

Development Management Committee

Members of the Development Management Committee:

Conservatives	Liberal Democrats
Mr V Thomson (Chairman)	Dr M Gray
Mrs L Neal (Vice-Chairman)	Please note that item 4 has been deferred to a future meeting
Mr D Bills	
Mr B Duffin	<div>Please note that planning application Item no.s 1-4 will be heard from 10am</div> <div>Planning application Item no.s 5-8 will be heard from 1.30pm onwards</div>
Mrs F Ellis	
Mr C Gould	
Dr C Kemp	
Mr G Minshull	
Pool of Substitutes	
Mrs Y Bendle	Mr D Fulcher
Mr C Foulger	
Mr J Hornby	
Mr J Mooney	
Dr N Legg	
Mrs A Thomas	
Pre-Committee Members' Question Time	
9.00 am	Blomefield Room

Agenda

Date

Wednesday 15 August 2018

Time

10.00 am

Place

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

Contact

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

Please arrive at the commencement of the meeting if you are intending to speak on items 1-4, and arrive at 1.30pm if you intend to speak on items 5-8.

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 27 July 2018;**
(attached – page 10)

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

(attached – page 16)

To consider the items as listed below:

Item No.	Planning Ref No.	Parish	Site Address	Page No.
1	2017/1197/D	COLNEY	Land Adj Norfolk And Norwich University Hospital Colney Lane Colney Norfolk NR4 7UY	16
2	2017/1177/F	SWAINSTHORPE	A140 Cars Norwich Road Swainsthorpe Norfolk NR14 8PU	49
3	2017/2371/RVC	MORNINGTHORPE AND FRITTON	Hay Cart Barn Brick Kiln Lane Morningthorpe Norfolk NR15 2LG	64
ITEM 4	DEFERRED 2018/0958/CU	DENTON	Rainbows End Norwich Road Denton IP20 0AN	71
5	2018/1018/F	BRESSINGHAM AND FERSFIELD	Agricultural Buildings At High Oak Farm Stone Lane Bressingham Norfolk	77
6	2018/1124/CU	MUNDHAM	Brineflow Toad Lane Mundham Norfolk NR35 2EQ	87
7	2018/1281/CU	DISS	Commercial Unit At Crown Place Roydon Road Diss Norfolk	92
8	2018/1431/F	WRENINGHAM	Land west of All Saints Church, Church Road, Wreningham	97

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 108)
8. **Planning Appeals (for information);** (attached – page 111)
9. **Date of next scheduled meeting – Wednesday 12 September 2018**

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

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

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

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

2. PUBLIC SPEAKING: PLANNING APPLICATIONS

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

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

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

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

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

3. FILMING AT COUNCIL MEETINGS: GUIDANCE

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

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

HEALTH AND SAFETY INFORMATION

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

PLANNING APPLICATIONS AND OTHER DEVELOPMENT CONTROL MATTERS

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

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

Key to abbreviations used in Recommendations

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



DECLARATIONS OF INTEREST AT MEETINGS

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

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

Does the interest directly:

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

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

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

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

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

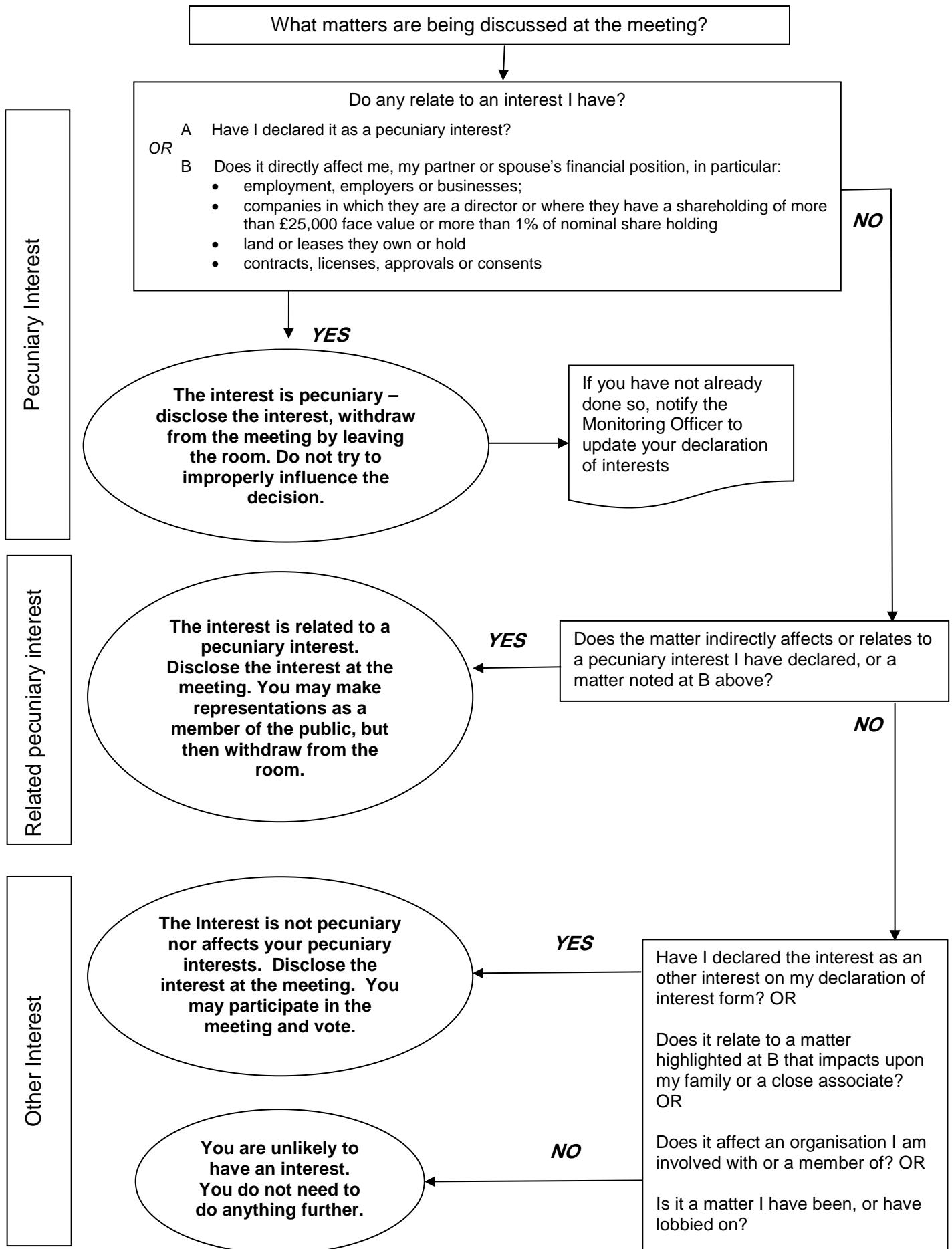
Is the interest not related to any of the above? If so, it is likely to be an other interest. You will need to declare the interest, but may participate in discussion and voting on the item.

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

FOR GUIDANCE REFER TO THE FLOWCHART OVERLEAF.

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

DECLARING INTERESTS FLOWCHART – QUESTIONS TO ASK YOURSELF





DEVELOPMENT MANAGEMENT COMMITTEE

Minutes of a meeting of the Development Management Committee of South Norfolk District Council held at South Norfolk House, Long Stratton, on Wednesday 18 July 2018 at 10.00 am.

Committee Members Present: **Councillors:** V Thomson (Chairman), D Bills, B Duffin (for items 1, 4, 5 and 6), F Ellis, C Gould, M Gray, C Kemp and L Neal

Apologies: **Councillor:** G Minshull

Substitute Members: **Councillor:** T Palmer for G Minshull

Officers in Attendance: The Development Manager (H Mellors), the Development Management Team Leader (R Collins), the Senior Planning Officer (C Curtis), the Senior Conservation and Design Officer (C Bennett) and the Landscape Architect (R Taylor)

10 members of the public were also in attendance

397. DECLARATIONS OF INTEREST

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

Application	Parish	Councillor	Declaration
2018/0888/F (Item 3)	LITTLE MELTON	D Bills and C Kemp	Local Planning Code of Practice Lobbied by the Parish Council and members of the Little Melton Amphibian Group
2018/1325/RN (Item 6)	SOUTH NORFOLK	C Kemp	Local Planning Code of Practice Lobbied Cllr at North Norfolk District Council

398. MINUTES

The minutes of the Development Management Committee meeting dated 20 June 2018 were confirmed as a correct record and signed by the Chairman.

399. PLANNING APPLICATIONS AND OTHER DEVELOPMENT CONTROL MATTERS

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

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

APPLICATION	PARISH	SPEAKER
2018/0888/F (Item 3)	LITTLE MELTON	J Heaser – Parish Council S Jones – Agent for Applicant Cllr G Wheatley – Local Member
2018/1033/F (Item 4)	SEETHING	K Shepherdson - Objector J Long – on behalf of Agent for Applicant
2018/1042/O (Item 5)	HETHERSETT	M Thomson – on behalf of Agent for Applicant
2018/1325/RN (Item 6)	SOUTH NORFOLK	Cllr N Legg – Local Member for Mulbarton

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.

400. PLANNING APPEALS

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

(The meeting closed at 12.20pm)

Chairman

Updates for DEVELOPMENT MANAGEMENT COMMITTEE - 18 July 2018

Item	Updates	Page No
Item 1 2017/1197	No updates	19
Item 2 2018/0465	No updates	43
Item 3 2018/0888	<p>An updated ecology report has been received from the applicants.</p> <p>NCC Ecology Have confirmed that the revised report is fit for purpose and raise no objections.</p> <p><u>Oral update given at meeting</u> Members received an oral update that one additional neighbour letter of representation had been received outlining matters covered in the officer's report including busy, narrow road on bend; the tightness of the plot; impact on great-crested newts; overbearing; and setting a precedent.</p>	49
Item 4 2018/1033	<p>SNC Landscape Officer comments The existing hedgerows to the frontage (east boundary) and rear (west) are currently subject to the Hedgerows Regulations; under DM4.8 the Council presumes in favour of retention of 'important' hedgerows (criteria set out in the Regulations). There does not appear to be an assessment of the hedges against the criteria, but a quick search of the maps published by NCC online shows that both hedgerows are likely to be 'important' on historical grounds at least (the boundaries feature on both the Tithe and Enclosure maps).</p> <p>The scheme necessitates the removal of part of the frontage hedge to achieve an entrance and highway visibility, so arguably this is contrary to DM4.8. The replanting behind the visibility line will mitigate for the removal in terms of re-instating the species and providing a similar habitat, but a section of the historic line will be changed forever. In the wider picture, I do not consider this is a major issue.</p> <p>Approval of the application will change the land use, therefore the hedgerows would no longer be subject to the Hedgerows Regulations. We will therefore need to make it clear via conditions that they are to be retained, maintained and ideally enhanced. The application seeks to add additional hedgerow to create the boundary between the plots, and this will create additional habitat, but we need to be certain what it will comprise and how it will be managed in the long term.</p> <p>Therefore, if the application is approved, I suggest that conditions are attached to require full details of the new hedgerow planting (including implementation programme) and also a long-term management plan for all the hedgerows, both new and retained.</p> <p>Officer response Suggested condition 11 is capable of satisfactorily dealing with this matter.</p>	57
Item 5 2018/1042	No updates	72
Item 6 2018/1325	No updates	79

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.

1	Appl. No : 2017/1197/D Parish : COLNEY
Applicants Name	: Bullen Developments Ltd
Site Address	: Land Adj Norfolk And Norwich University Hospital Colney Lane Colney Norfolk NR4 7UY
Proposal	: Reserved Matters for multi-storey car park, internal access roads, landscaping and associated infrastructure on Hethersett Lane for access, appearance, landscaping, layout and scale, together with the discharge of conditions 4, 5, 19 and 21 relating to outline consent from 2012/1880
Decision	: Members voted unanimously to set a deadline to reconsider the application at the August Development Management Committee to make a final decision based on the information available in the public domain at that time.

2	Appl. No	:	2018/0465/F
	Parish	:	WYMONDHAM
	Applicants Name	:	Mr Trevor Gurney
	Site Address	:	Kings Head Meadow Back Lane Wymondham Norfolk NR18 0QB
	Proposal	:	Erection of 2.5m close boarded fence with concrete posts in play area
	Decision	:	Members voted 8-0 for Approval
			Approved with Conditions
			1 Full Planning permission time limit
			2 In accord with submitted drawings

- 3

Appl. No

Parish

2018/0888/F

LITTLE MELTON

Applicants Name

Site Address

Proposal

Mr T Large

93 School Lane Little Melton NR9 3LA

Subdivision of land and erection of 1No dwelling

Decision

Members voted 6-2 for **Approval**

Approved with conditions

1 Full Planning permission time limit

2 In accord with submitted drawings

3 Surface Water

4 External materials to be agreed

5 Provision of parking, service

6 Ecology mitigation

4

Appl. No

Parish

2018/1033/F

SEETHING

Applicants Name

Site Address

Proposal

Mr Robin Key

Land To The South Of Holmlea Seething Street Seething Norfolk

2 new detached dwellings with single garages

Decision

Members voted 8-1 for **Approval**

Approved with conditions

1 Full Planning permission time limit

2 in accordance with submitted drawings

3 Existing Access, Widen or Improve

4 Access Gates - Configuration

5 Visibility splay, approved plan

6 Provision of parking, service

7 Surface water

8 Details of foul water disposal

9 External materials to be agreed

10 Boundary treatments as submitted

11 Replacement Hedge along frontage

5

Appl. No

Parish

2018/1042/O

HETHERSETT

Applicants Name

Site Address

Proposal

Mr Jamie Gray

Land West of Little Melton Road Hethersett Norfolk

Proposal for 1 dwelling

Decision

Members voted 5-4 for **Approval** (contrary to officer recommendation, which was lost 4-5)

Reason for overturning officer recommendation

Members considered that the development was sustainable and that there was sufficient connectivity in close proximity to a bus stop and use of existing access was adequate in highway terms.

- 6 **Appl. No** : **2018/1325/RN**
 Parish : **SOUTH NORFOLK**
- Applicants Name : Orstead
 Site Address : Hornsea Project Three Offshore Wind Farm
 Proposal : National Infrastructure Application for an Order Granting
 Development Consent for the Hornsea Project Three Offshore
 Wind Farm
- Decision : Members voted unanimously to **Approve** the Council's Relevant
 Representation response to the National Infrastructure Application for
 Development Order consent- Hornsea Project Three Offshore Wind
 Farm, as detailed in the report.

PLANNING APPLICATIONS AND OTHER DEVELOPMENT CONTROL MATTERS

Report of Director of Growth and Business Development

Major Applications referred back to Committee

1. **Appl. No** : **2017/1197/D**
Parish : **COLNEY**

Applicants Name : Bullen Developments Ltd
 Site Address : Land Adj Norfolk And Norwich University Hospital Colney Lane
 Colney Norfolk NR4 7UY
 Proposal : Reserved Matters for multi-storey car park, internal access roads,
 landscaping and associated infrastructure on Hethersett Lane for
 access, appearance, landscaping, layout and scale, together with
 the discharge of conditions 4, 5, 19 and 21 relating to outline consent
 from 2012/1880

Recommendation : Authorise Director of Growth & Business Development to
 approve with conditions

- 1 In accordance with plan and details
- 2 Cycle parking
- 3 Lighting details
- 4 Roads, cycleway and footway to be delivered prior to
 occupation of building
- 5 Off site highway works – details to be approved and
 delivered.
- 6 Car parking spaces restricted to 1093
- 7 Swift boxes
- 8 Construction management in relation to helicopter
 aviation activity

Subject to the completion of a S106 to ensure that only
 one Multi Storey Car Park is erected (only 2017/1197 or
 2016/2382)

Reason for reporting to committee

There are exceptional circumstances which warrant consideration of the proposal by committee.

Update following resolution at June 2018 DMC and July 2018 DMC

- 1.1 This application was heard at the meeting of the Development Management Committee (DMC) on Wednesday 20th June 2018 where Members deferred the application to allow officers to look at mitigation measures to facilitate safe Search and Rescue (SAR) operations before referring the item back to Committee for further consideration.
- 1.2 A further update was reported to Committee on 18th July 2018 where Members resolved to set a deadline to reconsider the application at the August DMC to make a final decision based on the information available in the public domain at that time. This was to ensure effective and timely consideration of the reasonable alternative solutions to the conflict with the existing helicopter flight path to inform the consideration of the planning application which has already had significant delays in trying to find solutions to this issue.
- 1.3 The July 2018 committee report is set out at Appendix 2.

- 1.4 This update relates to the outstanding issue of the flight path and downwash mitigation measures only.
- 1.5 One additional letter of comment has been received from a local resident with concerns that the helipad area has been reduced in size. Officers would comment that this is not the case.
- 1.6 All other material considerations for the determination of the application remain as set out in the DMC report of 20th June 2018 except for updates to the NPPF which are set out below.
- 1.7 Since the consideration of the application at the two above mentioned Development Management Committees, the revised NPPF has been published (24th July 2018).
- 1.8 The policies set out in para 1.1 of the June DMC report can be substituted with the following:

NPPF 06 : Building a strong competitive economy
NPPF 09 : Promoting sustainable transport
NPPF 12 : Achieving well designed places
NPPF 08 : Promoting healthy and safe communities
NPPF 14 : Meeting the challenge of climate change, flooding and coastal change
NPPF 15 : Conserving and enhancing the natural environment
NPPF 16 : Conserving and enhancing the historic environment
- 1.9 It is not considered that there are any changes to the NPPF that materially affect the consideration of the application as previously set out in June report.

Helicopter flight path considerations

- 1.10 Members will recall that the identified issue is the conflict of the proposed multi storey car park in the location under one of the flight paths of the SAR into the hospital landing site. The issues relate to the SAR only and do not affect the East Anglian Air Ambulance operating to the site.
- 1.11 The existing operation to the NNUH by Search and Rescue (SAR) is already heavily constrained as is the case for the majority of helicopter landing sites across the country as these have not been designed with the large aircraft of the SAR in mind.
- 1.12 This was not an issue for the SAR under the military contract at the time that the outline consent was granted for the Norwich Research Park. The outline set the parameters to which the subsequent reserved matters should comply including building heights and a masterplan with building in this location. As set out in the previous report the application complies with these established parameters.
- 1.13 Whilst the hospital helipad is private and therefore not licenced by the CAA nor safeguarded, the operation of the SAR under the civil contract by Bristow is required to comply with more stringent regulations than formerly required by the Military including those set by the European Safety Aviation Agency and guidelines of the CAA publication CAP 1264 (standards for helicopters for landing areas at hospitals). The requirement to comply with these more stringent regulations is the rationale for the safety issues being raised and the need for a new flight path previously set out or other reasonable alternative solutions explored.
- 1.14 The previous report set out an alternative flight path had been worked up, which could provide a reasonable alternative solution. Members will recall that the flight path was assessed and complied with the Performance Class 1 requirements and the final matter to

address was the acceptability of that flight path to the operator having regard to the impacts of downwash from the aircraft.

