the boundary to Tyrells Barn to the north comprises of a brick wall, while neighbours to the west and south are unaffected.
- 4.5 In light of the requirements of Section 66 of the Planning (Listed Building and Conservation Areas) Act it is considered that the proposal will not harm the special interest of the listed building or its setting. The proposal accords with the requirements of Policy 12 of the NPPF regarding protecting the significance of heritage assets and would result in less than substantial harm to the fabric of the building with some public benefit in keeping the building occupied. It would also comply with policies DM3.8 and DM4.10 of the Local Plan in terms of protecting the character and significance of the existing heritage asset.
- 4.6 Under Section 143 of the Localism Act the council is required to consider the impact on local finances. This can be a material consideration but in the instance of this application the other material planning considerations detailed above are of greater significance.
- 4.7 This application is not liable for Community Infrastructure Levy (CIL)

5 Conclusion

- 5.1 The proposed new window would not impact the special interest or significance of the listed building or its setting and is therefore considered in accordance with Section 66 of the Planning (Listed Building and Conservation Areas) Act. The proposed additional window is also sympathetic to the character and appearance of the existing and is considered acceptable under the requirements of policies DM3.8 and DM4.10 of the South Norfolk Local Plan.

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9.     **Appl. No**                 :     **2018/0639/H**  
        **Parish**                 :     **LONG STRATTON**
- Site Address                 :     63 Field Acre Way Long Stratton Norfolk NR15 2WE  
 Proposal                     :     Single storey rear extension formed with pitch and flat roofs with  
    juliette balcony - amendment to 2017/2883
- Recommendation     :     Approval with Conditions
- 1 Full Planning permission time limit  
    2 In accord with submitted drawings  
    3 Restriction on balcony use of roof  
    4 Installation of rail to Juliette balcony to prevent access

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  
           DM3.13: Amenity, noise, quality of life  
           DM3.12: Provision of vehicle parking  
           DM3.8: Design Principles applying to all development
- 1.4     Long Stratton Area Action Plan  
           No Relevant Policies

2.     Planning History

- 2.1     2017/2883                     Single storey rear extension with pitched and     Refused  
    flat roofs. Flat roof area to form balcony  
    area.

3.     Consultations

- 3.1     Parish Council                 No comments received
- 3.2     District Councillors  
           Cllr Fulcher                 Can be a delegated decision  
           Cllr Worsley                 To be reported if appropriate
- 3.3     Other  
           Representations             None Received

4     Assessment

- 4.1     The existing dwelling is located within the development boundary of Long Stratton. The  
           dwelling is a detached two storey property constructed of red brick and concrete pan tiles  
           with white uPVC windows. The dwelling is 'L' shaped facing both Field Acre Way and  
           Fairfield Close.



- 4.2 The proposal is a single storey rear extension with a part pitched and part flat roof. There is a new juliette balcony on the rear first floor above the flat roof. The rear portion of the pitched roof section is fully glazed including the gable. The extension projects beyond the side of the property by 2.2m at the existing rear elevation line.
- 4.3 This proposal is a resubmission of a refused application (2017/2883) which has been altered to remove the balcony element of the previous design which was previously considered to lead to overlooking of the neighbouring property.
- 4.4 The alteration of the existing dwelling is acceptable in principle in line with Policy DM3.4 of the South Norfolk Local Plan and as such the main considerations are design and impact upon residential amenity.
- 4.5 With reference to design the scale, form, choice of materials and overall design details are all considered appropriate and are in keeping with the existing dwelling. The extension is on the rear and as such has little impact on the wider streetscene. For these reasons the scheme is of an acceptable design and the requirements of Policies DM3.4 and DM3.8 of the Local Plan and Policy 2 of the Joint Core Strategy have been met.
- 4.6 With regards to impact upon residential amenity, there is not considered to be an adverse impact on daylight, direct sunlight or outlook by virtue of the size of the proposed extension when considering the separation distance to the closest neighbouring property. In terms of privacy, the first floor balcony which resulted in the reason for refusal of the previous application, has been removed with now only a juliette balcony proposed which has removed the ability to be in a position where overlooking could occur, with the neighbour's existing garaging helping to prevent overlooking. For these reasons neighbour amenity would not be compromised and as such the requirements of Policies DM3.4 and DM3.13 of the Local Plan have been met.
- 4.7 There will not be a significant impact on parking or turning at the dwelling and as such the requirements of policies DM3.11 and DM3.12 of the South Norfolk Local Plan.