- 1.15 A report has now been received from the helicopter operator, Bristow, which looks at the alternative helicopter landing site approach and departure corridor suitability.
- 1.16 The Bristow report received was an edited version of the report, the full version not being released to the Council for consideration, and it is considered that and as a result the report is not clear in its conclusions or how these have informed the recommendations. The report sets out that based on the downwash effects, the operator would not be in a position to support the continued use of the landing site following construction of the Multi Storey Car Park (MSCP) without mitigation measures to separate aircraft from the public in the area close to the take off and landing. Bristow acknowledge that compliance with the CAP1264 standard (CAA Standards for helicopter landing areas at hospitals) alone may not be sufficient to make the operations acceptable and a series of mitigation measures need to be explored including how the areas are used and managed and how the flight path is safeguarded.
- 1.17 The measures suggested are set out in summary below. It is important to note that Bristow advise that they continue to work with the NNUH in trying to identify cost effective solutions to the dilemma and that there are difficulties that would be faced in attempting to make the alternative corridor a viable option without significant impact on the normal operations of the hospital.
- 1.18 A series of measures are set out in the report to address the matter of downwash and safe operation of the proposed alternative flight path. This list of measures is very high level and so not detailed and specific as yet but forms the basis for Bristow and the Hospital to move forward to discuss and balance the required measures with the normal operation of the hospital to determine whether a solution can be found with a package of measures that is acceptable to the NNUH.
- 1.19 The land required for the downwash area and safeguarding measures to protect people and property does not relate to land associated with the MSCP. It is therefore, as the Operator acknowledges, for Bristow and NNUH to agree a set of measures in respect of use of land and management measures to address the downwash.
- 1.20 It should be noted that considerable further discussion is required between Bristow and the NNUH and at this time there is no unambiguous specific and detailed mitigation proposed and so the Council's understanding of the mitigation is based on the information available at this time.
- 1.21 At the time of writing the report, the NNUH have not formally commented however have informally suggested that there is not a solution in principle to address the issue. However, Officers interpretation of the Bristow report submitted is that it sets out the mitigation measures that would need to be put in place in order to make the PC1 compliant flight path acceptable to operate. Officers therefore consider that 'in principle' there are solutions to address the downwash concerns raised and it is for Bristow and the NNUH to agree whether operationally these measures are deliverable.
- 1.22 Specific recommendations set out in the Bristow report are set out below:

Level of recommendation	Recommendation	Officer comment and who is responsible for actioning
	It was recommended that the feasibility of providing a sterile area of appropriate dimensions, in the location of the current	Clarification sought suggests that this is a 65m downwash protection zone. Ideally a protective barrier incorporated. Operator also

specific - Essential	carparks, closest to the offset aiming point, be investigated.	<p>clarified that in addition, sensible measures need to be put in place to prevent; double decker buses, cyclists or pushchairs passing directly underneath the helicopter within approximately 100 m of the take off point.</p> <p>Officers consider that consideration needs to be had to the existing arrangement as well as proposed.</p> <p>Bristow/NNUH to investigate feasibility to find appropriate operational solutions and implement</p>
specific – Essential	If creation of a sterile area close to the NNUH HLS was feasible, it was recommended that some form of downwash protection be fitted to surround this area and minimise risk to third parties	Bristow/NNUH to investigate feasibility to agree specific measures and implement
specific – Essential	It was recommended that the NNUH review the feasibility of removing access to the car park adjacent to the offset aiming point and also review options for the control of pedestrians in the vicinity of the HLS.	Bristow/NNUH to investigate feasibility to find appropriate operational solutions and implement
specific – Essential	It was very strongly recommended that the construction company conduct a full review of building procedures to ensure that the construction team remains safe during helicopter moves but equally that control measures are in place to prevent loose articles and FOD from endangering helicopter operations.	SNC/Bristow/CAA to explore to inform in principle procedures required. Bullen to address for their proposed development and this can be secured by condition.
specific - highly desirable	It was recommended that the Council Planning department be informed of the requirement for safeguarding any helicopter approach corridor from incompatible development.	Discussions to be had between Bristow/SNC and NNUH as to what controls required and how best secured for safeguarding

specific - highly desirable	It was recommended that a downwash protected zone of at least 65m radius should be provided for large rotorcraft and that this might be further enlarged based on the topography of the location.	Bristow/NNUH to discuss operational solutions to address and implement
specific - highly desirable	It was recommended that the NNUH HLS was resurveyed with respect to hazards in the locality and that this is provided to the custodian of the National directory.	Bristow/NNUH/CAA to action
specific - highly desirable	It was recommended that BHL and NNUH work together to review and update the hospital aviation protocol document.	Bristow/NNUH to action
specific - desirable	It was suggested that in the case of NNUH, the offset aiming point should only be considered as a transitory aiming point avoiding the necessity to actually hover taxi between the aiming point and the TLOF.	Bristow/NNUH to action
specific - desirable	In the event that the alternative NNUH HLS corridor was endorsed, the offset aiming point should be clearly marked onto the ground as an unambiguous point clearly identifiable at night.	Bristow/NNUH to action
further testing	It was recommended that a night evaluation should not be conducted until any changes to the location had been further evaluated by Day.	Bristow/NNUH to action
further testing	It was recommended that the drone survey data be used to establish the CAP 1264 validity of the North easterly corridor to the NNUH.	Bristow/NNUH to action
further testing	It was recommended that further testing be conducted to identify techniques and opportunities to minimise downwash created.	Bristow to action

- 1.23 Acknowledging the context that the existing operating environment is not an ideal situation and a perfect solution addressing all issues is unlikely to be achieved, and given that the Bristow recommendations are categorised into levels of recommendation, i.e. Essential, highly desirable and desirable, it is evident that a clear focus of effort should be concentrated on addressing the essential recommendations as all other requirements are non-essential.
- 1.24 From the Council's interpretation of the information presented, following some clarifications, this would mean the essential recommendations sought from the operator would be: a downwash protection area of 65m from both the helipad and what would be the off set aiming point (an area offset from the helipad which the flight path would direct before which

a hover of flight manoeuvre to the helipad itself); exploring removing access to some of the car park area and pedestrians in the area near to the offset aiming point (presumably within that 65m zone?); downwash protection such as hedging planted around a sterile or downwash protected area. The operator also advises that in addition sensible measures would also need to be in place to prevent double decker buses, cyclists, or pushchairs underneath the helicopter within 100m of the take off point.

- 1.25 Whilst Bristow have very informally advised that the existing flight paths are PC2 compliant and acceptable in terms of downwash, clarifying that the issue of downwash results from the need to consider downwash from the off set aiming point (adjacent to the helipad), it is Officer's opinion when reading the Bristow report that this indicates otherwise and there is nothing in the report that would substantiate a conclusion that there is not an existing issue with downwash under the current operating environment. A number of the issues and mitigation measures required regarding downwash would appear to relate to both the existing operation of the SAR into the site (with existing flight paths both across the NRP and that to the north-east), as much as the proposed flight path since they relate to how the area around the landing area is used and managed to protect people and property from the effects of downwash. For example:
- The Bristow report confirms that "the current control of aviation related hazards in the vicinity of the NNUH helicopter landing site was unacceptable";
 - It is evident that the existing flight path to the north east which would need to remain (and to which the Bristow recommendation suggest the drone survey data be used to establish the CAP1264 validity of the corridor), has surface carparking and the hospital road within the 100m where it is suggested that "sensible measures would also need to be in place to prevent double decker buses, cyclists, or pushchairs underneath the helicopter within 100m of the take off point.";
 - Whilst it is acknowledged that the new flight path to the south west would fly directly over a small area of carparking within the 65m downwash area, which is not the case for the existing flight path to the west, the CAP1264 requires the downwash zone to be from the heliport and as such the existing 65m downwash zone from the helipad already includes areas of carparking for the A&E. This is confirmed by Bristow who advise that the guidelines for a heavy helicopter recommend a downwash protected zone of up to a radius of 65m around any area where the aircraft may need to hover/hover taxi. Within a radius of 65 from the helipad there is already areas of parking within the A&E, the road around the hospital and footpaths and access road to A&E. It is not clear what the existing arrangement for managing people and property is from downwash at present in this area, although Officers are aware that security guards prevent access to the footpaths as a minimum. It is not evident how the mitigation and management that would be necessary for the downwash from the off-set aiming point would be any different or onerous than the existing arrangement. In Officers opinion either the existing situation already suffers from a downwash issue that is not being satisfactorily addressed, and needs to be regardless of the whether a new flight path is proposed, or similar mitigation can be put in place as per existing arrangements to make the new flight path and its offset aiming point acceptable in downwash terms.
- 1.26 Whilst it is acknowledged that some of the mitigation or management measures may be challenging for those parties to address, resulting in the loss of and tighter control of carparking in some areas of the A&E car park, control of circulation areas and vehicle access: and tighter control of people in this designated area, it is evident through the Bristow report that there are potential measures that can be put in place to manage the downwash and make the flight path an acceptable one. Whether the measures are acceptable to the NNUH in terms of their impact on the usual operations at the hospital or costs to deliver will however determine if a solution can be found.
- 1.27 Whilst the Bristow report suggests that the downwash could be addressed through the mitigation recommendations set out, those recommendations are not specific to explain how this would be addressed.

1.28 The following material considerations are evident in respect of considering the planning application for the Multi storey car park:

- It is evident through the Bristow report that there are measures that can be put in place to manage the downwash and make the flight path an acceptable one. Whether the measures are acceptable to the NNUH in terms of their impact on the usual operations at the hospital or costs to deliver will however determine if a solution can be found. As a material consideration therefore if a reasonable alternative is possible Officers would not consider it reasonable to withhold planning permission for the construction of the proposed MSCP within the existing flight path.
- The use of and management of the land required to mitigate the impacts of the downwash are not in the control of the MSCP landowner. The flight corridor (save an area of land that has no planning permission) is in the control of the NNUH and the downwash area again is NNUH or other land and not MSCP land.
- It is Officers understanding of reading the report and of the CAP1264 standards that a number of the issues raised in the report regarding the impacts of the downwash would equally be applicable to the existing flight path being operated to the NNUH as much as the proposed flight path (for example a 65m downwash protection zone and control of cars and people at the helipad; control of people and buses within 100m of the flight take off area; impact on car parking at the A&E). The NNUH already manage these existing downwash issues in terms of preventing access and security and it is not evident how any proposed arrangements would be significantly different or onerous.
- If SAR cannot continue to operate into the NNUH there are other reasonable alternatives available noting the infrequent nature of the SAR into the hospital (on average one per month based on Maritime and Coastguard Agency figures for flights into the NNUH) including landing at Norwich Airport; consideration of locating the Helipad on the hospital roof; or an arrangement of off-site landing on nearby land and short transfer to the hospital for the SAR only. It is acknowledged that these haven't been explored in any detail as the preference is the alternative flight path. In this regard however it should be noted that the CAP1264 standards acknowledge that where large or very large helicopters are required to operate to a hospital, impact on third party risk to persons and property particularly from downwash needs to be considered but the provision of a dedicated surface level heliport may not be an appropriate option, advising a better option could be to identify an additional landing site well away from the congested hospital e.g. nearby playing fields. It is evident that such an arrangement is in place at Addenbrookes where a short ambulance transfer is required and this is the Major Trauma Centre for the East of England, meaning that the area's most critically injured patients get taken to Addenbrookes. CAP1264 also strongly promotes, in the interests of most easily assuring the optimum operating environment for helicopters, the design of elevated (rooftop) heliports as the 'package' most likely to deliver a safe and friendly environment for helicopters operating to hospital landing sites in the UK.
- Safeguarding the new flight path is a matter that the Council will be further exploring with Bristow and the CAA which is a matter that sits outside of the planning consideration of this planning application since this proposal does not sit within that new flight path.

Conclusion in respect of flight path

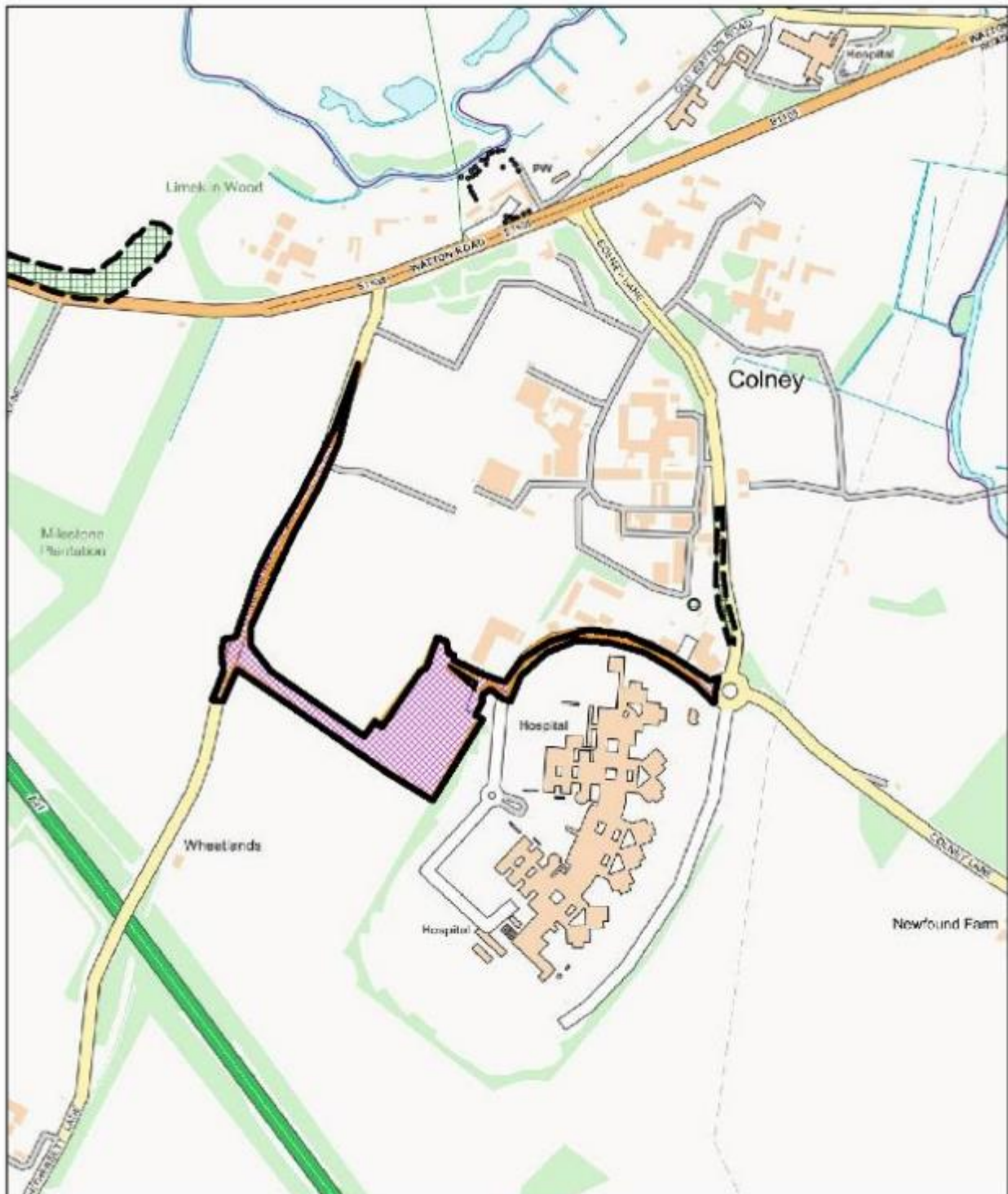
1.29 It is acknowledged that the downwash issues that need to be addressed to make the PC1 compliant flight path acceptable have not been resolved, however there are a number of mitigation measures that the Bristow report sets out which have been discussed above which could be used for the NNUH and Bristow to come to an operational solution to the issue.

1.30 On the basis that this is an alternative solution to address the conflict of the siting of the MSCP in the existing flight path and that in all other respects the flight path is acceptable; that other reasonable alternatives could be explored to enable SAR patients to be accepted

at the NNUH; and that the proposal accords with the outline consent and parameters and would support the development of the NRP and the employment growth anticipated through the allocation of the land and the granting of the outline consent, it is not considered that the impact of the MSCP proposal on the existing flight path for the SAR helicopters would be a reasonable ground on which to continue to delay determination of the application nor would it represent significant harm on which to substantiate a refusal of planning permission.

- 1.31 It should be noted that the reserved matters for this building within the NRP development complies with the overall parameters set in the masterplan and is appropriate in its access, appearance, layout, scale and landscaping. A number of conditions are set out in the report to make the development acceptable.
- 1.32 Overall the proposal is considered to comply with the development plan which is not outweighed by any material consideration.
- 1.33 Approval is therefore recommended subject to a S106 Agreement to ensure only one MSCP is erected (only 2017/1197 or 2016/2382)

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APPENDIX 2

Development Management Committee

18 July 2018

Agenda Item No. _____

PLANNING APPLICATIONS AND OTHER DEVELOPMENT CONTROL MATTERS

Report of Director of Growth and Business Development

Major Applications referred back to Committee

1. **Appl. No** : **2017/1197/D**
 Parish : **COLNEY**
- Applicants Name : Bullen Developments Ltd
Site Address : Land Adj Norfolk And Norwich University Hospital Colney Lane
 Colney Norfolk NR4 7UY
Proposal : Reserved Matters for multi-storey car park, internal access roads,
 landscaping and associated infrastructure on Hethersett Lane for
 access, appearance, landscaping, layout and scale, together with
 the discharge of conditions 4, 5, 19 and 21 relating to outline
 consent from 2012/1880
- Recommendation : Members set a deadline to reconsider the application at the
 August Development Management Committee to make a final
 decision based on the information available in the public domain
 at that time.

Update following resolution at June 2018 DMC

- 1.1 This application was heard at the meeting of the Development Management Committee (DMC) on Wednesday 20th June 2018 where Members deferred the application to allow officers to look at mitigation measures to facilitate safe Search and Rescue operations before referring the item back to Committee for further consideration.
- 1.2 The committee report is set out at Appendix 2 where the policies and considerations are unchanged.
- 1.3 Members will recall that Officers consider that there are a number of reasonable alternative solutions available to offset the loss of the existing flight path. One of those reasonable alternative solutions was to provide an alternative flight path across the NNUH surface car park and it was the mitigation measures for the downwash for this new flight path that was to be further investigated so that the Council could ensure that the mitigation is as robust as possible.
- 1.4 Officers have been seeking to work positively with all stakeholders to understand the downwash mitigation measures necessary, the report of which from Bristow was imminent at the time of the June DMC. At the time of writing this report no further details of the mitigation to make the alternative flight path acceptable had been received from the helicopter operator, Bristow, however Officers are aware that a report of those mitigation measures has been sent to the NNUH for consideration.
- 1.5 Officers consider that to ensure effective and timely consideration of the reasonable alternative solutions to the conflict with the existing helicopter flight path, the alternative flight path being one of the potential solutions, it is necessary to set a deadline to conclude the consideration of the downwash mitigation measures so as to inform the consideration of the planning application.

- 1.6 Officers therefore recommend that members set a deadline to reconsider the application at the August DMC to make a final decision based on the information available in the public domain at that time on the reasonable alternative solutions.

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2017/1197

Appendix 1



Scale 1:7,500

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

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

1. **Appl. No** : **2017/1197/D**
Parish : **COLNEY**
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 Site Address : Land Adj Norfolk And Norwich University Hospital Colney Lane
 Colney Norfolk NR4 7UY
- Proposal : Reserved Matters for multi-storey car park, internal access roads, landscaping and associated infrastructure on Hethersett Lane for access, appearance, landscaping, layout and scale, together with the discharge of conditions 4, 5, 19 and 21 relating to outline consent from 2012/1880
- Recommendation : Authorise Director of Growth & Business Development to approve with conditions
- 1 In accordance with plan and details
 - 2 Cycle parking
 - 3 Lighting details
 - 4 Roads, cycleway and footway to be delivered prior to occupation of building
 - 5 Off site highway works – details to be approved and delivered.
 - 6 Car parking spaces restricted to 1093
 - 7 Swift boxes
- Subject to no new information being received which in officer's opinion is material to the recommendation and subject to the completion of a S106 to ensure that only one Multi Storey Car Park is erected (only 2017/1197 or 2016/2382)

1 Planning Policies

- 1.1 National Planning Policy Framework (NPPF)
 NPPF 01 : Building a strong competitive economy
 NPPF 04 : Promoting sustainable transport
 NPPF 07 : Requiring good design
 NPPF 08 : Promoting healthy communities
 NPPF 09: Protecting Green Belt land
 NPPF 10 : Meeting the challenge of climate change, flooding and coastal change
 NPPF 11 : Conserving and enhancing the natural environment
 NPPF 12 : Conserving and enhancing the historic environment
- 1.2 Joint Core Strategy (JCS)
 Policy 1 : Addressing climate change and protecting environmental assets
 Policy 2 : Promoting good design
 Policy 3: Energy and water
 Policy 5 : The Economy
 Policy 6 : Access and Transportation
 Policy 7 : Supporting Communities
 Policy 9 : Strategy for growth in the Norwich Policy Area

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

Site Specific Allocations and Policies

COL1 - Land adjacent to Norwich Research Park

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

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

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

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

2. Planning History

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

2.2	2016/2382	Reserved matters following 2012/1880/O - Construction of a four storey car park, internal access roads, two roundabouts and associated road works on Hethersett Lane.	Approved
2.3	2017/1198	Construction of a 350 space surface level temporary car park with associated access.	under consideration
2.4	2017/1277	Discharge of Condition 14 - Joint Phasing Plan for NRP North and South of permission 2012/1880/O	under consideration
3.	<u>Consultations</u>		
3.1	Town / Parish Council	<p>Comments on the following basis:</p> <p>1. Sections of the proposed roads associated with the multi-storey car park appear to lie outside the development boundaries of both the Norwich Research Park and the Colney development Plan. This is unfortunate. Development boundaries must be respected if their use is to retain credibility.</p> <p>2. Yet again the Southern Bypass Protection Zone is being encroached upon. More respect should be accorded the Protection Zone: it is there for a purpose.</p> <p>3. The number of parking spaces in the multi-storey car park (1,142) confirms the high volume of traffic associated with this development. The traffic on roads through Cringleford, notably Round House Way and Colney Lane, is likely to increase considerably. Taken in conjunction with the expected increases in traffic associated with the recently approved sports development proposed by UEA and the NRUFC and the construction of 650 houses anticipated at Newfound Farm, the volume of traffic is likely to cause gridlock on the roads mentioned to the great annoyance of residents and others. Once again Cringleford Parish Council would like to plead that the traffic impact on roads outside the immediate area of development is given serious, rather than perfunctory consideration</p>	
3.2	District Councillors: Cllr Kemp	To be reported if appropriate	
	Cllr Wheatley	To be reported if appropriate	
3.3	Anglian Water Services Ltd	No objection. Surface water strategy does not affect Anglian Water.	
3.4	SNC Conservation And Design	<p>The new design approach is more simplified, more coherent and more contextual in terms of materials used and fitting in with the wider rural context within which the research park sits. I therefore have no objection to the current proposals, but it may be beneficial to condition materials unless exact materials are specified at this stage.</p> <p>Landscaping will be an important consideration.</p>	

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

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

New planting proposals:

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

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

Comments on amended plans:

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

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

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

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

3.11 NCC Lead Local Flood Authority

Comments on original plans:

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

Comments on amended plans:

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

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

3.18 Norfolk & Norwich University Hospital	<p>Comments on original plans:</p> <p>Object for the following reasons: This is considered likely to lead to significant operational difficulties for the hospital which could impact patient care. These operational difficulties arise from two main factors: -</p> <ol style="list-style-type: none"> 1. The hospital perimeter road needs to flow as efficiently as possibly bearing in mind that it is utilised by emergency vehicles on a regular basis; and 2. The closer proximity of the proposed MSCP to the hospital compared to the consented siting brings with it very serious concerns that this will affect the flight path and therefore unconstrained access to the helicopter landing pad area by Search and Rescue helicopters which periodically attend at the site with patients needing urgent medical care. (note Whilst Air Ambulance helicopters can access the hospital almost irrespective of how nearby buildings are sited or configured, it is a different matter as far as Search and Rescue helicopters are concerned.) Expert advice is being sought; nearest equivalent service is Cambridge; if SAR operation cannot continue patients would likely have to land at Norwich Airport which has clinical implications to patients. <p>It ought to be stressed that NNUH does not object in principle to a MSCP and notes that – in part – this is intended to replace the surface car park for 350 vehicles which has temporary consent and which is used by a number of people visiting the hospital and indeed by some Trust staff. It is however the siting and the scale of the proposed car park which gives rise to the concerns expressed. It is of note that the application for RMA now submitted brings the proposed car park far closer to the hospital than was proposed in the earlier consent for the site and this brings with it the potential to cause far greater adverse impact on the hospital.</p> <p>Comments on amended flight path: Comments awaited – to be reported orally</p>
3.19 Land Owner Norfolk & Norwich University Hospital	No comments received
3.20 National Planning Case Unit	No comments received
3.21 Norfolk Wildlife Trust	No comments received
3.22 Other Representations	<p>Bristow Helicopters – comments on original proposals: Object –</p> <ul style="list-style-type: none"> • Bristow is the provider of UK Search and Rescue on behalf of the Maritime and Coastguard Agency. • The proposed Multi storey car park will probably change the classification of the aviation environment from 'congested but not hostile' to 'congested and hostile' which would require Bristow's helicopter operations to be conducted under more stringent regulations.

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

Comments on amended flight path:

Formal comments awaited – to be reported orally

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

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

4. Assessment

Background

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

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

Principle of development

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

Key issues for consideration

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

Condition 13 of the outline consent

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

Highway considerations

Access, parking levels, highway infrastructure and phasing

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

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

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

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

Travel plan

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

Pedestrian and cycle connectivity

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

Highway Conditions

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

Amenity

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

Fumes

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

Noise

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

Lighting

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

Residential amenity

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

Contamination

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

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

Flood risk and drainage

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

Foul water

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

Layout, scale and design

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

Landscaping

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

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

Ecology

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

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

Heritage

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

Impact on Hospital helicopter landing site

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

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

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

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

Proposed coffee kiosk

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

Compliance with conditions on outline consent

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

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

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

EIA

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

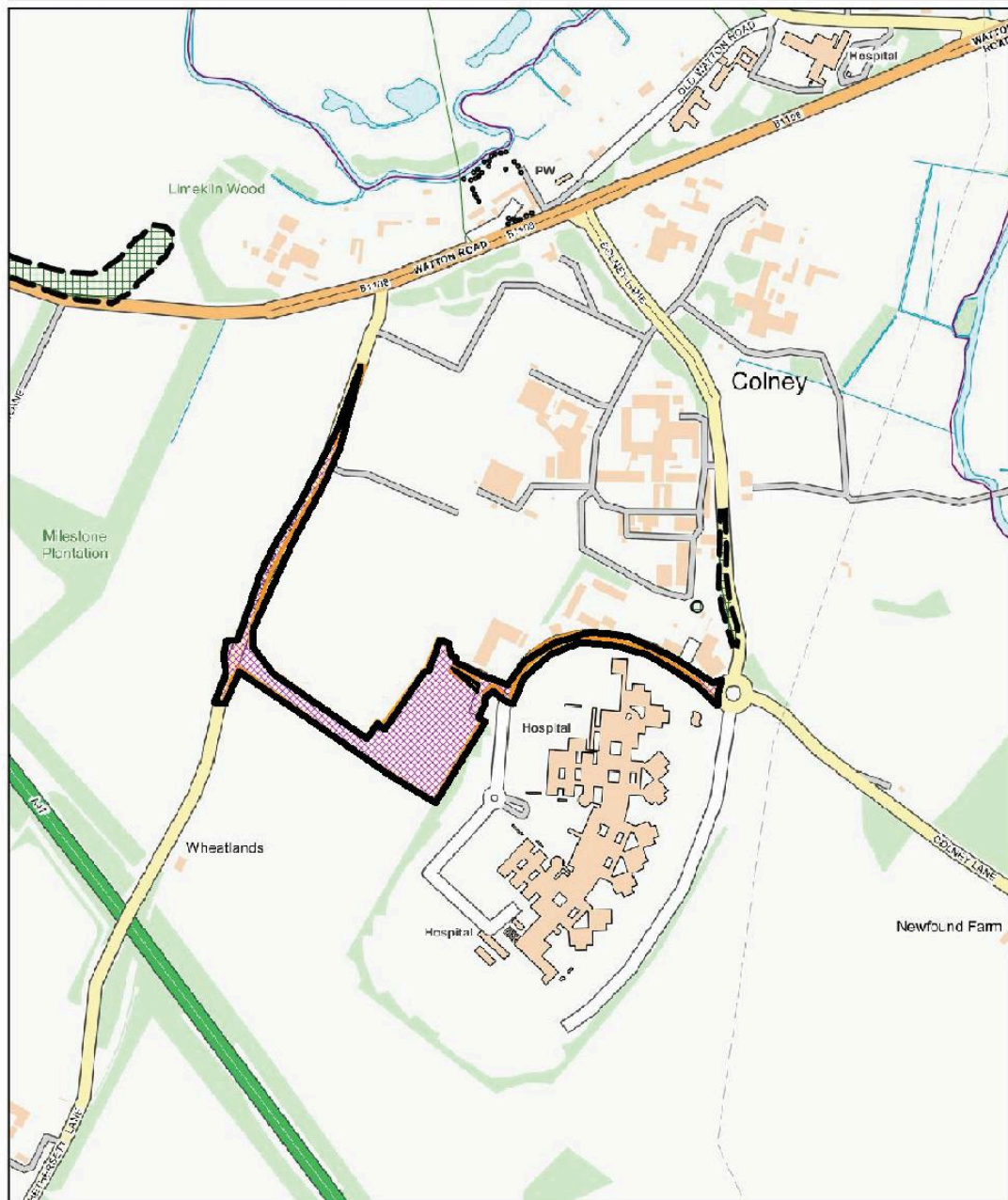
Financial considerations

- 4.98 Under Section 143 of the Localism Act the council is required to consider the impact on local finances. This can be a material consideration but in the instance of this application the other material planning considerations detailed above are of greater significance.
- 4.99 This application is not liable for Community Infrastructure Levy (CIL) as is pursuant to an outline consent which was granted prior to the introduction of CIL.

5. Conclusion

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

Contact Officer, Telephone Number Tracy Lincoln 01508 533814
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South Norfolk Council, Cygnet Court, Long Stratton, Norwich, NR15 2XE Tel (01508) 533633

Other Applications

2 Appl. No : **2017/1177/F**
Parish : **SWAINSTHORPE**

Applicants Name : Mr & Mrs Trevor & Issy Coe
Site Address : A140 Cars Norwich Road Swainsthorpe Norfolk NR14 8PU
Proposal : Demolition of existing garages and redevelopment of the site to provide 5 new dwellings with parking, private amenity space, open space and new access from Briar Lane.

Recommendation : Approval with conditions

- 1 Reduced time Limit - 5 year supply and to bring forward the benefits of the scheme
- 2 In accordance with amendments
- 3 External materials to be agreed
- 4 Specific details to be agreed
- 5 Surface Water to be agreed
- 6 Details of roads and surface water drainage to be agreed
- 7 Provision of parking, service etc.
- 8 Construction Traffic (Parking)
- 9 Existing Access - Closure
- 10 Foul drainage to main sewer
- 11 Contaminated land - submit scheme
- 12 Implementation of approved remediation scheme
- 13 Reporting of unexpected contamination
- 14 Validation Report (Noise protection measures) to be agreed
- 15 Slab level to be agreed
- 16 Boundary treatment to be agreed
- 17 Landscaping scheme to be submitted
- 18 No alterations to lose garages
- 19 Details of future maintenance of access roads and communal spaces
- 20 Obscure glazing

Reason for reporting to committee

The proposal would result in the loss of potential employment

1 Planning Policies

- 1.1 National Planning Policy Framework (NPPF) 2018
NPPF 05 : Delivering a sufficient supply of homes
NPPF 06 : Building a strong competitive economy
NPPF 09 : Promoting sustainable transport
NPPF 12 : Achieving well-designed places
NPPF 14 : Meeting the challenge of climate change, flooding and coastal change
NPPF 15 : Conserving and enhancing the natural environment
NPPF 16 : Conserving and enhancing the historic environment
- 1.2 Joint Core Strategy (JCS)
Policy 1 : Addressing climate change and protecting environmental assets
Policy 2 : Promoting good design
Policy 3: Energy and water
Policy 4 : Housing delivery
Policy 5 : The Economy
Policy 6 : Access and Transportation

Policy 16 : Other Villages

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
DM 2.2 Protection of employment sites
DM3.1 : Meeting Housing requirements and needs
DM3.8 : Design Principles applying to all development
DM3.10 : Promotion of sustainable transport
DM3.11 : Road safety and the free flow of traffic
DM3.12 : Provision of vehicle parking
DM3.13 : Amenity, noise, quality of life
DM3.14 : Pollution, health and safety
DM4.2 : Sustainable drainage and water management
DM4.5 : Landscape Character Areas and River Valleys
DM4.10 : Heritage Assets
DM4.9 : Incorporating landscape into design
- 1.4 Supplementary Planning Document (SPD)
South Norfolk Place Making Guide 2012

Statutory duties relating to Listed Buildings and setting of Listed buildings

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

2. Planning History

2.1	2016/1977	Demolition of existing garages and erection of 7 new dwellings with parking, private amenity space, open space and new access from Briar Lane.	Withdrawn
2.2	2014/0284	Change of use from a mixed use for the sale, display and repair of vehicles approved under planning permission ref. NW07/01/0336/F to a mixed use for the purposes of the sale, display and repair of motor vehicles, a hand car wash facility, a restaurant/cafe and hot food takeaway and retail shop and related alterations to buildings	Withdrawn
2.3	2005/2754	Renewal of consent NW07/01/1328/O - Erection of 7no dwellings	Approved
2.4	2004/1107	Proposed change of use from vehicle storage area to employee's car park and use of authorised car park as storage area	Approved
2.5	2001/1328	Erection of 7no dwellings	Approved

2.6	2001/0336	Continued use of land for the sale, display and repair of vehicles and the retention of a link extension	Approved
2.7	1998/0217	Use of premises by agricultural engineers, erection of extension and associated works	Refused
2.8	1993/1666	Erection of replacement canopy and installation of two underground petroleum tanks	Approved
2.9	1992/0670	Deletion of condition no 6 from planning consent reference 85/1600/CU which restricts the type of vehicles stored on part of the site.	Refused

Appeal History

2.10	1998/0217	Appeal dismissed
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3. Consultations

3.1 Town / Parish Council

Original proposal

- Whilst on the whole, Councillors welcome the development, some concern does remain over the use of Briar Lane (a public bridleway) being used as the only access to the site
- Aside of the legality of use of the bridleway, concerns that should the scheme receive approval, new residents on the development, when using the private owned driveway, may turn left at the junction of Briar lane
- Local residents are also concerned that the new development may encourage parking along Briar lane
- Therefore, whilst supporting the housing plan and improvements that have been made with this application, there remains a very valid concern over the access issues
- If approved, would it be possible to consider placement of a bollard, making further access to the higher point of Briar Lane impossible, whilst leaving appropriate space for horses and walkers?

First Amended proposal

No further comments

Second Amended proposal

- Whilst remaining generally supportive of the development of the site, remain concerned that the application does not appear to address the access of through traffic on Briar Lane.
- Understands that Briar Lane is a bridleway.
- The application does not deal with access or maintenance issues.
- Have particular concern about residents of the new development turning left in to Briar Lane in order to access Church Road, without needing to go via the A140.
- Should the development be approved, following an appropriate consultation with residents of Briar Lane, the possibility of bollards placed on this section of Briar Lane, to stop vehicular access onto Church Road should be considered and, if

		<ul style="list-style-type: none"> supported by residents, the developer should pay for these changes.
3.2	District Councillor Cllr Hardy	To be reported if appropriate
3.3	SNC Water Management Officer	<p>Original proposal</p> <ul style="list-style-type: none"> Concerns regarding surface water flood risk particularly in respect of plots 2, 3 and 5 <p>Amended proposal</p> <ul style="list-style-type: none"> No objections subject to conditions Welcome the revised layout and confirm that the FRA has demonstrated that people and dwellings can remain safe. The FRA advises that if infiltration drainage is not suitable at the site surface water could drain into the adjacent ditch system at an attenuated rate via permeable paving or an attenuation tank
3.4	NHSCCG	No comments received
3.5	SNC Community Services - Environmental Quality Team	No objections subject to conditions
3.6	Historic Environment Service	No objections
3.7	Public Rights Of Way	<p>Object as Briar Lane, Swainsthorpe Public Bridleway 3 is unsuitable to support vehicular access to this development</p> <ul style="list-style-type: none"> The design and access statement key concepts plan also shows that access into and out of the development can go in both directions along Briar Lane. Briar Lane is not a public road – the only public status is that of public bridleway. The design and access statement states that “Ipswich Road is a busy A road which is not suitable for direct residential access therefore access to the development stems from Briar Lane”. Is Briar Lane suitable for such access? I note that the garage site has an existing entrance with a separate left turn lane from the A140 Norwich bound carriageway. There is also a separate exit from the garage site onto the A140. A left turn using this separate lane into the development would seem a safer option both for turning traffic and continuing traffic towards Norwich. Why is the continuation of what already exists not being made good use of rather than suggesting that Briar Lane is used which necessitates a sharp 90 degree turn into a narrow one-car width lane. If Briar Lane is deemed to be the main access to the site, it is likely that improvements to the junction would be proposed. As the route has the status of public bridleway the surface type and ongoing maintenance would need to be taken into consideration. This would need to be agreed with NCC. Tarmac is not considered to be a suitable medium for a public bridleway.
3.8	The Ramblers	No comments received

3.9	SNC Conservation And Design	No objections
3.10	NCC Highways	No objection subject to conditions
3.11	Other Representations	<p>To the original proposal 4 letters of objection</p> <ul style="list-style-type: none"> • Very keen to see this area re-developed and would like to support this application as we feel it would enhance the local area however have concerns re the proposals • The allocated parking for plot 6 would hugely impact on Primrose Cottage and safety issues, plans indicate that vehicles would have to be driven into the allocated parking space with no way of turning which would then mean that the vehicles have to reverse back into Briar Lane which is where parking spaces are for Primrose Cottage • Ownership of the road way has not been addressed • Concerned regarding flood levels • If the floor heights are to be raised, and therefore the overall height, this would make the height of the houses too dominating to the existing dwellings • The car parking space outside plot 4 on Briar Lane would encourage further parking along the lane which would block access for oil and bin lorries • Mixed housing is always good, but this application does not include any starter homes of 2 bedrooms, which it should • Access via Briar lane onto the A140 on this busy stretch of road is going to make traffic worse here, even dangerous and likewise traffic thorough the village of Swainsthorpe to the village end of Briar Lane will increase, which is not desirable. • If approval given for this application would very much be in favour of a bollard being placed at the top of Briar Lane to stop Briar Lane being used as a cut through and would enable a safe/quiet area to walk into the village as the lane is not wide enough to walk and pass a car without having to climb up onto the bank which is often full of nettles

First Amended proposal

1 letters of objection

- The size and mass of turning the house around on plot 2 would be too over powering for the development as a whole
- The height of all our houses are 1.5 storey, making this 2-storey house too overpowering when it is also facing into the lane.
- Headlights of the cars to shine straight into The Cottage windows
- Close proximity of parking and garage would also cause noise from banging doors and possible loud conversations
- The long window to Plot 2 indicates an obscure glass to avoid overlooking, this should be conditioned in perpetuity
- Why can't the piece of common land be included in Plot 2 & 4 garden as we already have a piece of land outside our house that is full of nettles and weeds due to the landowner taking no interest in keeping it nice.
- Still unhappy with the maintenance side of the lane, who's responsibility will it be to maintain?
- When oil is delivered to our properties, the old tanker will be parked exactly outside the front door of Plot 2

- To allow The Cottage to park and exit their parking spaces, they currently have to drive right up to the fence, which will be the proposed front door of Plot 2
- If the house was turned around 90 degrees, as originally proposed this would leave plenty space.
- Plot 2 cannot be built without adequate surface water drainage as the surface water drain currently runs underneath this plot of land

Second Amended Proposal

4 letters of objection

- We are in favour of the development and would like to work with the developers but these details will have a big impact on our current property and the way we currently live
- Appreciate how difficult it has been and welcome Plot 2 being rotated and the garage being moved
- Our main objection however, to the latest proposal is still the size and mass, the new proposal ridge height has only been reduced by some 6" and as our ridge height is 6.1m, this still makes the latest proposal some 2m higher than ours, this is quite significant
- Concerns about the surface of the lane and who will manage it in the future. Surface also seems to finish halfway across Plot 2, what is happening about the rest of the lane to the end (outside The Cottage & Rose Cottage)?
- The common Land - why must this be left? Surely it would be far nicer for Plots 2 & 4 to have a larger garden and make them more desirable, instead of having a piece of land that will just get overgrown and look unsightly?
- The splays out the front - If left these will without doubt encourage parking
- The plans now show an entrance/exit which is almost opposite my property, this will have an extremely negative impact on Primrose Cottage which is a grade 2 listed building, there will be far greater inconvenience / noise from vehicles continually coming and going which has never been the situation before
- Not enough parking spaces for the houses that are planned for which means that the over spill would inevitably be parked in Briar Lane and cause access problems for the current properties
- The gravel access track on the plans in front of Primrose Cottage is in-fact a private parking area owned by Primrose Cottage
- The applicant has had ample opportunities to come to a resolution about the access problems but has so far not reached any such agreement with the owner of the private road.

4 Assessment

Background

- 4.1 This application seeks demolition of existing commercial buildings and redevelopment of the site to provide 5 new dwellings with parking, private amenity space, open space and new access from Briar Lane. The site is located outside the development boundary within the Norwich Policy Area (NPA).
- 4.2 The development would replace the existing commercial buildings and was occupied by Averill's as a garage and petrol filling station before Framingham Tractors occupied the site. Since Framingham Tractors vacated the site, it has been used for a number of business such as a hand car wash and car sales. The site has a long history of

enforcement and has given rise to concerns from the adjacent residential properties due to the impact of the uses on their amenities.

- 4.3 The main issues for consideration in this case are the principle of development in this location; loss of existing employment use, design and layout; drainage; highway safety; and residential amenity.

Principle

- 4.4 The site lies outside the development boundary for the village of Swainsthorpe as defined by the South Norfolk Local Plan. Policy DM1.3 states that permission for development outside of development boundaries will only be granted where specific Development Management Policies allow for development or otherwise demonstrates overriding benefits in terms of economic, social and environmental dimensions as set out in Policy DM1.1.
- 4.5 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 is paragraph 11 of the NPPF. This sets out that where the policies which are most important for determining the application are out of date, including where footnote 7 confirms for applications involving the provision of housing situations where a local planning authority cannot demonstrate a five-year supply of deliverable housing sites, a presumption in favour of sustainable development should be applied unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the NPPF taken 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 11 of the NPPF.

- 4.12 The JCS housing requirement is, however, now several years old (the JCS was adopted in March 2011, with amendments in January 2014). The evidence on which the requirement is based has now been superseded. In June 2017 an updated Strategic Housing Market Assessment (SHMA) was published for Central Norfolk (the Greater Norwich authorities plus, North Norfolk and Breckland). The SHMA assesses the Objectively Assessed Need for housing between 2015 and 2036 using the most recent evidence available. Unlike the evidence underpinning the JCS, the SHMA also includes an assessment of the contribution made by student accommodation.
- 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 11.
- 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, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure."
- 4.16 The construction of 5 dwellings would help enhance the economic viability through local spending from future occupants of the dwellings.
- 4.17 In addition to the above, the scheme would also provide some short term economic benefits from construction of the dwellings.
- 4.18 It should be noted that the development would be subject to the Community Infrastructure Levy.

Loss of employment site

- 4.19 The development of the site removes the existing employment uses from the site. The NPPF, JCS and SNLP look to retain employment uses, services and community facilities. Policy DM2.2 states that proposals leading to the loss of employment sites and buildings will be permitted where: re-using the site has been fully explored; or there would be an overriding economic, environmental or community benefit from the redevelopment, which outweighs the benefit of the current lawful use continuing. The site has historically been problematic and has given rise to concerns from local residents due to the impact of the uses on their amenities.
- 4.20 It is considered that the redevelopment would:
- Remove commercial activity which cause harm to the amenity of dwellings in close proximity to the site.
 - Remove the conflict between commercial and domestic traffic on Briar Lane
 - Reduce the size and volume of vehicles entering and leaving this fast section of the A140 to the benefit of highway safety

- Provide the opportunity to improve Briar Lane junction and widen its width to enable two vehicles to enter and leave to the benefit of highway safety
 - Provide the opportunity to improve the appearance of the site including the removal of the commercial buildings not sympathetic to appearance of the existing cottages and Listed Building
 - The proposal involves brownfield development rather than encroachment onto undeveloped land
 - Closure of existing access directly onto A140
- 4.21 In view of the above, whilst I appreciate that the proposal would result in the loss of an employment site, I consider there would be overriding social and environmental benefits from the redevelopment, which outweighs the benefit of the current lawful use continuing.

Social Role

- 4.22 The NPPF confirms the social role as "supporting strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being."
- 4.23 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.

Design and layout

- 4.24 Both JCS Policy 2 and Section 12 of the NPPF require high quality design with importance being attached to the design of the built environment, with it seen as a key aspect of sustainable development
- 4.25 The site falls within Landscape Character Area B1 Tas Tributary Farmland which is a large area of land encompassing the Tas River Valley character area, located within the heart of South Norfolk. The site is also immediately adjacent to the A1 Tas Rural River Valley. The area is characterised in the South Norfolk Place-Making Guide by 'a small number of larger villages....with smaller hamlets and scattered farmsteads dispersed across the wider landscape'. The area has a mixed vernacular of timber frame houses, stepped and Dutch gables, thatch cottages and round towered churches. The site itself is bounded by the A140 to the east, open countryside to the south, existing residential cottages including a listed building located to the west and to the north which form the established built up part of the village. It is a prominent location next to the road and is open to views particularly from the south. The site is divided into two parts, a frontage area containing the garage buildings and canopy; a smaller parking area to the rear (west).
- 4.26 This application is the resubmission of a previous application, which was withdrawn following concerns raised in respect of access, parking and surface water drainage. The layout has been revised a number of times and is constrained by the south part of the site being at risk from surface water flooding. This has led to the reduction in the numbers of dwellings from the original 7 under the 2016 application to the 5 now proposed. It has also resulted in an area shown on the layout plan as 'Common Land' which is likely to be water logged at certain times of the year, so has not been included within the gardens of the new properties.
- 4.27 The design has been carefully considered and the general arrangement of buildings in term of layout contextually references historic farm building groupings within the district i.e. simple strong bold forms angularly set around courtyard like spaces. The form of the

buildings, massing and materials have also been designed to reflect vernacular buildings within the district, but with a more contemporary take in terms of the treatment of fenestration and detailed elements such as feature chimney stacks and small areas of feature brick panels to add some decoration. These elements are applied similarly across the five dwellings with subtlety across the site to make each dwelling bespoke in nature but maintaining a cohesive grouping in terms of the overall character and appearance of the development.