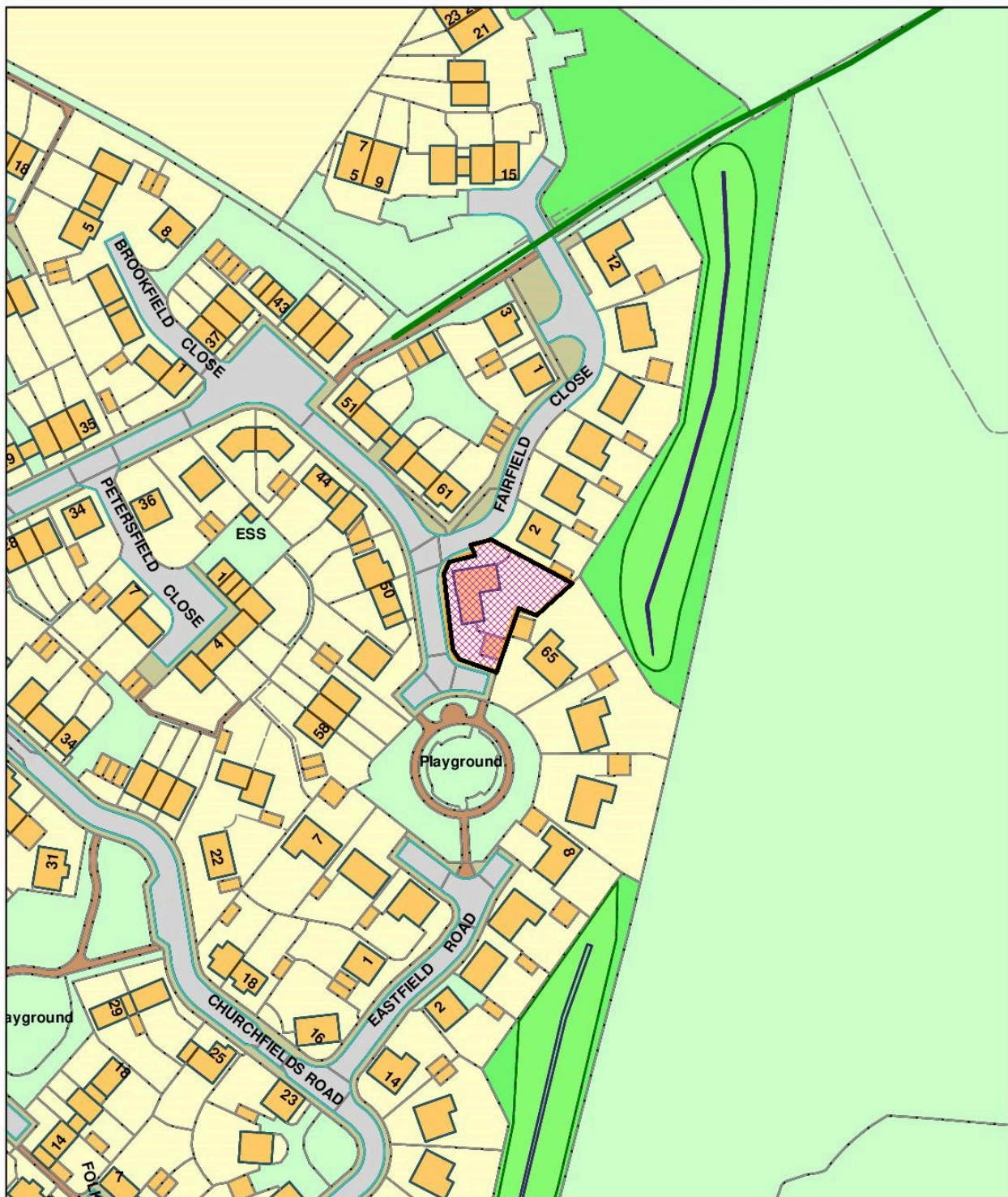
CIL Liability - No, the development is less than 100 sqm

## 5. Conclusion

- 5.1 The design is in keeping with the property and that the proposal will not have an adverse impact on the amenity of either the immediate neighbours or the wider area. As such the proposal accords with the criteria set out within policies DM3.4, DM3.8, DM3.11, DM3.12 and DM3.13 of the local plan and policy 2 of the Joint Core Strategy.