- 4.28 It is considered that this ties in with Architectural Quality paragraph 3.8.2 of the South Norfolk Place Making Guide: “Generally buildings should be designed to reflect some of the attractive qualities of the local historic form of housing, for instance in terms of the scale and proportion of elements. Where a contemporary approach is adopted, then the proportions of the form and elevations and quality of detailing will be of particular importance.”
- 4.29 The amended scheme is, in view of the above, considered acceptable in terms of its design, scale and relationship to the surrounding properties. The layout demonstrates that the site is of sufficient size to comfortably accommodate the proposed dwellings, curtilages, parking and turning. On this basis, it is considered that the scheme would accord with DM3.8 of SNLP, Policy 2 of JCS and Section 12 of NPPF.

Highways

- 4.30 Policy DM3.11 of the South Norfolk Local Plan states that planning permission will not be granted for development which would endanger highway safety or the satisfactory functioning of the highway network.
- 4.31 It is proposed to serve the site from Briar Lane and the private track running to the rear of the commercial site with the existing entrances direct to the A140 being closed. Briar Lane in its current state is not satisfactory to serve the development. It is in a poor state of repair and suffers from surface water run-off from the fields and land to the north. The width of the entrance onto the A140 does not permit two vehicles to pass each other.
- 4.32 There has been a number of ongoing discussions with the Highway Authority, who whilst not objecting in principle, did require additional information to be provided. The mouth of Briar Lane has been widened to enable safe entrance and egress from the A140 for existing and new residents and it is proposed that this part of the lane is resurfaced with appropriate surface water drainage provided up to adoptable standard. The existing access onto the A140 will be closed.
- 4.33 Concerns have been raised, as set out above, by the NCC Public Rights of Way officer as part of Briar Lane is a public bridleway. Whilst I fully appreciate the issues raised Briar lane already serves existing residential properties and the commercial site. The proposal represents a positive improvement in both highway safety terms and visually. The surfacing of the public bridleway is only for a short section of the overall length and directly adjacent to the A140 and on balance I do consider that the application could be refused on the grounds raised. Equally, NCC Highways are not raising any objections.
- 4.34 Concerns have also been raised by local residents and the Parish Council as set out above in respect of the surface of the lane and who will manage it in the future; the impact of the proposals on highway safety; the parking of vehicles etc. Whilst I fully appreciate the concerns raised, it is proposed to impose a condition requiring a long-term maintenance plan for both the first part of Briar Lane and the access track to the rear of the site, together with the other communal spaces. I also suggest that permitted development rights are removed for the conversion of the garages to other accommodation to ensure the level of parking proposed is maintained. In view of the above, I do not consider that the application can be refused on concerns raised and therefore the development is considered to comply with Policy DM3.11 and DM3.12.

- 4.35 Issues have been raised by the owner of the access to the rear of the site concerned that the applicant has had ample opportunities to come to a resolution about the access problems but has so far not reached any such agreement. This is however a civil matter and not a planning consideration.
- 4.36 Both the Parish Council and local residents have requested that bollards are placed at the top of Briar Lane by the applicant to stop Briar Lane being used as a cut through and would enable a safe/quiet area to walk into the village. Firstly, Briar Lane is privately owned by an unknown party and therefore the applicant cannot prevent access to any part of the Lane. Secondly a condition to require this would not be reasonable when the tests for conditions are applied as in being necessary; relevant to planning and the development to be permitted; enforceable; precise; and reasonable in all other respects.

Impact on Residential Amenity

- 4.37 Policy DM3.13 Residential amenity directs that development should not be approved if it would have a significant adverse impact on nearby residents' amenities or the amenities of new occupiers.
- 4.38 Careful consideration has been given to the location of the dwellings in relation to the existing residential properties located to the west and north of the site. First floor windows have been oriented as to not overlook the private amenity space of the existing residential properties and obscure glazing proposed to the non-habitable rooms windows that face the neighbours. Plot 1 has been reduced to a chalet bungalow, again to mitigate against any overlooking to Primrose Farm and also creates a transition in height between Primrose Cottage and The Cottage. A number of concerns have been raised as set out above, in particular in respect of the height of the proposed dwellings; bulk and massing; noise and disturbance from car movements. I accept that the new dwellings will be taller than the existing cottages, however given their positioning and distance from the existing residential properties I do not consider they give rise to a situation so detrimental to the amenities of the nearby neighbours as to warrant refusal on the grounds raised. With regards to the noise and disturbance, given the lawful use of the site (particularly the area between The Cottage and Primrose Cottage), I do not consider that the residential development would result in a significant detriment in noise and disturbance. In view of the above the proposal would not give rise to a situation detrimental to the neighbour's amenity via overlooking, loss of private amenity space, loss of day light, overshadowing or overbearing impact.
- 4.39 The scheme has also been designed giving careful consideration to the impacts of the A140 on the amenities of the occupiers of the new residents. A technical noise assessment has been provided as part of the application and the Environmental Management officer has confirmed that it has been demonstrated with appropriate mitigation the development would not give rise to a situation detrimental to the amenities of the future occupiers.
- 4.40 In view of the above, the proposal therefore accords with Policy DM3.13 of the Development Management Policies document.

Summary of Social Role

- 4.41 It is considered that the removal of the commercial activity which causes harm to the amenity of dwellings in close proximity to the site; the removal of the conflict between commercial and domestic traffic on Briar Lane; the reduction in the size and volume of vehicles entering and leaving this fast section of the A140 to the benefit of highway safety; the opportunity to improve Briar Lane junction and widen its width to enable two vehicles to enter and leave to the benefit of highway safety; and the closure of existing access directly onto A140 clearly identifies overriding social benefits of the redevelopment.

Environmental Role

- 4.42 The NPPF confirms the environmental role as "to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy."

Impact on landscape and the form and character of the area

- 4.43 Paragraph 170 of the National Planning Policy Framework requires that planning decisions recognise the intrinsic character and beauty of the countryside, which is reflected in Policy DM1.3 of the Development Management Policies document. Planning Practice Guidance clarifies that conservation and enhancement of the landscape, not only designated landscapes, contributes to upholding this principle. Policy DM4.5 requires all development to respect, conserve and where possible enhance the landscape character of its immediate and wider environment.
- 4.44 It is considered that the principle of the removal of the existing unsympathetic commercial buildings with well-designed dwellings, in a prominent location on the A140 and close to existing cottages and listed building, would represent an enhancement to the built and historic environment and would not result in any significant adverse impact on the landscape character.

Setting of Listed Building

- 4.45 The setting of listed buildings requires an additional consideration under S66(1) Listed Buildings Act 1990, which requires local planning authorities to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
- 4.46 Primrose Cottage is a grade II listed building adjacent to the site. As noted above, the site is currently occupied by the commercial and utilitarian designed garage workshops and sales buildings of Swainsthorpe Motor Company, and to the south west is an existing open space used for parking cars. The development will result in a change to the setting of the listed building, but it is considered a positive one which will be an enhancement over the current situation.
- 4.47 The new buildings will be designed as a 2-2 1/2 storey form and scale of building rather than the lower eaves and half dormers of Primrose Cottage, however the cottage is on slightly elevated ground and set behind a front garden from the lane. Although providing contemporary internal spaces and elements of detailing, the overall design of the new houses is based on traditional scale and form of rural buildings, and are set back from the cottage on the other side of Briar Lane and orientated at right angles, with the property to the south west orientated towards the lane with front side extension. The general layout is in keeping with a more informal and irregular grain of rural development rather than the rigidity of urban/suburban development. Briar Lane and the Driveway are relatively informal lanes / tracks at present. The numbers of units will result in relatively few vehicle movements, which would have no discernible or significant impact on the setting of the listed building.
- 4.48 In view of the above, the development will not result in harm to the setting of the listed building but an enhancement, and will therefore be in line with para 192 of the NPPF:

Drainage

- 4.49 Concern have been raised as set out above regarding drainage. The site is entirely within Flood Risk Zone 1 and therefore is not at risk from fluvial flooding. It is however at risk from surface water flooding and a Flood Risk Assessment (FRA) has been submitted with the

application. Unfortunately plots 2 and plot 3 were originally located within areas at high and medium risk from surface water flooding. Following discussions with the Water Management Officer, the number of dwellings have been reduced from 6 to 5 and the site layout redesigned to overcome this issue. As such the proposal is considered to accord with JCS Policy 1 and DM4.2.

Brownfield

- 4.50 Paragraph 118 of the NPPF states that planning decisions should give substantial weight to the value of using suitable brownfield land within settlements for homes. The NPPF defines 'previously developed land' as land which is or was occupied by a permanent structure, including the curtilage of the developed land. In this case the site can be considered as Brownfield and it is not of high environmental value and therefore NPPF Paragraph 118 gives material weight to supporting the proposal.

Contamination

- 4.51 Given the previous uses of the site such as the historic garage and petrol filling station; historic smithy; car wash, car sales, mechanics workshop and storage of farm machinery the site is at high risk from contamination. The application has been supported by a land contamination assessment and the Environmental Management officer has confirmed that it has been demonstrated with appropriate mitigation the development would not give rise to a situation detrimental to the amenities of the future occupiers

Summary of environmental role

- 4.52 It is considered that the redevelopment provides the opportunity to improve the appearance of the site including the removal of the commercial buildings not sympathetic to appearance of the existing cottages and Listed Building representing an enhancement to the built and historic environment; and the proposal involves brownfield development rather than encroachment onto undeveloped land. The proposal would therefore provide overriding environmental benefits.

Other issues

- 4.53 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.
- 4.54 This application is liable for Community Infrastructure Levy (CIL).

5 Conclusion

- 5.1 The proposed redevelopment of the site would satisfy the three roles of sustainability (economic, social and environmental). It is evident that the proposal complies with the requirements of all relevant Development Management policies identified above. Whilst the proposal results in the loss of employment land, as set out in the report there are overriding social and environmental benefits that outweigh its loss.

- 5.2 No harm has been identified which is at a level that would significantly and demonstrably outweigh the benefits identified by the redevelopment of the site and 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 Para 11 of the NPPF (2018).
- 5.3 The application is therefore recommended for approval subject to the imposition of conditions.

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



- 3 Appl. No : 2017/2371/RVC**
Parish : MORNINGTHORPE AND FRITTON
- Applicants Name : Mr Oram
Site Address : Hay Cart Barn Brick Kiln Lane Morningthorpe Norfolk NR15 2LG
Proposal : Removal of condition 5 which restricts the occupation of the barn to holiday accommodation only.
- Recommendation : Refusal
 1 Failure to comply with Policy DM2.10
 2 Failure to meet the test of Policy DM1.3.

Reason for reporting to committee

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

1 Planning Policies

- 1.1 National Planning Policy Framework (NPPF)
NPPF 05 : Delivering a sufficient supply of homes
NPPF 06 : Building a strong, competitive economy
NPPF 12 : Achieving well-designed places
- 1.2 Joint Core Strategy (JCS)
Policy 1 : Addressing climate change and protecting environmental assets
Policy 2 : Promoting good design
Policy 3: Energy and water
Policy 4 : Housing delivery
Policy 5 : The Economy
Policy 17 : Small rural communities and the countryside
- 1.3 South Norfolk Local Plan (SNLP)
South Norfolk Local Plan Development Management Policies
DM2.2 : Protection of employment sites
DM2.10 : Conversion and re-use of buildings in the Countryside for non-agricultural use
DM3.11 : Road safety and the free flow of traffic
DM3.12 : Provision of vehicle parking
DM3.13 : Amenity, noise, quality of life

2. Planning History

- | | | | |
|-----|-----------|--|----------|
| 2.1 | 2015/1359 | Discharge of conditions 3 and 4 of planning application 2012/0866/F - external materials and joinery details | Approved |
| 2.2 | 2012/0866 | Conversion including alterations and extension to building to form holiday accommodation | Approved |

3. Consultations

- | | | |
|-----|-----------------------------------|-------------------------------|
| 3.1 | Town / Parish Council | No comments received |
| 3.2 | District Councillor Cllr A Thomas | To be reported if appropriate |

- | | | |
|-----|---|---|
| 3.3 | SNC Community Services - Environmental Quality Team | No comments to make |
| 3.4 | NCC Highways | No highway objection |
| 3.5 | Other Representations | <p>3 letters of support received for the use as residential dwelling</p> <ul style="list-style-type: none"> • Will make a positive contribution to the community rather than transient holiday makers, adding nothing to the community. • Blends in lovely with the countryside well suited for retirement. • We have no objections with the occupancy restrictions of 15 weeks per year being lifted off the property. • Having recently moved to Morningthorpe from another small village in South Norfolk I feel that Morningthorpe is missing both a sense of identity and also a sense of community spirit. I believe the conversion of Haycart barn into a permanent residence would help bolster both of these. I also believe that the addition of a few more residential properties would help balance the weight of commercial activity in such a small community. I wholeheartedly endorse the conversion of the property into a full-time residence |

4 Assessment

- 4.1 The proposal seeks to remove the previous condition which restricted the occupation of the converted barn to a holiday let. The barn is of single storey brick and tile construction located on Brick Kiln Lane Morningthorpe, a narrow road, located within the open Countryside.

Background

- 4.2 When submitted the application was to vary the condition imposed on the 2012 permission to allow flexible letting for more than 9 weeks and less than 25 weeks. This was based on advice from Norfolk Country Cottages to enable the applicant to maximise the letting potential from the holiday let. However, during the process of the application, the situation has changed with the unfortunate passing of the applicant. The family now wish the condition to be removed completely as it is not practical for them to manage a holiday let, and seek to remove the condition to allow the barn to be a residential dwelling. To date while the building is nearing completion, it is not yet finished.

- 4.3 The main consideration for the conversion of the holiday let to a separate dwelling is the potential loss of a building which could be used as commercial (Policy DM2.10). Policy DM2.10 seeks to retain rural buildings for commercial use, which includes holiday let, and will only consider conversion to residential if commercial use is not practically or viable to convert to commercial, and is it a historic and traditionally constructed building worthy of protection and the proposals will enhance the building and/or the setting of other nearby buildings in the Countryside. The criteria of policy DM2.10 are set out below:

- a) The proposed development should not result in the loss of a farm building suitable for continued agricultural use and which, if its alternative use is permitted, would be likely to result in the construction of a replacement agricultural building;*
- b) The building(s) to be re-used should be standing and of adequate external dimensions to accommodate the proposed use, without the need for the erection of major extensions and additional outbuildings and / or significant changes in materials and appearance that would have a serious adverse impact on the rural characteristics of the original building;*
- c) The development (including associated use of external space and change of use of land) is sympathetic to the setting; and*

d) Any proposed commercial use (including leisure or retail sales content) should not have an adverse impact or give rise to the dispersal of activity on such a scale as to prejudice the vitality and viability of local rural towns and villages.

The conversion of buildings in the Countryside for residential use (Class C3) will only be supported where all the above criteria are satisfied and there is compelling evidence submitted that the building(s):

*e) Cannot be practically or viably converted for Employment Uses;
and*

f) It is a historic and traditionally constructed building worthy of protection and the proposals will enhance the building and / or the setting of other nearby buildings in the Countryside.

- 4.4 The barn has already been granted permission in 2012 for conversion to a holiday let, and work has commenced therefore criteria a), b) and c) are met.
- 4.5 In terms of criteria d), the creation of a dwelling would mean that there is no significant detrimental impact upon the vitality and viability of rural towns and villages.
- 4.6 In terms of criteria e), the granting of the 2012 permission accepts the principle the barn is suitable for commercial use (a holiday let is commercial under policy DM2.10). It may also be possible to use the building for other low key commercial uses, although I accept that the conversion to a holiday let is nearing completion, and therefore the range of other forms of suitable commercial use may be limited.
- 4.7 It is evident that the building in question has not been completed and therefore not been let. Therefore, there is no evidence to suggest that the unit could not be viable for its consented use as a holiday let.
- 4.8 There is a suggestion from Norfolk Country Cottages *“that the holiday let would attract occupancy level at 18 weeks in a season which is slightly less than the national average for holiday letting occupancy, which is of twenty to twenty-one weeks during the season”* (A copy of the Letter is attached as Appendix 2). The application as submitted originally was to vary the condition to allow flexible letting for longer periods of occupancy than the six weeks -continuous occupancy permitted by the 2012 permission as set out in the Norfolk Country Cottages letter, which would *“make a considerable contribution to their income and fill weeks that would not normally be booked”*. While I accept the circumstances of the family have changed, there would appear to be a commercial opportunity for the use of the barn as a holiday let which as referred to above has not, as yet, been tested.
- 4.9 It is also evident that no marketing has been undertaken to attempt find an alternative commercial use for the unit. For this reason, criterion e) has not be met.
- 4.10 With regard to criterion f), it is evident that the building is of brick and tile construction but is not considered to have any significant historic merit and as such does not strictly comply with the requirement to be historic and traditionally constructed as set out above. For this reason, the proposal does not comply with criterion f).
- 4.11 Having due consideration to policy DM2.10, I conclude that the proposal does not pass all of the required tests as set out above.

Residential amenities

- 4.12 Since the proposal has changed to allow full residential occupation, 3 letters of support have been received stating that the use of the building for residential will make a positive contribution to the local community rather than a rather than transient holiday makers, adding nothing to the community along with other supportive comments stated above which

support the change from holiday let to residential. Given the position of the holiday let relative to the neighbouring property there is no adverse impact on the residential amenities. The proposal therefore accords with policy DM3.13 of the SNLP 2015.

Highways

- 4.13 The proposal already benefits from access and parking and no objections are raised or conditions required by the Highways Authority, the proposal therefore accords with policies DM3.11 and DM3.12 of the SNLP2015.

Other issues

Housing supply

- 4.14 Given that the proposal would create a new dwelling, and being mindful of the SHMA housing land supply position in the RPA, consideration has been given to whether the development would represent an overriding benefit in the context of criterion 2 d) of Policy DM1.3 of the SNLP. It is considered that the very modest benefit that would be brought forward by this dwelling would not outweigh the fact that there would be an overreliance on the private car to access a range of local services and facilities by virtue of the distance and lack of pedestrian access to any such facilities. This concern would also render the scheme unsustainable in the context of the NPPF.
- 4.15 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.
- 4.16 This application is liable for Community Infrastructure Levy (CIL)

5 Conclusion

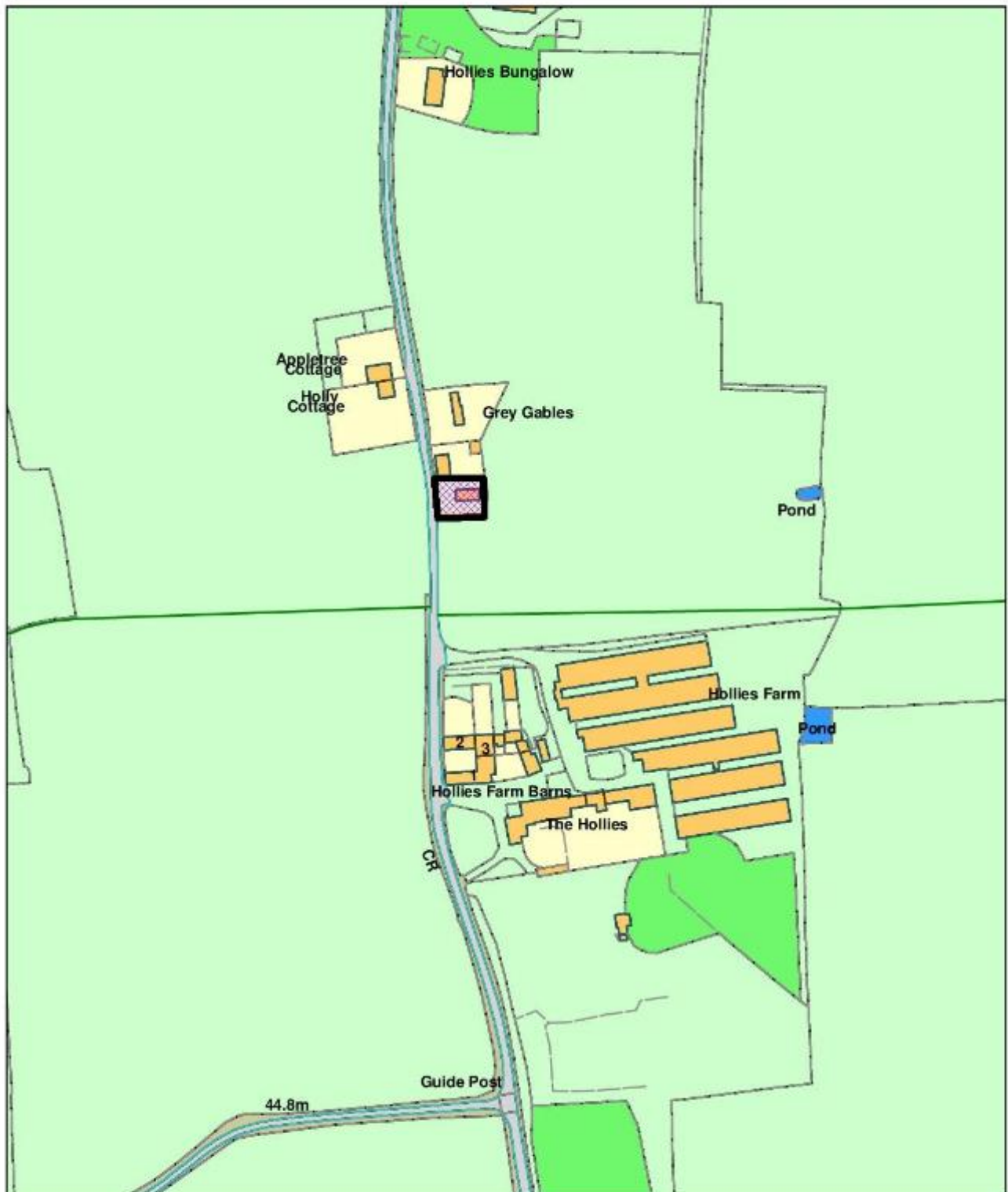
- 5.1 The conversion of the barn to a separate dwelling does not pass all of the stated tests set out in DM2.10 as set out above. It is also evident that as a consequence of the scheme does not comply with DM2.10, the scheme does not meet the exceptions set out in DM1.3 which apply to proposals in the countryside (outside of any defined development boundary), namely 2 c) and also 2 d) in the context of not providing an overriding benefit, even when acknowledging the SHMA housing land supply position.
- 5.2 Whilst the change in family circumstances are noted, they are not considered to represent a material consideration that justifies departing from determining the application in accordance with the stated local plan policies.
- 5.3 For these reasons the application is recommended for refusal.

6.0 Reason for refusal

- 6.1 Policy DM2.10 of the South Norfolk local Plan allows for the conversion and re-use of buildings in the countryside for non-agricultural uses. This policy requires applications for residential development to meet criteria e) and f) of Policy DM2.10. No evidence has been submitted with the application to demonstrate that the building could not be practically or viably used for an employment use, such as holiday accommodation for which the building already benefits. Furthermore, the building is not a historic building and therefore also fails to meet the requirements of criterion f) of Policy DM2.10. The proposal is therefore considered unacceptable as it fails to meet the requirements of criteria e) and f) of Policy DM2.10 of the South Norfolk local Plan.

- 6.2 The site is located outside of the development boundary and the scheme is not acceptable under any other specific development management policy within the Local Plan, including Policy DM2.10, which allows for residential development outside of a development boundary, nor does it demonstrate overriding benefits in terms of economic, social and environment dimensions and therefore fails to comply with the relevant criterion (2 c) or d)) of policy DM 1.3 of the local plan

Contact Officer, Telephone Number Jacqui Jackson 01508 533837
and E-mail: jjackson@s-norfolk.gov.uk





To explore Norfolk properly you'll need somewhere to stay.

To whom it may concern

22nd September 2017

Re Hay Cart Barn, Brick Kiln Lane, Morningthorpe, NR15 2LG

I have recently visited this barn conversion to give advice on the potential of the property as a self-catering holiday let. The building work is not completed, however the property will offer well laid out comfortable accommodation which would make a suitable holiday let. I would expect to be able to market the property at a high season price of £550 per week, we price over five breaks in a year and the low season price would be in the region of £305 per week, providing the finish was to a high standard. I would anticipate an occupancy level in the region of eighteen weeks in a season which is slightly less than the national average for holiday letting occupancy, which is of twenty to twenty one weeks during the season.

We offer flexilets during winter months, these are lets that are more than nine weeks and less than twenty five weeks, they are popular with people who are working in the area on a temporary basis, or anyone looking to stay for a period of time but does not wish to take on a longer term let. Owners who are able to accept this type of let find they make a considerable contribution to their income and fill weeks that would not normally be booked.

I understand that Hay Cart Barn is restricted to holiday letting use only which would exclude the owners from the flexilet scheme. If this use were to be changed to residential use, it would make the property more financially viable for the owners, and we would be happy to market the property on this basis

Yours sincerely

Elizabeth Goldby

**Homeowner Manager
Norfolk Country Cottages**

Norfolk Country Cottages | Email: info@norfolkcottages.co.uk | Website: norfolkcottages.co.uk
Holt The Old Crab Shop, 1 Cross Street, Holt, Norfolk NR25 8mZ | T: 01263 715779
Burnham Market 3 Emma's Court, Burnham Market, Norfolk PE31 8HD | T: 01328 738939

Norfolk Country Cottages is one of a small group of locally focused brands owned by The Original Cottage Company, which is a family owned private limited company incorporated in England (registered number 0654692) with a registered address at: Rose House, Market Place, Reepham, Norwich, NR10 3JJ. VAT Reg. 576 210 644

- Recommendation : Refusal
1 Highway safety

2.2	2016/2155	Retention of use as dog breeding facility and dog	Refused
2.3	2016/8183	Enforcement Notice to reduce the number of adult dogs to six.	Appeal dismissed
3.	<u>Consultations</u>		
3.1	Parish Council	<p>Refuse</p> <ul style="list-style-type: none"> • Location and noise disturbance, the location is surrounded by other homes and is in the centre of the village • The existing noise from the dog's results in loss of amenity for residents • Concerns about highway safety with arising additional traffic • Concerns over waste management • Previous application was refused • Uphold previous decision that this is not a suitable site for breeding dogs. 	
3.2	District Councillor Cllr M Gray	<p>To be determined by Committee</p> <ul style="list-style-type: none"> • In the view of the previous application refusal, appeal dismissal and enforcement requirement to reduce to 6 dogs. 	
3.3	NCC Highways	<p>Object</p> <ul style="list-style-type: none"> • The site is served from the Norwich Road in Denton, which is a classified highway C66 • The road through the village is subject to a 30mph speed limit. • Application access shown as one serving residential property of Rainbow End • The entrance is narrow being single vehicle width and has poor visibility in both directions • To the north the vision is blocked by the cottages which is the direction of oncoming traffic • Visibility to the south is also restricted owing to the conifers along the front boundary of the adjacent garden • Latest guidance vision splay is CLG and DfT publication Manual for Streets and partner document Manual for Streets 2 • Manual for Street recommends a visibility splay of 2.4m x 43 m within 30mph • This 85th percentile speed doesn't make allowance for vehicles travelling in excess of the 30mph limit. • Visibility is blind in both directions and you will need to edge out for some distance to be able to see • Note previous application comments • Information advises number of adult dogs will reduce to 10. • However, no control over the number of litters and thus number of visitors • Concerned about increased use of the substandard entrance where exiting the site is hazardous • Additional movements will be via an access falling well short of the Government safety guidance the proposal is therefore considered detrimental to highway safety. 	
3.4	SNC Community Services - Environmental Quality Team	<ul style="list-style-type: none"> • Acknowledge that the applicant has significantly reduced the number of adult dogs, there remains concern regarding the noise impact locally. • Inevitable that the dogs will bark 	

- Any noise arising from the operation of the business may not arise all the time nor may it amount to a statutory noise nuisance actionable under legislation,
- Due to the location of the proposal there is the potential for the noise to have a significant impact on the surrounding residential amenity which is difficult to quantify. This would be largely determined by how the site was managed and operated.
- Do not feel that we have sustainable grounds to object to the application would recommend conditions on disposal of waste, a noise management plan and sound proofing of kennels.

3.5 Other Representations

Nineteen letters of objection

- This matter has already been looked at and refused
- Application has not changed materially to mitigate the concerns of local people
- Dog breeding on this scale does not follow the Kennel Club assured breeders recommendations or requirements
- Unacceptable noise nuisance
- In appropriate location close to many properties
- Barking can be heard some distance
- Affecting quality of life 24hrs increase
- No indication of ratio of bitches to dogs which affect number of dogs and puppies
- Dispersal of dogs around the site will serve to distribute noise and affect more properties
- Operates 24 hours a day
- No allocated car parking
- Difficult to police the number of dogs
- Unsure if this is an increase or decrease from the current number at Rainbow End
- Unsure how many puppies
- Dog breed could be changed to some noisier dogs
- Kennel Club recommend being able to see all puppies and handling them
- Unlikely people would be happy with a courier and they would still need to collect them
- Could lead to dog boarding
- Where is waste going
- Dogs are mainly housed close to the house and other people's homes
- Food deliveries

4 Assessment

Background

- 4.1 The application relates to Rainbow End which is a detached bungalow in the village of Denton and the land to the south east which a certificate of lawfulness granted on it for the keeping of pygmy goats and horses. The bungalow is within the development limit, but the rest of the field is within the open countryside.

Planning History

- 4.2 An application was made in 2016 (application number 2016/2155) for a dog breeding facility. That application was for 35 dogs, at the time the application was determined there were around 16 adult dogs on site including puppies, but it had been higher during the

application process. That application was refused on residential amenity and highway safety grounds. An enforcement notice was served requiring the number of adult dogs to be reduced to 6. The enforcement notice was subsequently appealed on ground "d" that the use had occurred for more than 10 years and was immune from enforcement action, which was dismissed by the Planning Inspectorate.

- 4.3 This application is to allow the number of adult dogs on the site to increase to 10. There are currently 12 adult dogs plus puppies on site. It is intended that there would be 2 male dogs and 8 bitches. There would be a maximum of 3 litters at a time, but generally there would be one litter at a time.

Principle

- 4.4 The development does generate employment so has been assessed under policy DM2.1 of the SNLP, which supports businesses within development limits subject to other local plan policies. Given its location within and adjacent to the development limit, in principle it complies with policy DM2.1 of the SNLP an assessment of its compliance with other relevant local plan policies is set out below.

Residential amenity

- 4.5 A considerable number of letters of objection have been received regarding the amount of noise generated from the site from dogs barking. Paragraph 180 in the NPPF (2018) states planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should;

- a) mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life;
- b) identify and protect tranquil areas which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason.

- 4.6 At Local Plan level policy DM3.13 seeks to ensure a reasonable standard of amenity which includes avoiding the introduction of incompatible neighbouring uses in terms of noise and other nuisances. Development would not be permitted where the proposed development would generate noise which would be significantly detrimental to nearby residents.

- 4.7 A large number of dogs does, have the potential to generate noise which would be detrimental to the amenity of the surrounding residents. On balance having given careful consideration it is considered that having 10 adult dogs on the site would not cumulatively result, in a loss of amenity which would be significantly worse than the permitted 6 adult dogs and would warrant the refuse of the application. This is however, very much a maximum number of adult dogs we would allow on site and this could be controlled through a suitably worded condition. As a result, it is not considered that the proposal is contrary to policy DM1.3 of the SNLP.

Highways

- 4.8 It is proposed to access the site via the existing bungalow access, the visibility is extremely constrained in both directions and falls significantly below the required standard of 2.4 metres x 43 metres. As result the Highway Officer has raised concern regarding any intensification of the use of the access, which has the potential to be detrimental to highway safety, which would be contrary to policy DM3.11 of the SNLP. It is considered that there is sufficient parking and turning provision to meet the need of the traffic movements

associated with the proposed development and therefore the scheme is considered to comply with the requirements of Policy DM3.12 of the SNLP.

Other issues

- 4.9 Dog waste is currently stored in a purpose made bin and collected by a commercial waste disposal company, this arrangement is considered to be acceptable and this as an ongoing requirement can be controlled via a suitably worded planning condition.
- 4.10 There are a number of listed buildings within the site. S16(2) and S66(1) Planning (Listed Buildings and Conservation Areas) Act 1990 provides that in considering whether to grant planning permission or listed building consent for development which affects a listed building or its setting, the local planning authority, or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. It is considered that the change of use would not cause harm to the setting of the listed building as required by policy DM4.10 of the DSNLP.
- 4.11 A certificate of lawfulness has been granted in respect of the buildings on site.
- 4.12 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.
- 4.13 This application is not liable for Community Infrastructure Levy (CIL) as no new floor space is being created

5 Conclusion

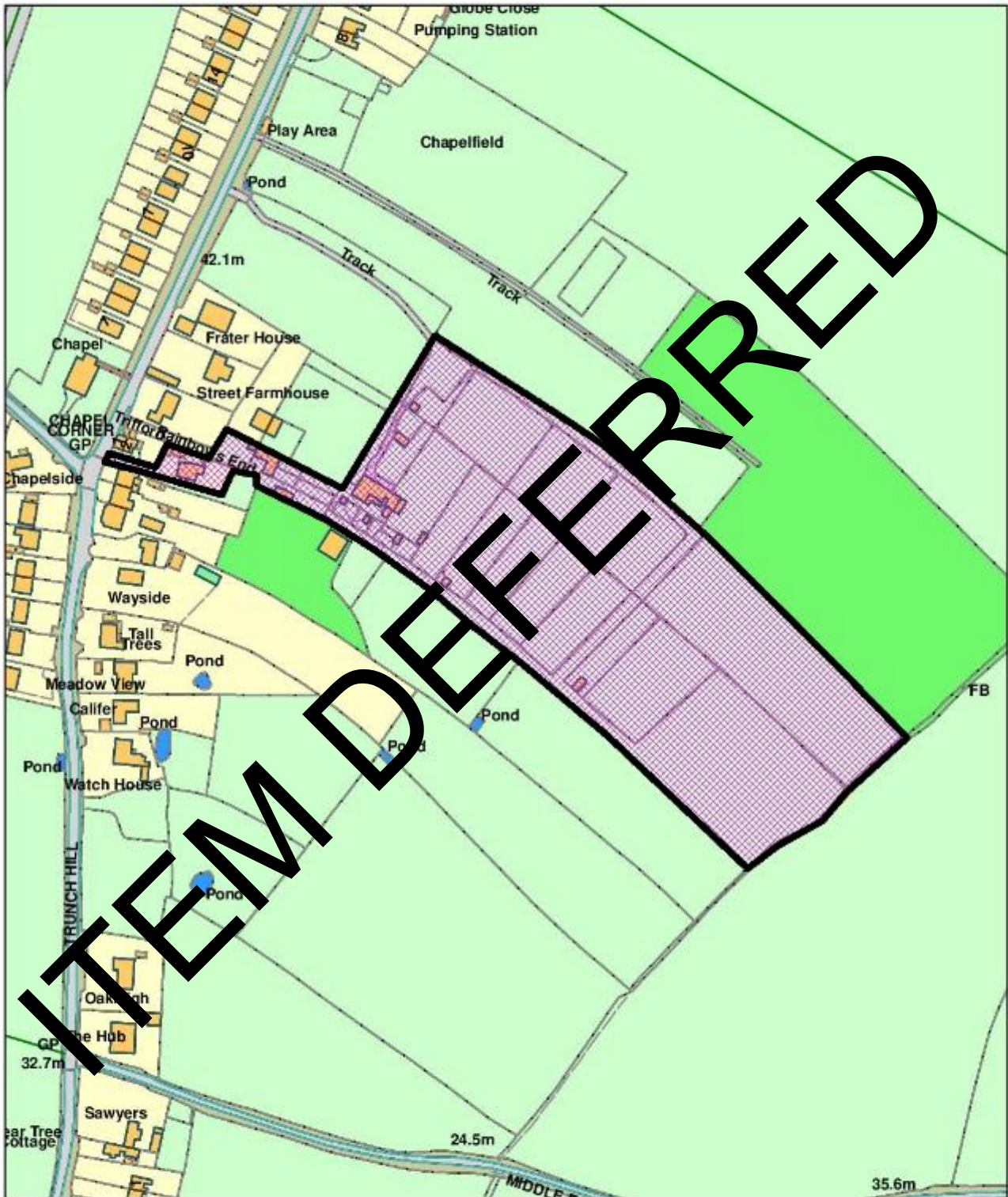
- 5.1 In conclusion although increasing the number of adult dogs to 10 is considered on balance to be acceptable in amenity terms, an increase in use of the access which has substandard visibility would be detrimental to highway safety and therefore be contrary to policy DM3.13 of the SNLP.

6 Reason for Refusal

- 6.1 Inadequate visibility splays are provided at the junction of the access with the County highway and this would cause danger and inconvenience to users of the adjoining public highway contrary to Policy DM 3.11 of the South Norfolk Local Plan Development Management policies.

Contact Officer, Telephone Number Helen Bowman 01508 533833
and E-mail: hbowman@s-norfolk.gov.uk

Not Set



- 5 Appl. No : 2018/1018/F**
Parish : BRESSINGHAM AND FERSFIELD
- Applicants Name : Mr Mathew Legrys
Site Address : Agricultural Buildings At High Oak Farm Stone Lane Bressingham
 Norfolk
Proposal : Change of use of redundant agricultural buildings to residential.
 Conversion of 6 buildings to 5 dwellings and curtilages
- Recommendation : Approval with conditions
 1 Full Planning permission time limit
 2 In accord with submitted drawings
 3 No PD for Classes ABCDE & G
 4 No PD for fences, walls etc
 5 Boundary treatment - post and rail only
 6 External materials to be agreed
 7 Window details to be agreed
 8 New Water Efficiency
 9 Foul drainage to sealed system
 10 Ecology Mitigation
 11 Retention of trees
 12 Tree protection
 13 Reporting of unexpected contamination
 14 Full details of external lighting
 15 Provision of parking, service
 16 Historic Building Recording
 17 Road surfacing

Reason for reporting to committee

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

- 1 Planning Policies
- 1.1 National Planning Policy Framework (NPPF)
NPPF 05 : Delivering a sufficient supply of homes
NPPF 11 : Making effective use of land
NPPF 12 : Achieving well-designed places
NPPF 14 : Meeting the challenge of climate change, flooding and coastal change
NPPF 15 : Conserving and enhancing the natural environment
NPPF 16 : Conserving and enhancing the historic environment
- 1.2 Joint Core Strategy (JCS)
Policy 1 : Addressing climate change and protecting environmental assets
Policy 2 : Promoting good design
Policy 3: Energy and water
Policy 4 : Housing delivery
Policy 11 : Norwich City Centre
Policy 17 : Small rural communities and the countryside
- 1.3 South Norfolk Local Plan (SNLP)
South Norfolk Local Plan Development Management Policies
DM1.3 : The sustainable location of new development
DM1.4 : Environmental Quality and local distinctiveness

DM2.10 : Conversion and re-use of buildings in the Countryside for non-agricultural use
 DM3.8 : Design Principles applying to all development
 DM3.11 : Road safety and the free flow of traffic
 DM3.12 : Provision of vehicle parking
 DM3.13 : Amenity, noise, quality of life
 DM3.14 : Pollution, health and safety
 DM4.2 : Sustainable drainage and water management
 DM4.4 : Natural Environmental assets - designated and locally important open space
 DM4.8 : Protection of Trees and Hedgerows
 DM4.10 : Heritage Assets

2. Planning History

2.1 None

3. Consultations

- | | | |
|-----|--|---|
| 3.1 | Bressingham and Fersfield Parish Council | <p>Refuse:
 Concern over access
 Bressingham and Fersfield Parish Council understands that the buildings proposed for conversion are not farm buildings but outbuildings of the former air base known as Fersfield Airfield. These buildings may have included a water tower and gymnasium and are of little historic significance.</p> <p>Request that the application is determined by Committee</p> |
| 3.2 | District Councillor Cllr Stone | <p>To be determined by Committee:
 Over development with a proposed 5 medium to large dwellings and major highway issues as a result of the closed off byway and extra traffic therefore using the route past neighbours homes.</p> |
| 3.3 | SNC Conservation And Design | <p>This is an important grouping from a historic perspective rather than architectural value...and the heritage value of the buildings lies as much if not more so in the buildings being seen together in the historically significant planned arrangements to form a complex rather than the value of the individual buildings themselves in architectural terms. However, revision to the extension and site layout need to be made.</p> <p>Comments on revised plans:</p> <p>Subject to full details of materials, windows and boundary treatments – approve.</p> |
| 3.4 | NCC Ecologist | <p>Subject to the recommended mitigation being followed there should be no adverse effect on ecology including protected species and sites designated for nature conservation as a result of this development.</p> |
| 3.5 | Public Rights Of Way Officer | <p>No objection in principle but the full legal extent of the Public Right of Way (Bressingham Restricted Byway 2) must remain open and accessible for the duration of the development and subsequent occupation.</p> |
| 3.6 | The Ramblers | <p>No comments received</p> |

3.7	NCC Highways	Support subject to the provision of on-site car parking and turning area for each property shall be laid out, levelled and surfaced and drained in accordance with the approved plan and retained thereafter for that specific use.
3.8	SNC Water Management Officer	Support subject to condition for foul drainage to a sealed system
3.9	SNC Community Services - Environmental Quality Team	No comments received
3.10	Arboricultural Officer	No comments received
3.11	Other Representations	<p>5 letters of objection - original scheme</p> <ul style="list-style-type: none"> • Scale of proposal is contradicted between the application and the planning statement in the scale of the dwellings. • The location of this site is not on Stone Lane, Bressingham, it is on a public right of way designated "Bressingham Restricted Byway 2" which runs between Stone Lane and Airfield Road. See County Council report from 2016/1597. The report states that the public can use Bressingham Restricted Byway 2 :- • "on foot, cycle, on horseback and with a horse and cart. There is no right for the public to use the route in vehicles. The county council is responsible for maintaining the route for the public use only and not to a condition suitable for private use in vehicles." • The GNLP has allocated specific areas for housing development - Bressingham Restricted Byway 2 is not one of them. • There is not one mention in this application that the only access to this site is by use of a Restricted Byway, every single reference is to Stone Lane. The Planning Statement deliberately omits to explain that the site is 200 metres away from any adopted road. The fact that the "Design and Access" statement does not address the access issues is deliberately misleading. • I regularly walk my dogs on Stone Lane and object to the proposed development due to the danger to pedestrians from vehicles turning across Stone lane on a blind bend. • The matter of who is expected to maintain Bressingham Restricted Byway 2 after development is also completely ignored. The only vehicle access to the site, now, is 200 metres along the concrete Byway from a blind ninety degree corner on Stone Lane. I say now because in contravention of the restriction placed by Norfolk County Council (see above report) Mr Legrys has installed two metal bollards on the Byway that prevent any vehicle using the length of the Byway. • NPPF point 2 states "Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise." There is no case made that any "material considerations" should be applied to this application. • NPPF also states "The purpose of the planning system is to contribute to the achievement of sustainable development" and "There are three dimensions to sustainable development: economic, social and environmental." • The proposed development is not economic because there is no infrastructure; there are no amenities or public transport of any kind

within three miles. NPPF point 42 states "Advanced, high quality communications infrastructure is essential for sustainable economic growth". Broadband download speeds in IP222BW are no better than 2 megabits per second.