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

This report schedules progress on outstanding enforcement cases

<b>LOCATION</b>	<b>ALLEGED BREACH</b>	<b>DATE OF COMMITTEE AUTHORITY</b>	<b>ACTION TAKEN</b>
<b>DICKLEBURGH</b> Beeches Farm Norwich Road 2007/8036	Material change of use - Breach of a condition - Operational development	24.04.2007	Enforcement Notices served and initially complied with. Ongoing negotiation to secure future of the listed building
<b>HEMPNALL</b> Pevensey House The Street 2009/8010	Unauthorised works to a listed building  Erection of lean to structure	12.04.2010  12.04.2010	Listed Building Enforcement Notice and Enforcement Notice served Planning applications approved works to install new roof to be carried out by 08.05.2018
<b>CARLETON RODE</b> Land adj. to Fen Road 2006/0269	Change of use of land	21.07.2010	Enforcement Notice served Compliance date 29.12.2011 Further Environment statement submitted and proposed scheme of works for compliance with enforcement considered at DMC 16/08/17 scheme now being progressed
<b>CARLETON RODE</b> Fenlakes Fishery 2009/8199	Standing and Occupation of Residential Caravan	04.03.2015	Enforcement Notice served Compliance date within 3 months of first occupation of the permitted dwelling house
<b>CROWNTHORPE</b> Land adjacent to The Drift Crownthorpe Rd 2011/8025	Formation of Access	16.11.2011	Enforcement Notice served Compliance date 27.10.13 New land owner seeking to comply

LOCATION	ALLEGED BREACH	DATE OF COMMITTEE AUTHORITY	ACTION TAKEN
<b>WYMONDHAM</b> Copper Beeches Crownthorpe Road 2015/8005	Standing of residential mobile home	22.07.2015	Enforcement Notice served Compliance date 4 months after the mobile home is no longer occupied by specified occupier
<b>DENTON</b> Rainbows End Norwich Road 2016/8183	Change of use of land for the keeping of dogs	07.12.2016	Enforcement Appeal dismissed Notice upheld New compliance date 05.08.2018
<b>TIVETSHALL ST MARGARET</b> Cherry Tree Barn Lodge Road 2016/8282	Breach of planning condition, not built in accordance with approved plans	26.04.2017	Enforcement notice complied with NFA required
<b>WICKLEWOOD</b> Church Farm 56 Church Lane 2017/8224	Change of use of agricultural building to a mixed use for agriculture and as an events venue	06.12.2017	Enforcement Notice served and appealed

## Enforcement Statistics

	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018 As of 10.04.18
No. of complaints	272	296	291	390	439	370	349	324	309	347	321	332	319	353	73
Enforcement Notices issued	14	30	16	43	40	23	18	12	17	4	3	12	6	2	1
Breach of Condition Notices issued	1	1	2	0	2	0	3	0	0	1	0	0	0	1	0
Section 215 Notices issued	3	0	3	3	5	2	3	1	1	0	1	0	0	0	0
Temporary Stop Notices issued	0	1	5	0	1	2	3	0	0	0	0	0	0	0	0

Enf-Proc  
10.04.18

**Planning Appeals**

**Appeals received from 17 March 2018 to 16 April 2018**

Ref	Parish / Site	Appellant	Proposal	Decision Maker	Final Decision
NONE					

**Planning Appeals**

**Appeals decisions from 17 March 2018 to 16 April 2018**

Ref	Parish / Site	Appellant	Proposal	Decision Maker	Final Decision	Appeal Decision
2017/0024	Hethersett 7 Whitegates Close Hethersett Norfolk NR9 3JG	Mr Nicholas Ross	Fell pine tree in rear garden because of safety concerns.	Delegated	Refusal	Appeal dismissed