- The belated attempt to have historic importance attached to the development site would have had more weight had Mr Legrys not already demolished some of the other wartime buildings. Simply compare the "decision plan" from planning application 2016/1016 with what remains now.
- I fail to understand how this tranquil rural location is a suitable site for such a development. The buildings are redundant war time buildings of which there are so many in Norfolk, having no architectural merit whatsoever but they are of some interest as they stand. Converting them into dwellings will in no way make their history more salient; they are what they are.
- The proposed speculative development is an affront to all that is to be valued in this quiet area namely an important and increasingly threatened rural habitat. There are not many places like this left.
- The title of the application suggests that this is a working farm looking to convert existing 'farm buildings' into dwelling. The buildings in question are not 'farm buildings' they are for the record historically important ex RAF / USAF technical site buildings.
- These buildings have no agricultural context and were most definitely
- not built for any agricultural purpose. The current wording on this planning application is in our opinion misleading.
- We have no wish to see these important historic buildings deteriorate. We recognise that a small number of sympathetic restorations (1 or 2) done with care could be an answer. However, we are concerned at the total number of dwellings now being proposed (5), and living directly opposite consider this to be far too many. Under current plans the applicants house will be completely unaffected by any passing traffic, whilst we will have to endure all the daily traffic movements and respective noise.
- We believe 5 dwellings would be highly detrimental to the quite nature of Stone Lane, and that it will irreversibly change
- both the character of the surroundings... and our quality of life.

1 letter of objection regarding revised plans:

- I note the amendments submitted but consider the scale of these proposed properties is completely unsuitable in this location.

2 letters of support

- I was lucky enough to gain permission to look around the site with my father who has an interest in wartime buildings. It was sad to see the vandalism but Mr Le Grys plans will bring these buildings back to life and restore them to the buzz of life they once knew. No body who has opposed the application has mentioned the heavy traffic that regularly uses Stone Lane to access other businesses around the site.
- Time stands still for no one. These buildings have served a great purpose in the past.
- After looking at plans I fully support the application it would be good to see something done with the buildings
- They deserve a second lease of life and as long as the development is sympathetic and doesn't remove the character of

the buildings I believe this development would provide fabulous homes and an opportunity to live a tranquil life in a beautiful setting.

- Overall recognition/appreciation of airfield and serving personnel - we cannot honour enough Fersfield, all our other airfields and everyone who served at them. This airfield has helped win a World War, saved lives, helped people and revolutionised everyday society for the betterment of all. Not performing something constructive with these support buildings would be a scandalous move, sheer historical vandalism and an absolute insult to both the airfield and all the people who served here.
- Structural quality of support buildings - British airfield buildings have always proved extremely well built. The support buildings at Fersfield are excellent examples when it comes to durability of construction. Numerous other airfield support buildings very successfully exist throughout Britain as private dwellings, though through the sheer short-sightedness of many anti-airfield elements they are sadly not as numerous as should be the case.
- The context of the airfield - this is an irrelevant and especially worrying attitude displayed by many in society when it comes to Britain's airfields. A lot of this revolves around the idea of history being all about beauty and shallowness, when what should only matter are achievement and winning. Our airfields are huge winners and achievers: Fersfield is no different but, due to an easily provable obsession among many members of the general public that 'history' in an architectural sense equals attractiveness, this attitude tends to override all other factors.
- Any modification of the buildings - as with the previous point, this again should make no difference as the basic structure is there.
- This is clearly a big problem when it comes to Britain's airfields, not only when it comes to general public perception but the issue of historically listing them, should this ever occur. It is nothing other than an extreme injustice that castles and stately homes, which have been modified over the years, can normally receive full protection without any real opposition while our infinitely more important airfields usually have to struggle to receive even a basic form of acknowledged preservation, and so are both terribly and needlessly vulnerable to demolition/removal - this situation/mindset has to rapidly change for all our sakes.

4 Assessment

- 4.1 The proposal seeks to convert the 6 WWII buildings (more recently used as agricultural buildings now mainly vacant) to 5 residential dwellings. The buildings are located off a track (Bressingham Byway 2) which runs from Stone Lane through to Airfield Road. The buildings are of brick/block construction with cement render and a mix of sheet roofing, possibly asbestos. The buildings are in various states of repair and located within the open Countryside in the Rural Policy Area.

Assessment

- 4.2 The proposal is assessed against Policy DM2.10 which seeks to retain rural buildings for preferably commercial use, with positive consideration only being given to residential use if all relevant criteria are satisfied. The criteria of policy DM2.10 are set out below:

a) The proposed development should not result in the loss of a farm building suitable for continued agricultural use and which, if its alternative use is permitted, would be likely to result in the construction of a replacement agricultural building;

- b) The building(s) to be re-used should be standing and of adequate external dimensions to accommodate the proposed use, without the need for the erection of major extensions and additional outbuildings and / or significant changes in materials and appearance that would have a serious adverse impact on the rural characteristics of the original building;
- c) The development (including associated use of external space and change of use of land) is sympathetic to the setting; and
- d) Any proposed commercial use (including leisure or retail sales content) should not have an adverse impact or give rise to the dispersal of activity on such a scale as to prejudice the vitality and viability of local rural towns and villages.

The conversion of buildings in the Countryside for residential use (Class C3) will only be supported where all the above criteria are satisfied and there is compelling evidence submitted that the building(s):

- e) Cannot be practically or viably converted for Employment Uses; and
 - f) It is a historic and traditionally constructed building worthy of protection and the proposals will enhance the building and / or the setting of other nearby buildings in the Countryside.
- 4.3 The buildings are no longer in agricultural use as all farming activity associated with Poplar Tree Farm ceased several years ago, some of the buildings housed some incidental pieces of equipment, but on the whole the buildings are empty. Criteria a) is met.
 - 4.4 All the buildings, with the exception of plot 4, are to be converted without major extensions. Plot 4 (formerly the cinema) has previously lost a large element which projected forward of the remaining building. However, it is intended to re-build this element in a Nissen style which reflects the original character of the building. This is assessed in more detail under criteria f). Consideration has been given to the group value of the buildings. All Permitted Development Rights including PD for walls and any outbuildings will be removed to ensure the existing character of the group of buildings are retained. All materials to be used in the repair/rebuild, including windows will be sympathetic to the original character and design. Conditions are proposed to ensure all materials retain the character of the buildings, as such the scheme as proposed and conditioned accords with criteria b).
 - 4.5 In addition to the points made in paragraph 4.4, the boundaries of plots 1 and 2 as originally submitted were considered to be inappropriate providing little space for plot 2. Following discussions with the agent, revised plans have been submitted for the boundaries of plots 1 & 2, and furthermore, plots 4 & 5 have also been adjusted which now provides adequate amenity space for all proposed dwellings while respecting the overall character of the group of buildings and the immediate setting of the site, therefore criteria c) has been met.
 - 4.6 The proposal is not for commercial use therefore criteria d) is not relevant.
 - 4.7 Whilst the applicant has not provided any evidence of the consideration for the potential commercial use of the buildings. Consideration on this aspect when considering the barn opposite the site in 2016. My opinion remains unchanged in that a rural location which is accessed via single track roads, off an unmade track, would be unsuitable for commercial use as the surrounding road network is not appropriate for high levels of traffic, and the access is not suitable for commercial traffic. For these reasons the buildings for commercial use, including a holiday lets, is not considered appropriate in this instance. I am therefore satisfied that criteria e) has been met.
 - 4.8 With regard to criteria f), the buildings are historic WWII buildings which are all that remain of a much larger complex of buildings. It is not the individual buildings which are of importance, but their group value. It should also be noted that Historic Environment Services has recommended that the buildings should be recorded.

- 4.9 As submitted there are 6 buildings which are to be converted into 5 dwellings (a 7th building located to the front of the site is to be retained by the applicant and does not form part of this application). Plot 1 which includes a two-storey element will provide a 4 bedroom property, revisions have been secured to the fenestration to retain the original character of the building.
- 4.10 Plot 2 will provide a 3-bedroom property, this building is a single storey building and originally proposes roof lights, however, these would not have been a traditional feature and have, as requested, been removed. The boundaries of plots 1 & 2 and have also been revised to provide more amenity space for plot 2.
- 4.11 Plot 3 which is a single storey building provides a 3-bedroom property and proposes to retain all original openings.
- 4.12 Plot 4, this building was originally the old cinema, while an element of the building remains, a large section of the building has been lost while the foot print remains visible. As submitted it was proposed to extend the building on part of the old footprint, however the design was modern and not considered to be sympathetic to the historic value of the building or the group of buildings. A revised scheme was suggested to replicate a Nissen hut style extension to the front which provided a slightly larger extension but reflected the historic character of the building. Under normal circumstances extensions would not be permitted, but in this instance it is considered to be beneficial in securing an appropriate design and to enhance the value of the group of buildings.
- 4.13 Plot 5 comprises 2 separate buildings, the larger buildings is to be converted to a 2 bedroom property with the other building being retained for storage purposes.
- 4.14 It is considered that there is merit in retaining these buildings and that the revised scheme has successfully achieved this and as such criterion f) is met.
- 4.15 Concern has been raised about the number of dwelling proposed, Policy DM2.10, nor does any other policy, limit the amount of dwellings that can be converted to residential units provided that all other requirements are met.
- 4.16 In summary, I am of the opinion that the number of dwellings being proposed is acceptable in terms of planning policy. The scheme as revised does provide an opportunity to retain an important historic group of buildings, and with the proposed conditions the character of the original setting will be retained. I am therefore satisfied for the reasons set out above the scheme accords with criteria f and all other criteria of policy DM2.10.

Residential amenities

- 4.17 The buildings are set well back within the plot, and have been designed to provide adequate privacy to all parties. The nature of the group of dwelling needs to retain openness so while there will be post and rail fencing to separate the plots, all other means of boundary treatments and the further erection of walls will be controlled by condition to ensure the character of the site is retained. There will, by virtue the layout, be a feel of shared space for all the proposed dwellings.
- 4.18 In terms of impact on residential amenities for the existing neighbouring properties, given the distance from the proposed dwellings to the nearest neighbours, there will be no adverse impact in terms of overlooking. The proposal therefore accords with policy DM3.13 of the SNLP 2015.
- 4.19 Concern has been raised about the level of traffic and the impact this will have on the track and the neighbouring properties, however, this is addressed in the next section.

Highways

- 4.20 The proposal already benefits from access into the site from the Byway. The site has historically been used as an access to the WWII site, and in more recent times would have been used by farm traffic. It is designated as a Byway which restricts access to pedestrian, traffic, horse, horse and cart or cycle. There is much debate locally to the legal implications of accessing the site via this route. However, the Public Rights of Way Officer (PRoW) raises no objection to the proposal subject to the Byway remaining open at all times. It is my understanding that the two bollards which have recently been positioned just beyond the applicant's own property have been placed to prevent through traffic from Airfield Road. While I note the concern of local residents on this point as it directs all traffic past the neighbouring barn, and not the applicant's property, it is a matter to be addressed by the Highways Authority (PRoW). I have already forwarded the necessary e-mail and photographs to the Public Rights of Way Officer for their attention.
- 4.21 In terms of the highway safety issue, this has been considered in terms of visibility from Stone Lane as this is where the application indicates access will be from. Visibility from the access in both directions is considered to be good with the entrance benefiting from reasonable splays. I note this has been widened and resurfaced and now has a 5m wide bound gravel surface. There is a significant level of local concern regarding the volume of traffic generated from the proposed development, and the added possibility of up to 14 wheelie bins being stored at the entrance to the site adding to the highway safety issues. While this is noted, it has been assessed by the Highways Authority and they have no objection.
- 4.22 The site is adequate in terms of space for the provision of parking and turning, and subject to a condition for the provision of parking prior to occupation, no objections are raised by the Highways Authority.
- 4.23 I appreciate the concern raised by local residents relating to the volume of traffic, and to the access off the bend on Stone Lane, but in the absence of any highway objection there is no justification to refuse the application on highways safety grounds. I therefore conclude the scheme subject to the condition accords with policies DM3.11 and DM3.12 of the SNLP 2015.

Trees

- 4.24 The site has a significant number of trees, many of which are self-seeded and several of which were causing concern regarding the level of shading they would provide for particularly plots 1 and 2. The report submitted for all of the trees on the site, identifies many of the Ash trees as showing signs of Ash Dieback and will need to be removed. This includes some of the trees which will cause shading, therefore this particular issue is not considered to be a concern. To ensure that the remainder of the trees are protected during the works, a condition has been imposed as required by the report. Subject to the condition the Arboriculturalist is now satisfied with the proposal which accords with policy DM 4.8 of the SNLP 2015.

Contamination

- 4.25 Given the history of the site, it is possible there may be some level of contamination on the site which has not as yet been identified. There has also been mention of the possibility of Radium given that this was an old Airfield. This has been checked by the Council's Environmental Services Pollution team and no record has been found of Radium on this particular site. Subject to a condition to report any unexpected contamination, the scheme is considered to accord with policy DM3.14 of the SNLP 2015.

Other issues

- 4.26 Given that the proposal would create 5 new dwellings in the RPA where the SHMA indicates a less than 5 year housing land supply, the scheme would bring forward housing where there is a clear need which weighs in favour of the scheme.
- 4.27 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.
- 4.28 This application is liable for Community Infrastructure Levy (CIL)

5 Conclusion

- 5.1 The restoration/conversion of the buildings will ensure the locally and national historical importance of the group of WWII buildings is retained and ensure their future without harm to the surrounding landscape.
- 5.2 The proposal subject to the above conditions accords with policies as set out above.

Contact Officer, Telephone Number Jacqui Jackson 01508 533837
and E-mail: jjackson@s-norfolk.gov.uk



- | | | | |
|---|-----------------|---|---|
| 6 | Appl. No | : | 2018/1124/CU |
| | Parish | : | MUNDHAM |
| | Applicants Name | : | Mr R Carr |
| | Site Address | : | Brineflow Toad Lane Mundham Norfolk NR35 2EQ |
| | Proposal | : | Change of use from fluid fertiliser storage, handling and manufacture to an open B1 Office Use & B8 Warehouse Industrial Use. |
| | Recommendation | : | Approval with conditions
1 Full planning permission time limit
2 In accord with submitted drawings
3 Limited Hours of Use
4 Noise mitigation strategy to be agreed
5 Smoke management plan to be agreed
6 2m height restriction on storage (parcel b) |

Reason for reporting to committee

A member or employee of South Norfolk Council has a declarable pecuniary interest in the application.

1 Planning Policies

- 1.1 National Planning Policy Framework (NPPF)
 - NPPF 02 : Achieving sustainable development
 - NPPF 04 : Decision-making
 - NPPF 06 : Building a strong, competitive economy
 - NPPF 09: Promoting sustainable transport
 - NPPF 15 : Conserving and enhancing the natural environment
- 1.2 Joint Core Strategy (JCS)
 - Policy 5 : The Economy
- 1.3 South Norfolk Local Plan (SNLP) Development Management Policies
 - DM1.3 : The sustainable location of new development
 - DM2.1 : Employment and business development
 - DM3.8 : Design Principles applying to all development
 - DM3.11 : 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

2. Planning History

- | | | | |
|-----|-----------|---|----------|
| 2.1 | 2000/0073 | Erection of machinery store | Approved |
| 2.2 | 1993/1589 | Reorganisation of site and erection of dry store for storage of ammonium nitrate & urea powder (amendment to previous permission 93/0383/F) | Approved |
| 2.3 | 1993/0383 | Reorganisation of site and erection of dry store for storage of ammonium nitrate & urea powder | Approved |

3. Consultations

- | | | |
|-----|---|--|
| 3.1 | Mundham Parish Council | No comments received |
| 3.2 | District Councillor
Cllr Fuller | Please note my pecuniary interest in this application |
| 3.3 | Civil Aviation Authority | No comments received |
| 3.4 | SNC Water Management Officer | No objection subject to a condition |
| 3.5 | SNC Community Services - Environmental Quality Team | <p>Observations:</p> <p>The application states that one building on site will be used for the manufacture of the fire testing dummies. This building is adjacent to a residential property and we would like some additional information about the activities being carried out in this building to be able to assess whether any noise mitigation is required. This could be dealt with by condition.</p> <p>I understand that the testing procedures have to be carried out in accordance with set standards and this is the reason for the proposed wind direction and speed restrictions. However in order to prevent any significant impact on neighbouring properties we would wish to see a condition requiring the submission of a smoke management plan which sets out the controls that will be implemented to minimise smoke emissions. i.e. frequency of testing, wind conditions, notification of testing to neighbours etc.</p> |
| 3.6 | NCC Highways | No objection |
| 3.7 | Other Representations | <p>Waveney Flying Group</p> <p>As the owner of the flying-related parts of Seething airfield with Club-house and hangars adjacent to the site which is the subject of this application, Waveney Flying Group has no objection to the proposed change of use.</p> <p>However we do have a concern about one aspect of the application which we would like the Planning Authority to consider when setting conditions for the change.</p> <p>This arises from page 5 of the Design and Access Statement which says "Control measures ensure that fires shall only be lit if the wind is in a certain direction, blowing from south to west 24/26, and the wind strength limit is to 3 mph." Members will be aware that when wind speeds are as low as 3mph, they are also (usually) very variable. Therefore, although the sites where fire tests are to be carried out are North and West of our buildings and most of the runway, with light winds from the South West, there is a risk that the smoke may not dissipate in the light wind, and could drift across the eastern end of the runway, posing a danger to landing aircraft. We would therefore prefer that the fire tests took place only when the wind was from the South and particularly the South East which would minimise the danger.</p> |

one objection received expressing concern at the following:

- Wrong address is quoted in the application
- Not received a notification letter as neighbouring property
- Concern regarding the environmental impact and air pollution

4 Assessment

- 4.1 The application seeks planning permission for the change of use of from fluid fertiliser storage, handling and manufacture to an open B1 Office Use & B8 Warehouse Industrial Use and the variation of the permitted operating times to Monday to Friday from 6.30 to 18.00 and Saturday from 7.00 to 14.00.
- 4.2 The site lies in a rural location within the Parish of Mundham and is accessed via a long private drive which adjoins Upgate Road.
- 4.3 Policy DM 2.1 of the SNLP can be considered to be directly applicable to business development, part 1 confirming general support for the change of use from one employment use to another. With this in mind it is considered that the general principle for the change of use is an acceptable one.
- 4.4 The following is an assessment of the specific issues associated with this application:

Impact on the character and appearance of the area

- 4.5 Given that the application proposes no new buildings it is considered that there will be no significant visual impacts from the proposal and as such the requirements of Policies DM3.8 and DM4.5 are met.

Amenity

- 4.6 It is evident that given the site is already in an employment use, this already has some impacts on the surrounding land uses/properties. In acknowledging this it is considered that using the site for a B1 and B8 use (it should be noted that fertiliser storage and/or manufacture are B2 and B8 uses) would be unlikely to bring forward any significant additional impacts/nuisances eg noise, dust, smells, vibration, traffic etc.
- 4.7 The Council's Environmental Management Team has been consulted and suggested that in acknowledgement of the application site being adjacent to residential properties, and the application stating that one building on site will be used for the manufacture of the fire testing dummies, further information about the activities being carried out in this building are required, however, they are satisfied that this could be dealt with by a condition requiring potential noise mitigation. Such a condition has been included in the suggested conditions list above, however, it is evident that to qualify as a B1 use (light industry) then it would be unlikely to have any significant impacts on neighbour amenity.
- 4.8 A condition is suggested to limit the height of stored goods on parcel b to 2m in order to avoid any unacceptable harm on the neighbour.
- 4.9 The suggested hours of operation, are consistent with those allowed to previous permissions on the site

Aviation

- 4.10 The site lies adjacent to Seething Airfield. Waveney Flying Group, whilst not objecting to the proposal, have raised a query in respect of when fire tests are undertaken relative to wind direction and the impact this could have on aircraft. It is evident that the Council's Environmental Management Team in their consultation response has requested that in

order to prevent any significant impact on neighbouring properties we would wish to see a condition requiring the submission of a smoke management plan which sets out the controls that will be implemented to minimise smoke emissions. i.e. frequency of testing, wind conditions, notification of testing to neighbours etc. It is considered that such a condition is acceptable in planning terms and would be capable of addressing the concerns raised.

Traffic

- 4.11 As above, the site already results in vehicle movements occurring and it is considered that the change of use would not necessarily bring forward an increase in numbers that would be dangerous/hazardous. It is evident that the site has sufficient on-site parking for vehicles associated with an enterprise. It is evident that the Highway Authority has confirmed that it has no objection.

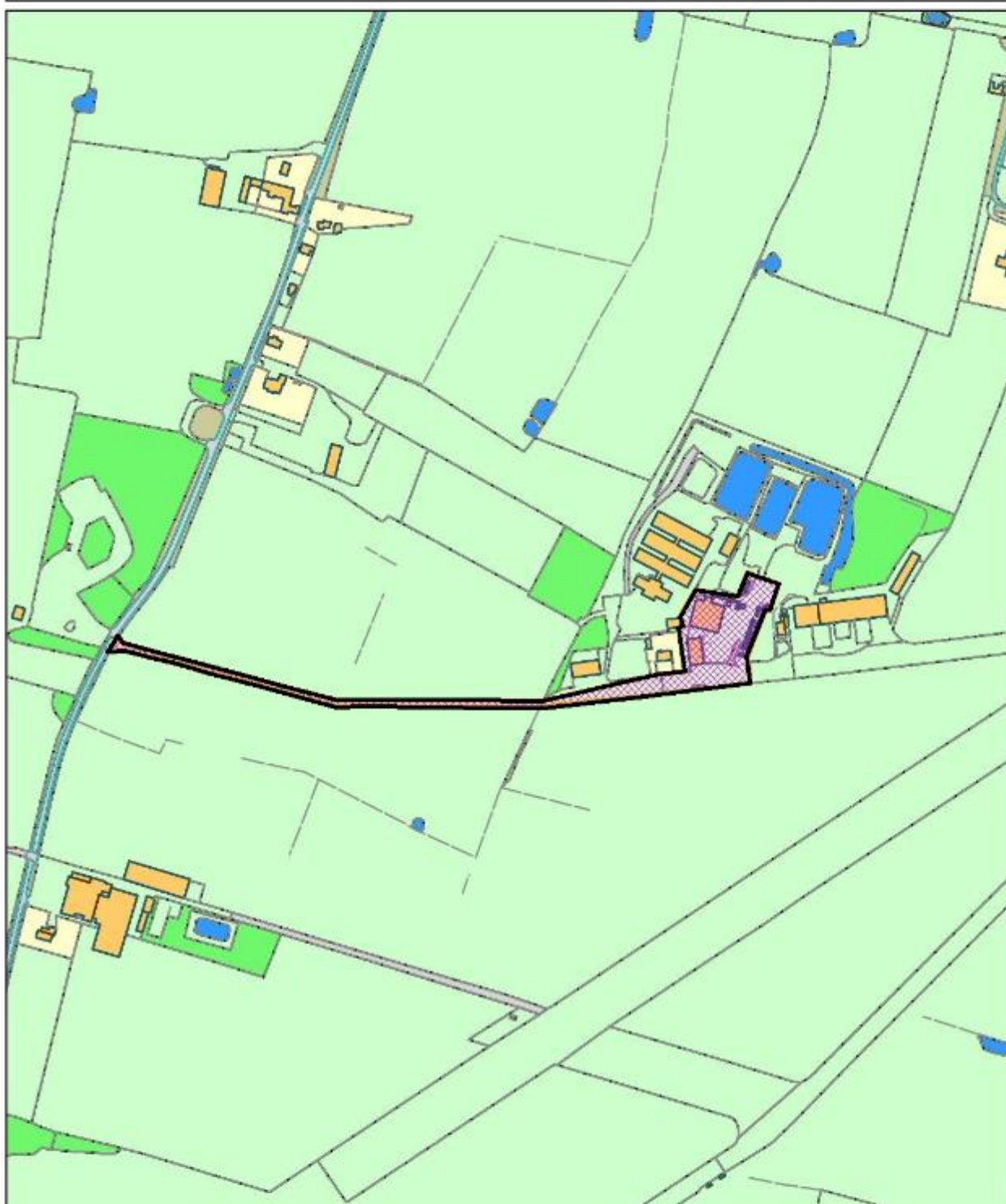
Other issues

- 4.12 Concern has been expressed at the address given for the site and a neighbour not receiving a consultation letter.
- 4.13 The address is consistent with those previously given for the site, furthermore, the submitted plans make it clear which buildings etc are the subject of this application and as such it is not considered that there is any uncertainty of what the application relates to and where.
- 4.14 With regard to the consultation letter, it is evident that the Council has fulfilled its statutory duty in relation to the application and notwithstanding the objector not receiving such a letter it is evident that they have passed comment on the application based upon being made aware of the application via the site notice.
- 4.15 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.
- 4.16 This application is not liable for Community Infrastructure Levy (CIL)

5 Conclusion

- 5.1 The proposal as outlined in the assessment above is considered to comply with the requirements of the relevant planning policies and is therefore recommended for approval subject to conditions.

Contact Officer, Telephone Number Chris Raine 01508 533841
and E-mail: craine@s-norfolk.gov.uk



- 7 **Appl. No** : **2018/1281/CU**
 Parish : **DISS**
- Applicants Name : Mr H Bowden
 Site Address : Commercial Unit At Crown Place Roydon Road Diss Norfolk
 Proposal : Change of use of existing commercial premises to one residential unit with one parking space provided
- Recommendation : Approval with conditions
 1 Full Planning permission time limit
 2 No external alterations in accord with submitted drawings

Reason for reporting to committee

The proposal would result in the loss of employment.

1 Planning Policies

- 1.1 National Planning Policy Framework (NPPF)
 NPPF 05 : Delivering a sufficient supply of homes
 NPPF 06 : Building a strong, competitive economy
 NPPF 07 : Ensuring the vitality of town centres
 NPPF 09 : Promoting sustainable transport
 NPPF 12 : Requiring good design
- 1.2 Joint Core Strategy (JCS)
 Policy 1 : Addressing climate change and protecting environmental assets
 Policy 2 : Promoting good design
 Policy 3: Energy and water
 Policy 4 : Housing delivery
 Policy 5 : The Economy
 Policy 6 : Access and Transportation
 Policy 13 : Main Towns
- 1.3 South Norfolk Local Plan (SNLP)
 South Norfolk Local Plan Development Management Policies
 DM1.3 : The sustainable location of new development
 DM2.1 : Employment and business development
 DM2.2 : Protection of employment sites
 DM2.4 : Location of main town centre uses
 DM2.5 : Changes of use in town centres and local centres
 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
- 1.4 Supplementary Planning Documents (SPD)
 Place making guide SPD

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

S16(2) and S66(1) Planning (Listed Buildings and Conservation Areas) Act 1990 provides that in considering whether to grant planning permission or listed building consent for development which affects a listed building or its setting, the local planning authority, or, as the case may be,

the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. S72 Listed Buildings Act 1990 provides: "In the exercise, with respect to any buildings or other land in a conservation area, of any functions under or by virtue of [the Planning Acts], special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area."

2. Planning History

2.1	2015/1090	Change of use from A1 to A2	Approved
2.2	2015/0314	Variation of Condition 2 of permission 2013/1483/F - amended plans	Approved
2.3	2013/1483	Conversion and alteration to 2 residential units at rear of 15 St Nicholas St.	Approved

3. Consultations

3.1	Town / Parish Council	RECOMMEND APPROVAL - This application appears to be acceptable and is suitable for decision by Officers under delegated powers.	
3.2	District Councillor Cllr Palmer	Comments to be reported, if appropriate.	
	Cllr Minshull	Comments to be reported, if appropriate.	
	Cllr Kiddie	Comments to be reported, if appropriate.	
3.3	NCC Highways	There are no highway objections to this proposal.	
3.4	Other Representations	None	

4. Assessment

Principle

- 4.1 The application site is located within but on the edge of Diss Town Centre outside of the primary shopping area. The site also lies on the edge of the Diss Heritage Triangle, within the Diss Conservation Area and Diss is a 'Main Town' as defined in the Joint Core Strategy (JCS).
- 4.2 The application site comprises of a small part of a three-storey attached corner building with lower two storey and single storey ranges to the rear running alongside Roydon Road, as well as a vehicle access and one car parking space to rear (west off Roydon Road). The building is an attractive red brick building with large timber windows and high chimney stacks, once The Crown Public House, going by the retention of earlier signage. Planning permission was previously granted for a change of use from A1 to A2 (2015/1090) on the ground floor frontage part of the building (the subject of this application). This small part of building was last in use as an estate agent (A2). The buildings to the back and above are already in use as residential, as per their earlier planning permission.
- 4.3 Policy 7 of the NPPF recognises that residential development often plays an important role in ensuring the vitality of centres and encourages residential development on appropriate sites. Policy DM2.1 of the SNLP seek to promote town centres Policy DM2.2 seeks to protect employment sites and their loss is only considered appropriate whereby an

alternative business proposal is available or there are overriding economic, environmental or community benefit. Policy DM2.4 seeks to locate main town centre uses within town centres and policy DM2.5 deals with a change of use in the town centre. Policy DM2.5 states in the defined town centre of Diss a change of use of a ground floor unit should not be permitted if it creates a concentration of non-A1 uses that would harm the attractiveness of the town centre area; or the loss of a ground floor unit would result in less than 50% of the number of ground floor non-residential units available for A1 class.

- 4.4 In a recent survey of town centre uses in Diss it was found there are 58% of units in A1 use, obviously over the 50% target as set out in policy DM2.5. Policy DM2.5 also states that there should not be a concentration of non-A1 uses. It is considered that this change of use would result in a concentration of non-A1 units given to the north of the site is 'Christopher Hall' then a A5 takeaway unit; on the opposite corner is a printers; opposite the building the use is largely residential and then to the south is 'ERA's' (psychometrics) and then a further concentration of residential. The policy states that there should not be a concentration of non-A1 uses which affects the attractiveness of the town centre. Given this site is right on the edge of the town centre; that the majority of the building has already been converted to residential; there are not external alterations proposed (which has been conditioned) and the presence of other residential properties in this location then it is not considered that this proposal would affect the attractiveness of the town centre in this location through this proposed conversion.
- 4.5 Although the proposal would result in the loss of a small A2 premise in the town centre resulting in a moderate loss of employment and a concentration of non-A1 uses in this location, it is not considered that this concentration however would affect either the attractiveness of the town centre or result in less than 50% non-A1 uses in the town centre to the detriment of the vitality and viability of the town centre. In addition, the moderate loss of employment is not considered sufficient to refuse planning permission in this instance in accordance with the development plan policies as set out above.

Impact on the Conservation Area and Design

- 4.6 The proposal would involve no alternations to the external elevations of the building and this can be secured via an appropriately worded condition and as the resultant development would constitute a flat and therefore have no permitted development rights for changes so it would not harm the character of the street scene or the character and appearance of the Conservation Area.
- 4.7 The application site lies within the Diss Conservation Area and is an attractive building forming a significant part of the built form within the Conservation Area. Section 72 of the Planning (Listed Building and Conservation Areas) Act 1990 requires local authorities to preserve and enhance the character and appearance of Conservation Areas, as does policies 16 of the NPPF and DM4.10 of the SNLP. Given the limited alterations proposed and the final use proposed it is considered that the Conservation Area would be preserved.
- 4.8 The proposal is therefore considered in accordance with Policy 12 and 16 of the NPPF, 2 of the JCS, DM3.8 of the SNLP and Section 72 of the Planning (Listed Building and Conservation Areas) Act 1990.

Amenity

- 4.9 There are residential units surrounding the development. This site is located in a town centre location where there will be general noise and disturbance however, this would not be considered so significant to warrant refusal of planning permission. The residents of the proposal would have limited access to private amenity space but there is provision for bins. Given the application type, its location and accessibility, the lack

of amenity space but the provision of bins is considered acceptable in this instance in accordance with Policy DM3.13 and DM3.14 of the SNLP.

Access and Car Parking

- 4.10 The proposal is located in a sustainable location within Diss Town Centre with good access to services and facilities and public transport. However, the proposal does include a car parking space to serve the proposed residential use. The Highways Authority raise no objection to the access or car parking and therefore the proposal is considered in accordance with Policy 9 of the NPPF, Policy 6 of the JCS and Policies DM3.10, DM3.11 and DM3.12 of the SNLP.

Impact on the significance of nearby Listed Buildings

- 4.11 Section 16 and 66 of the Planning (Listed Building and Conservation Areas) Act 1990 requires local authorities to protect the special interest of listed buildings and their settings, and policies 16 of the NPPF and DM4.10 of the SNLP requires one to consider the impact of development on the significance of listed buildings and their settings. There are a number of Listed Building to the north, south and east of the application site. However, as the building is existing and contributes positively to their setting, as well as including limited external alterations then it is not considered that it would have a detrimental impact on the significance of these buildings or their settings, in accordance with Policies and the Act.

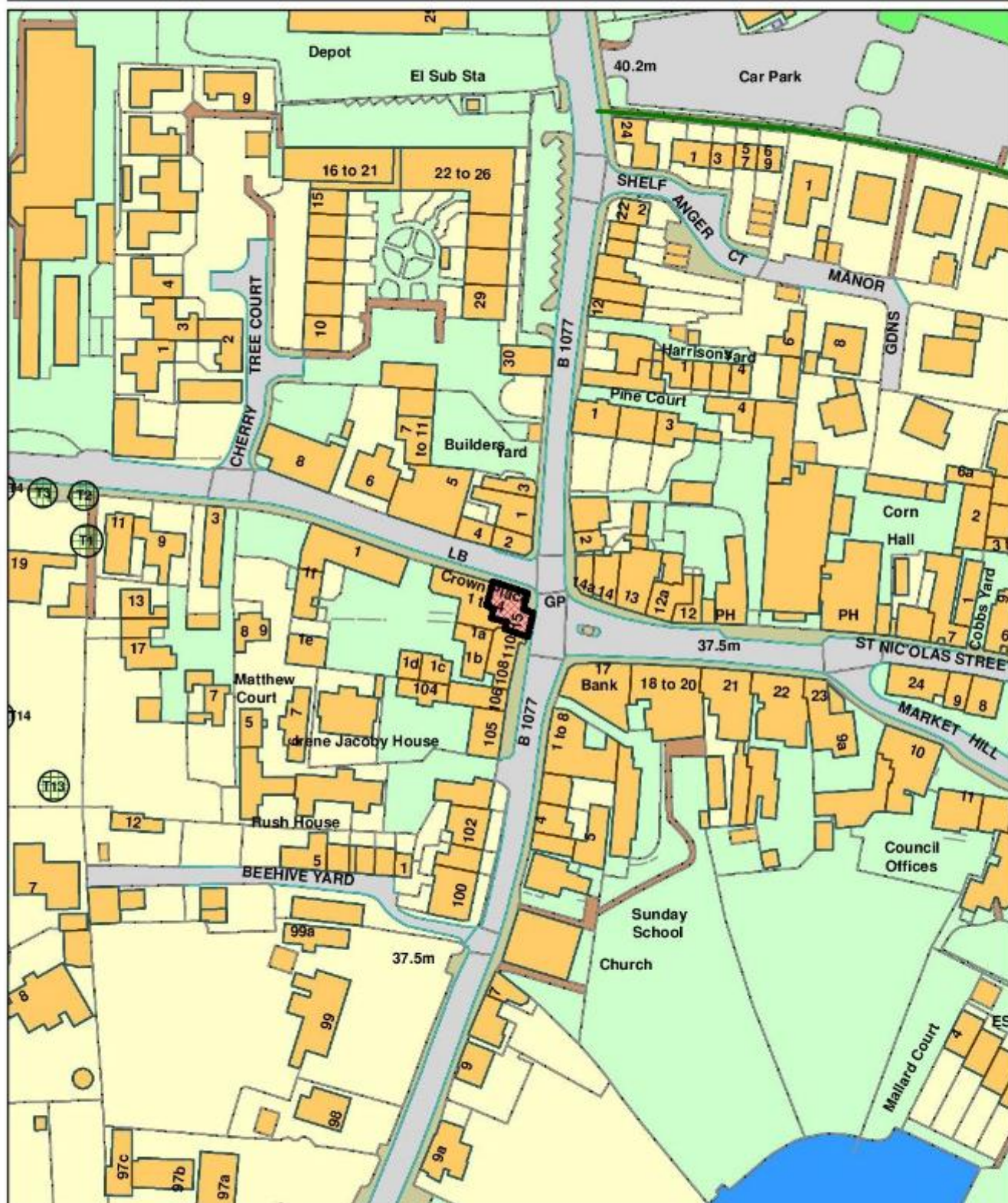
- 4.12 Under Section 143 of the Localism Act the council is required to consider the impact on local finances. This can be a material consideration but in the instance of this application the other material planning considerations detailed above are of greater significance.

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

5 Conclusion

- 5.1 The proposal would result in a minor loss of employment and increase the concentration of non-A1 uses in this location. However, it would not result in a concentration of less than 50% of the town centre in non-A1 units and is not considered to negatively impact the attractiveness of this part of Diss Town Centre. The proposal would preserve the character and appearance of the conservation area and the setting of nearby listed buildings, it is unlikely to have a significant amenity impact on existing or future occupiers. The proposal is therefore considered in accordance with national and development plan policies.

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



- 8 **Appl. No** : **2018/1431/F**
 Parish : **WRENINGHAM**
- Applicants' Name : Mr & Mrs Will & Rachael Lockwood
Site Address : Land west of All Saints Church, Church Road, Wreningham
Proposal : Five self/custom carbon negative homes
- Recommendation : Refusal
 1 Out of character and cramped form of development
 2 Harm to setting of listed building
 3 No overriding benefits

Reason for reporting to Committee

The Local Member has requested that the application be determined by the Development Management Committee for appropriate planning reasons as set out in Section 3 of this report.

- 1 Planning Policies
- 1.1 National Planning Policy Framework (NPPF) 2018
 NPPF 02 : Achieving sustainable development
 NPPF 05 : Delivering a sufficient supply of homes
 NPPF 12 : Achieving well-designed places
 NPPF 15 : Conserving and enhancing the natural environment
 NPPF 16 : Conserving and enhancing the historic environment
- 1.2 Joint Core Strategy (JCS)
 Policy 1 : Addressing climate change and protecting environmental assets
 Policy 2 : Promoting good design
 Policy 3: Energy and water
 Policy 4 : Housing delivery
 Policy 15 : Service Villages
- 1.3 South Norfolk Local Plan Development Management Policies (SNLP)
 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
 DM4.5 : Landscape Character Areas and River Valleys
 DM4.8 : Protection of Trees and Hedgerows
 DM4.10 : Heritage Assets

Statutory duties relating to setting of listed buildings:

Section 66(1) Planning (Listed Buildings and Conservation Areas) Act 1990 provides that 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 | 2015/1036 | Erection of 1 No. (Code5) dwelling using innovative Solar based technology and wildlife enhancing landscape proposal. | Refused |
|-----|-----------|---|---------|

3. Consultations

- | | | | |
|-----|---|--|--|
| 3.1 | Parish Council | <p>Wreningham Parish Council object to the application on the following grounds:</p> <ul style="list-style-type: none">• The site is outside of the development boundary.• Councillors have concerns about drainage and flooding, which regularly occurs at the junction of Church Road / Hethel Road.• The proximity of the site to the Church (listed building) and the impact on the view of the Church from several locations.• The parish council has serious concerns about highways safety. The junction at Church Road / Hethel Road has limited visibility. It should be noted that when asked to comment on the development on Church Road, NCC Highways stated that the development should be restricted to 10 as Church Road is not suitable or wide enough to deal with a higher volume of traffic.• The parish council is concerned at how the management of the proposed community areas on the site would be enforced. | |
| 3.2 | District Councillor – Cllr P Hardy | <p>As the Council is below the 5 year housing land supply for the Rural Policy Area, I would like this to be considered by Planning Committee to judge if the benefits of self/custom build housing for which there is an objectively assessed need and carbon neutral homes is outweighed by the harm the development could cause in line with the sustainable development principles of the NPPF. This would enable a fair hearing for everyone.</p> | |
| 3.3 | Historic England | <p>Objects on the grounds that the development will adversely affect the setting of the Grade I listed All Saints Church.</p> | |
| 3.4 | SNC Conservation and Design | <p>Set out concerns that the grain of development is uncharacteristic of the area, that the development will detract from the setting of the church and not preserve its setting and that it will affect the significance of the church.</p> | |
| 3.5 | NCC Highways | <p>Recommend the use of planning conditions relating to the construction of the vehicular access, the provision of visibility splays and the laying out and retention of the parking and turning areas.</p> | |
| 3.6 | SNC Community Services - Environmental Quality Team | <p>Request the use of a planning condition relating to previously unidentified contamination being found during the development of the site.</p> | |
| 3.7 | SNC Water Management Officer | <p>I am satisfied that the submitted information demonstrates that surface water flood risk can be managed within the site. I would recommend that a suitable condition be attached to any planning permission granted that ensures a satisfactory design standard is achieved at detail design stage and to prevent these features from being diminished at a future date.</p> | |

- 3.8 NCC Ecologist Recommend the use of planning conditions to cover biodiversity, including those that secure ecological mitigation and enhancement.
- 3.9 Arboricultural Officer The proposed site plan gives information regarding trees and hedgerows on the site (in accordance with BS5837:2012). It will be necessary to submit a Tree Protection Plan and accompanying Arboricultural Method Statement to demonstrate how these trees and hedges will be protected during construction.
- There is the potential on this site to improve the existing roadside hedgerow. I welcome the orchard and wildlife zone proposals and look forward to seeing further detail of these areas.
- 3.10 Other Representations Objections received from two residents of Church Road and three residents of Hethel Road on the following summarised grounds:
- The site is outside of the village development boundary.
 - The site provides an important open break within the village. It is important to the village landscape.
 - The existing access is inadequate. Intensifying its use and increasing the amount of traffic from the site will present a highway safety risk to all. Church Road also is not wide enough for additional traffic.
 - There will be an adverse impact on the setting of the church.
 - Has the possible previous use of the site by the church been considered?
 - The design is inappropriate and is not sympathetic to anything in the village.
 - The arrangement of the dwellings is totally out of keeping with anything in the village.
 - The site is bio-diverse and attracts wildlife. The proposal will ruin it.
 - There is a flooding issue at the junction of Church Road and Hethel Road and also close to the access into the site. This is a real issue in the area.
 - The site will be more of a commune rather than part of the community.
 - Do not see how the ethos of the site can be enforced.
 - Will people live on site in caravans if the development is a self build?
- Objection also received from the Parochial Church Council, which is responsible for All Saints' Church, on the grounds of the proximity of the development to the Grade I listed church and its burial ground. Concerns also raised over surface water drainage from the site.

4 Assessment

- 4.1 This application seeks full planning permission for five self/custom build carbon negative homes on land at Church Meadow on Church Lane in Wrenningham.
- 4.2 The main issues to be considered in the determination of this application are the principle of development in this location and the current housing supply situation, the impacts on the character and appearance of the area and on designated heritage assets and the planning history of the site.

- 4.3 The site is outside but adjacent to the development boundary that has been defined for Wreningham, which is defined as a Service Village by Policy 15 of the JCS. It is largely rectangular in shape and is untended agricultural land. The site is on the corner of Church Road and Hethel Road towards the eastern of the village of Wreningham. There is no significant change in levels. The north, western and southern boundaries are largely denoted by mature planting while the eastern boundary is a low somewhat gappy hedge.
- 4.4 Neighbouring properties include detached houses on the western side of Hethel Road, a field to the north, arable farmland to the south and a grass strip that provides car parking for the Grade I listed All Saints Church just beyond. A Grade II listed war memorial is located next to Church Road between the church and the car park.
- 4.5 It is proposed that the dwellings will be arranged in a linear pattern along the northern boundary of the site. Plots 1 and 2 will be a pair of semi-detached single-storey two-bed dwellings, Plots 3 and 4 will be a pair of 1½ storey three-bed dwellings and Plot 5 will be a detached 1½ storey three-bed dwelling. External materials proposed for use include black timber cladding on the walls, standing seam black zinc roofs and black aluminium framed windows. Roof mounted solar panels are shown as being provided for the south/front elevations of Plots 1 to 4 and the side/east elevation of Plot 5. As officers understand it and in basic terms, a carbon negative home is one that generates more energy than it needs.
- 4.6 The existing access from Hethel Road will be used to serve the dwellings with the access drive passing to the front/south of them. The submitted drawings show that each dwelling will have a 250sqm allotment to the south of the access drive. A community orchard is shown as being provided in the southeast corner, three wildlife zones along the southern and western boundaries and a balancing pond to manage surface water towards the southwest corner of the site. Further information submitted with the application explains that the dwellings will be occupied on a co-housing basis with the applicants' spearheading it and inviting like-minded environmentally conscious individuals to join the group.
- 4.7 Members will note from the Planning History section of this report that planning permission was previously refused for a dwelling on this site. The reasons for refusal were (i) that the new would fail to meet the criteria of paragraph 55 of the (then) NPPF by failing to enhance its immediate setting, by causing harm to the setting of the Grade I listed church and would be sensitive to the defining characteristics of the local area; (ii) it would cause harm to the setting of the Grade I listed church with the harm outweighing the public benefits; and, (iii) insufficient information had been provided to assess the archaeological significance of the site.

Principle of development

- 4.8 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires applications to be determined in accordance with the development plan unless material considerations indicate otherwise. One such material consideration includes the NPPF.
- 4.9 In accordance with both the Council's adopted development plan and the NPPF, in cases where there are no overriding material considerations to the contrary, development proposals for housing that accord with the development plan should be approved without delay. In this regard, consideration should be given to Policy DM1.3 of the SNLP which makes provision for development to be granted outside of development boundaries where one of two criteria are met: either where specific development management policies allow; or, where there are overriding benefits in terms of economic, social and environmental dimensions of sustainable development as set out in Policy DM1.1. Where development proposals do not accord with the development plan, consideration should be given to whether there are material considerations that otherwise indicate that development should be approved.

- 4.10 Of particular relevance to applications for housing development is paragraph 11 (footnote 7) of the NPPF. This sets out that where the policies which are most important for determining the application are out of date, including situations where a local planning authority cannot demonstrate a five-year supply of deliverable housing sites, a presumption in favour of sustainable development should be applied unless any adverse impacts of found so would significantly and demonstrably outweigh the benefits when assessed against the policies in the NPPF taken as a whole.
- 4.11 The 2017 Greater Norwich Area Housing Land Supply Assessment, published as Appendix A of the Joint Core Strategy Annual Monitoring Report, affects the Council's position with regard to the five year housing land supply. The JCS housing requirement for the South Norfolk Rural Policy Area (RPA) is now several years old (the JCS was adopted in March 2011, with amendments in January 2014) and the evidence on which the requirement is based has now been superseded.
- 4.12 In June 2017, an updated Strategic Housing Market Assessment (SHMA) was published for Central Norfolk (the Greater Norwich authorities plus North Norfolk and Breckland). The SHMA assesses the Objectively Assessed Need for housing between 2015 and 2036 using the most recent evidence available. Unlike the evidence underpinning the JCS, the SHMA also includes an assessment of the contribution made by student accommodation in line with the Planning Practice Guidance.
- 4.13 The SHMA is significant new evidence that is also a material consideration. The SHMA indicates that the Objectively Assessed Need for housing in the South Norfolk RPA is significantly greater than the annual housing requirement under the adopted JCS: an annual requirement of 326 homes per annum in the SHMA compared to 132 homes per annum in the JCS. Moreover, when measured against the SHMA assessment of Objectively Assessed Need, the housing land supply in the South Norfolk RPA falls from 62.5 years supply under the JCS to 4.38 year housing land supply - a potential shortfall of 232 units - against the SHMA.
- 4.14 The increased Objectively Assessed Need and housing land supply deficit in the South Norfolk RPA that is apparent in relation to the most up-to-date evidence of housing needs should be given weight in the decision making process. This factor weighs in favour of the approval of applications for residential development.
- 4.15 On the basis of the above, the assessment below seeks to establish the benefits of the scheme and any harm that would be caused in the context of the relevant development plan policies and the NPPF with reference to the three objectives of sustainable development (economic, social and environmental) 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 Objective

The NPPF confirms the economic objective as:

- 4.16 "to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure."
- 4.17 The construction of five dwellings will result in some short-term economic benefits as part of any construction work and in the longer term by local spending from future occupants. The scheme would therefore bring forward some degree of economic benefit.

Social Objective

The NPPF confirms the social objective as:

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

Self and custom build

- 4.19 Paragraph 61 of the National Planning Policy Framework requires Councils to plan for people wishing to build their own homes. This can be a material planning consideration for the application and the submitted Planning Statement explains that this is an application for a self and custom build development. Although this is a consideration in the determination of the application, it cannot be certain that the method of delivering this site will be as self and custom build and that in this case, the planning considerations appraised elsewhere in this report are of greater significance.
- 4.20 Nevertheless, Members are advised that for the current base period up to 30 October 2018, the Council needs to ensure that 97 plots that could be used for self-build are granted planning permission. At the time of writing this report, planning permission has been granted for 83 plots demonstrating that the Council is making good progress in reaching this target

Accessibility

- 4.21 The application site is adjacent to the development boundary that has been defined for Wreningham. The village has a primary school, village hall, playing field and a public house and in this respect, the site is in a generally sustainable location and complies with Policy 1 (bullet 7) of the JCS and Policy DM3.10(a) of the SNLP.

Design and layout

- 4.22 The design approach taken follows that of a traditional farmstead with pitched roofs and dark coloured materials. However, in an attempt to lessen the impact on the setting of the Grade I listed church to the east, the dwellings have been pushed towards the northern section of the site and are accessed by a private drive. This layout is not characteristic of the existing settlement pattern where generally dwellings follow the pattern of the roads. It also results in small north facing rear gardens sandwiched between the dwellings and mature boundary planting that will be further augmented by hedging and wildlife zones. The allotments that each dwelling will be allocated provide space for informal recreation and growing food for residents but there is a clear difference between allotments and private garden areas. Overall, it is considered that the development provides a form of development that is uncharacteristic of the settlement pattern of the village and also a cramped form of development that is contrary to Policy 2 of the JCS and Policies DM1.4 and DM3.8 of the SNLP.

Residential amenity

- 4.23 The proximity of the development to existing neighbouring properties is such that although it will be visible, there will be no direct overlooking and the development will not be overbearing. Accordingly, the application complies with Policy DM3.13 of the SNLP 2015 insofar as it affects residents of existing properties.

Highway safety and parking

- 4.24 In its capacity as Highway Authority, Norfolk County Council expressed concern about the general lack of continuous footway links within the village and that there are a number of inadequacies on the highways such as restricted width and blind bends. However, it has not ultimately objected subject to the imposition of planning conditions relating to the construction of the access, the provision of visibility splays and the provision and retention of the parking areas. Sufficient parking is also shown as being with each dwelling. The application complies with Policies DM3.11 and DM3.12 of the SNLP.

Environmental Objective

The NPPF confirms the environmental objective as:

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

Impact on appearance of area

- 4.26 The site is well related to the existing village of Wrenningham and is contained by virtue of surrounding buildings and boundary planting. While the appearance of the site will clearly and irreversibly change as a result of the development, the impact of this on the wider landscape will be limited. The application therefore complies with Policy 1 of the JCS insofar as it relates to the appearance of the countryside and Policy DM4.5 of the SNLP.

Trees

- 4.27 The Council's Arborculturalist is satisfied with the information provided on the prospective impact on trees around the northern boundary of the site which allows the application to comply with Policy 1 of the JCS and Policy DM4.8 of the SNLP.

Ecology

- 4.28 The submitted Ecological Impact Assessment recommended mitigation measures in relation to the timing of any tree and hedge clearance so as not to affect nesting birds, the position and direction of any external lighting so as not degrade potential bat foraging and commuting routes, and the installation of appropriate fencing and traps that will prevent Great Crested Newts moving onto the site (works relating to which will also require a European Protected Species Mitigation Licence). Enhancements were also suggested in the form of bat and bird boxes, hedgehog tunnels and planting. Subject to these measures being secured, the application will comply with Policy 1 of the JCS insofar as it relates to protected species.

Heritage assets

- 4.29 The application has been advertised as affecting the setting of a listed building and where this is the case, section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires local authorities to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
- 4.30 The site is in close proximity to the Grade I listed All Saints' Church and the Grade II listed war memorial that fronts Church Road. The nearest part of the churchyard of All Saints Church is approximately 16m to the east with the church itself being approximately 43m to the east. The development will be visible from varying degrees from the churchyard and from the entrance into the church. The war memorial fronting Church Road is

approximately 31m to the east. It is considered that the setting of the war memorial will be preserved as a result of the development and so the focus of this section will be on the impact on the setting and significance of the church.

- 4.31 Application ref. 2015/1036 for a single dwelling on the site was refused in part on the grounds of the harm that would be caused to the setting of the church and that this harm would not be outweighed by the public benefits. This application seeks to address that by positioning the dwellings adjacent to the northern boundary. Despite this, Historic England and the Council's Senior Conservation and Design Officer have objected to the application.
- 4.32 Historic England has stated that it is unlikely that the new buildings will be completely screened from the churchyard and it will be clearly seen when approaching and leaving the church along Church Lane. The site is important in maintaining the historic relationship between the church and the village. The proposal development will detract from the open undeveloped quality of the site and its contribution to the historic significance of the church by acting as a buffer between the church and the village. Further, the installation of solar panels on the roofs will make the buildings more noticeable and jar with the rural setting. In Historic England's view, the design of the dwellings and the use of the site will cause harm to the setting and significance of the church.
- 4.33 The Senior Conservation and Design Officer has set out his concerns. He considers that views of the church involve experiencing it within its rural undeveloped setting. The application site forms part of the setting of the church and he considers that this rural view is important to the setting of the church and contributes towards its significance. The church is seen from a variety of views as opposed to a single key view and the Senior Conservation and Design Officer considers that the dwellings will be seen within views of the church and will detract from and not preserve its setting. In doing this, the development will also affect the significance of the church. In this instance, the harm to the significance of the church is considered to be less than substantial.
- 4.34 Under paragraph 196 of the NPPF, where less than substantial harm is caused to the significance of a heritage asset, this must be weighed against the public benefits of the proposal. While the contribution of five additional dwellings and ecological enhancements can be seen as public benefits, paragraph 193 of the NPPF requires that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. In this case, it is considered that the public benefits do not outweigh the harm that the development will cause to the setting and significance of the Grade I listed church. Further, it is considered that the test set by section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act is not met as the setting of the church will not be preserved. The application is contrary to Policy 1 of the JCS insofar as it relates to the conservation of heritage assets and Policy DM4.10 of the SNLP.
- 4.35 At the time of writing this report, no response has been received from Norfolk County Council's Historic Environment Service on archaeological matters. Members will be updated on this in due course.

Surface water drainage

- 4.36 To deal with surface water on site, the applicant is proposing to clear out the existing ditch that runs along the frontages of the site, to provide a swale across the new access road and to provide a balancing pond in the southwest corner of the site. The Water Management Officer is satisfied with the submitted information and has recommended the use of planning conditions that more detailed designs are submitted along with details of their future maintenance and management. Such conditions will allow the application to comply with Policy 1 of the JCS insofar as it relates to minimising flood risk.

Other considerations

- 4.37 The applicants are proposing to provide a community orchard with unrestricted access in the southeast corner of the site and the aspiration is to plant out rare local fruit varieties. The intention is for the orchard and the wider site to be managed by the residents of the site with suitable legal contracts/covenants in place within any purchase agreement, in other words a site management company. This arrangement causes some concerns with officers who in the event of the application being approved, would seek to secure public access to the site in a manner that can be enforced by the Council and not rely on the applicants or future owners or occupiers of the site. If this access cannot be properly secured, the benefits arising from it cannot be given weight.
- 4.38 The applicants submitted the site for consideration as part of the Greater Norwich Local Plan (GNLP) call for site. The Regulation 18 consultation for this document took place earlier this year but no decisions have been made on the suitability of any of the sites that were submitted for consideration. With that in mind, Members are advised that given that the drafting of the GNLP document is in its early stages, very little, if any, weight can be given to it in determining this application.
- 4.39 Members should also be aware that under Section 143 of the Localism Act, the Council is required to consider the impact on local finances. This can be a material consideration but the planning considerations appraised above are of greater significance.
- 4.40 This application is liable for Community Infrastructure Levy.

5 Conclusion

- 5.1 Based on the evidence that was used in the drafting of the JCS, the Council is able to demonstrate that it has a 62.5 year supply of land for housing in the RPA. However, the more up to date evidence within the SHMA sets out that there is a deficit in housing supply. Although the development plan has primacy in decision making, the SHMA is nevertheless a material consideration and the deficit that it identifies in the RPA weighs in favour of approving the application.
- 5.2 Also in favour of the application is that it provides the potential for five self/custom build dwellings in a settlement that is generally suitable for some small scale development. It is proposed that the dwellings will be carbon negative and ecological enhancements are proposed. There will also be a neutral impact on the residential amenity of existing dwellings, the wider landscape and the proposal is acceptable in respect of highway safety.
- 5.3 On the other hand, the application proposes a discordant and cramped form of development and will not preserve the setting of the nearby Grade I listed All Saints Church. Although the harm to the significance of the church will be less than substantial, the public benefits of five units of self/custom build housing, ecological enhancements and the community orchard are not considered to be sufficient to outweigh the harm to the significance of the church.
- 5.4 On balance, it is considered that the development will result in adverse impacts that significantly and demonstrably outweigh the benefits. The application is therefore recommended for refusal as it is contrary to Policies 1 and 2 of the JCS and Policies DM1.3, DM1.4, DM3.8 and DM4.10 of the SNLP.

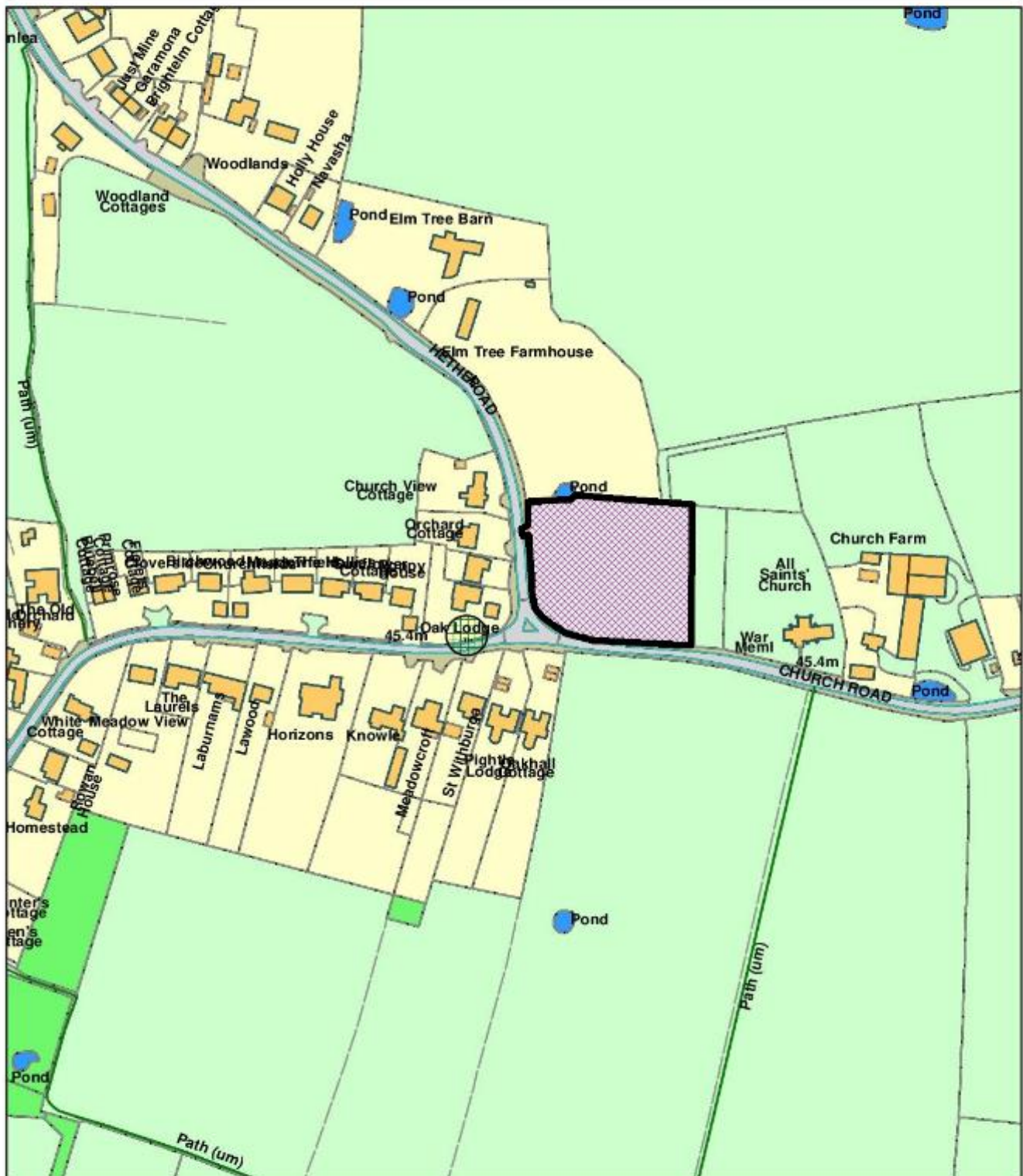
6 Reasons for Refusal

- 6.1 The layout of the development is not characteristic of the existing pattern of development within Wreningham and represents a cramped form of development. The application is contrary to Policy 2 of the JCS and Policies DM1.4 and DM3.8 of the SNLP.

- 6.2 The application will cause harm to and not preserve the setting of the Grade I listed All Saints' Church to the east. Although the harm to the significance of this heritage asset will be less than substantial, it will not be outweighed by the public benefits. The application is contrary to Policy 1 of the JCS and Policy DM4.8 of the SNLP.
- 6.3 Even when having regard to the latest housing supply figures provided within the Strategic Housing Market Assessment (2017), the application does not provide overriding benefits when having regard to the harm identified above and does not satisfy the requirements of either items 2 c) or d) of Policy DM1.3 of the South Norfolk Local Plan.

Contact Officer, Telephone Number Glen Beaumont 01508 533821
and E-mail: gbeaumont@s-norfolk.gov.uk

Not Set



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

This report schedules progress on outstanding enforcement cases

LOCATION	ALLEGED BREACH	DATE OF COMMITTEE AUTHORITY	ACTION TAKEN
DICKLEBURGH Beeches Farm Norwich Road 2007/8036	Material change of use - Breach of a condition - Operational development	24.04.2007	Enforcement Notices served and initially complied with. Ongoing negotiation to secure future of the listed building
CARLETON RODE Land adj. to Fen Road 2006/0269	Change of use of land	21.07.2010	Enforcement Notice served Compliance date 29.12.2011 Further Environment statement submitted and proposed scheme of works for compliance with enforcement considered at DMC 16/08/17 required scheme now commenced
CARLETON RODE Fenlakes Fishery 2009/8199	Standing and Occupation of Residential Caravan	04.03.2015	Enforcement Notice served Compliance date within 3 months of first occupation of the permitted dwelling house
CROWNTHORPE Land adjacent to The Drift Crownthorpe Rd 2011/8025	Formation of Access	16.11.2011	Enforcement Notice served Compliance date 27.10.13 New land owner seeking to comply
WYMONDHAM Copper Beeches Crownthorpe Road 2015/8005	Standing of residential mobile home	22.07.2015	Enforcement Notice served Compliance date 4 months after the mobile home is no longer occupied by specified occupier

LOCATION	ALLEGED BREACH	DATE OF COMMITTEE AUTHORITY	ACTION TAKEN
DENTON Rainbows End Norwich Road 2016/8183	Change of use of land for the keeping of dogs	07.12.2016	Enforcement Appeal dismissed Notice upheld New compliance date 05.08.2018
WICKLEWOOD Church Farm 56 Church Lane 2017/8224	Change of use of agricultural building to a mixed use for agriculture and as an events venue	06.12.2017	Enforcement Notice served and appealed
SILFIELD Poplar Farm Silfield Road 2016/8314	Change of use of agricultural land to mixed use as agricultural land and land for the storage and breaking of motor vehicles, storage of motor vehicle parts and other items not connected with agriculture	22.02.2018 Delegated authority	Enforcement Notice served Compliance date 18.09.2018
HETHERSETT Grove Farm 38 Grove Road 2017/8234	Change of use of land from agriculture and horticulture to land used for agriculture, horticulture and for the standing and storage of caravans	16/05/2018 Delegated authority	Enforcement Notice served Compliance date 22.09.2018
STARSTON Land at Woodside Stables Wood Lane	Change of use of land and stables building to residential use	14.05.2018	Enforcement Notice served Compliance date 23.02.2019

Enforcement Statistics

	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018 As of 02.08.18
No. of complaints	439	370	349	324	309	347	321	332	319	353	174
Enforcement Notices issued	40	23	18	12	17	4	3	12	6	2	4
Breach of Condition Notices issued	2	0	3	0	0	1	0	0	0	1	0
Section 215 Notices issued	5	2	3	1	1	0	1	0	0	0	0
Temporary Stop Notices issued	1	2	3	0	0	0	0	0	0	0	0

Enf-Proc
02.08.18

Planning Appeals**Appeals received from 7th July 2018 to 3rd August 2018**

Ref	Parish / Site	Appellant	Proposal	Decision Maker	Final Decision
2017/0822	Mulbarton Land North of East Carleton Rode Norfolk NR14 8HN	Mr Tony Harrod	Residential development for four dwellings with associated access	Delegated	Refusal
2017/1766	Stoke Holy Cross Land to the North of 14 Norwich Road Norfolk NR14 8AB	Mr Trevor O'Neill	Outline planning permission (with all matters reserved) for one detached dwelling with garage and gardens.	Delegated	Refusal
2017/2738	Bracon Ash Land East of Long Lane, Norfolk NR14 8AN	Mr R Wickers	Erection of 1 No. dwelling (resubmission)	Delegated	Refusal

Planning Appeals**Appeals decisions from 7th July 2018 to 3rd August 2018**

Ref	Parish / Site	Appellant	Proposal	Decision Maker	Final Decision	Appeal Decision
NONE						