

Development Management Committee

Agenda

Members of the Development Management Committee:

Cllr V Thomson (Chairman)
Cllr L Neal (Vice Chairman)
Cllr D Bills
Cllr J Halls
Cllr G Minshull

Date & Time:

Wednesday 2 June 2021
10.00am

Place:

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

Contact:

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Email: democracy@s-norfolk.gov.uk
Website: www.south-norfolk.gov.uk

PUBLIC ATTENDANCE / PUBLIC SPEAKING

This meeting will be live streamed for public viewing via the following link:

<https://www.youtube.com/channel/UCZciRgwo84-iPyRImsTCIng>

If a member of the public would like to observe the meeting in person, or speak on an agenda item, please email your request to democracy@s-norfolk.gov.uk, no later than **5.00pm on Thursday 27 May 2021**. Please note that due to the current rules on social distancing, places will be limited. Please see further guidance on attending meetings at page 2 of this agenda.

Large print version can be made available

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

Public Speaking and Attendance at Meetings

All public wishing to attend to observe, or speak at a meeting, are required to register a request by the date / time stipulated on the relevant agenda. Requests should be sent to: democracy@s-norfolk.gov.uk

Public speaking can take place:

- Through a written representation
- In person at the Council offices

Anyone wishing to send in written representation must do so by emailing: democracy@s-norfolk.gov.uk by 5pm on Thursday 27 May 2021.

Please note that due to the current rules on social distancing, the Council cannot guarantee that you will be permitted to attend the meeting in person. There are limited places in the Council Chamber and the numbers of public speakers permitted in the room will vary for each meeting. Democratic Services will endeavour to ensure that each relevant group (ie. supporters, objectors, representatives from parish councils and local members) can be represented at meetings for public speaking purposes.

All those attending the meeting in person must sign in on the QR code for the building and arrive/ leave the venue promptly. The hand sanitiser provided should be used and social distancing must be observed at all times. Further guidance on what to do on arrival will follow once your initial registration has been accepted.

SOUTH NORFOLK COUNCIL – DEVELOPMENT MANAGEMENT COMMITTEE

GENERAL INFORMATION ABOUT DEVELOPMENT MANAGEMENT

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

The Council has a duty to prepare a Local Plan to provide a statutory framework for planning decisions. The Development Plan for South Norfolk currently consists of a suite of documents. The primary document which sets out the overarching planning strategy for the District and the local planning policies is the Joint Core Strategy for Broadland, Norwich and South Norfolk adopted by South Norfolk Council in March 2011, with amendments adopted in 2014. It is the starting point in the determination of planning applications and as it has been endorsed by an independent Planning Inspector, the policies within the plan can be given full weight when determining planning applications. A further material planning consideration is the National Planning Policy Framework (NPPF) which was issued in 2018 and its accompanying Planning Practice guidance (NPPG).

South Norfolk Council adopted its Local Plan in October 2015. This consists of the Site-Specific Allocations and Policies Document, the Wymondham Area Action Plan, the Development Management Policies Document. The Long Stratton Area Action Plan was also adopted in 2016. These documents allocate specific areas of land for development, define settlement boundaries and provide criterion-based policies giving a framework for assessing planning applications. The Cringleford Neighbourhood Development Plan was also made in 2014, Mulbarton Neighbourhood Development Plan made in 2016 and Easton Neighbourhood Plan made in 2017, and full weight can now be given to policies within these plans when determining planning applications in the respective parishes.

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

THEREFORE, we will:

- **Acknowledge the strength of our policies, and**
- **Be consistent in the application of our policy**

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

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

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

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

AGENDA

1. To report apologies for absence and to identify substitute members;
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 guidance form and flow chart attached – page 7)
4. Minutes of the Meeting of the Development Management Committee held on Wednesday, 5 May 2021;
(attached – page 9)
5. Planning Applications and Other Development Control Matters;
(attached – page 14)

To consider the items as listed below:

Item No.	Planning Ref No.	Parish	Site Address	Page No.
1	2020/0768/CU	TIBENHAM	Land North Of Greyhound Public House, The Street, Tibenham	14
2	2021/0316/H	CAISTER ST EDMUND & BIXLEY	32 Caistor Lane, Caister St Edmund	29
3	2021/0865H	SWARDESTON	34 The Common, Swardeston	34

Updates received after publication of this agenda relating to any application to be considered at this meeting will be published on our website <https://www.south-norfolk.gov.uk/about-us/councillors-and-committees/committee-details-agendas-and-minutes/development-management>

6. Sites Sub-Committee;

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

7. Planning Appeals (for information);

(attached – page 39)

8. Date of next scheduled meeting- Wednesday 30 June 2021

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.

MICROPHONES: The Chairman will invite you to speak. An officer will ensure that you are no longer on mute so that the Committee can hear you speak.

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.

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

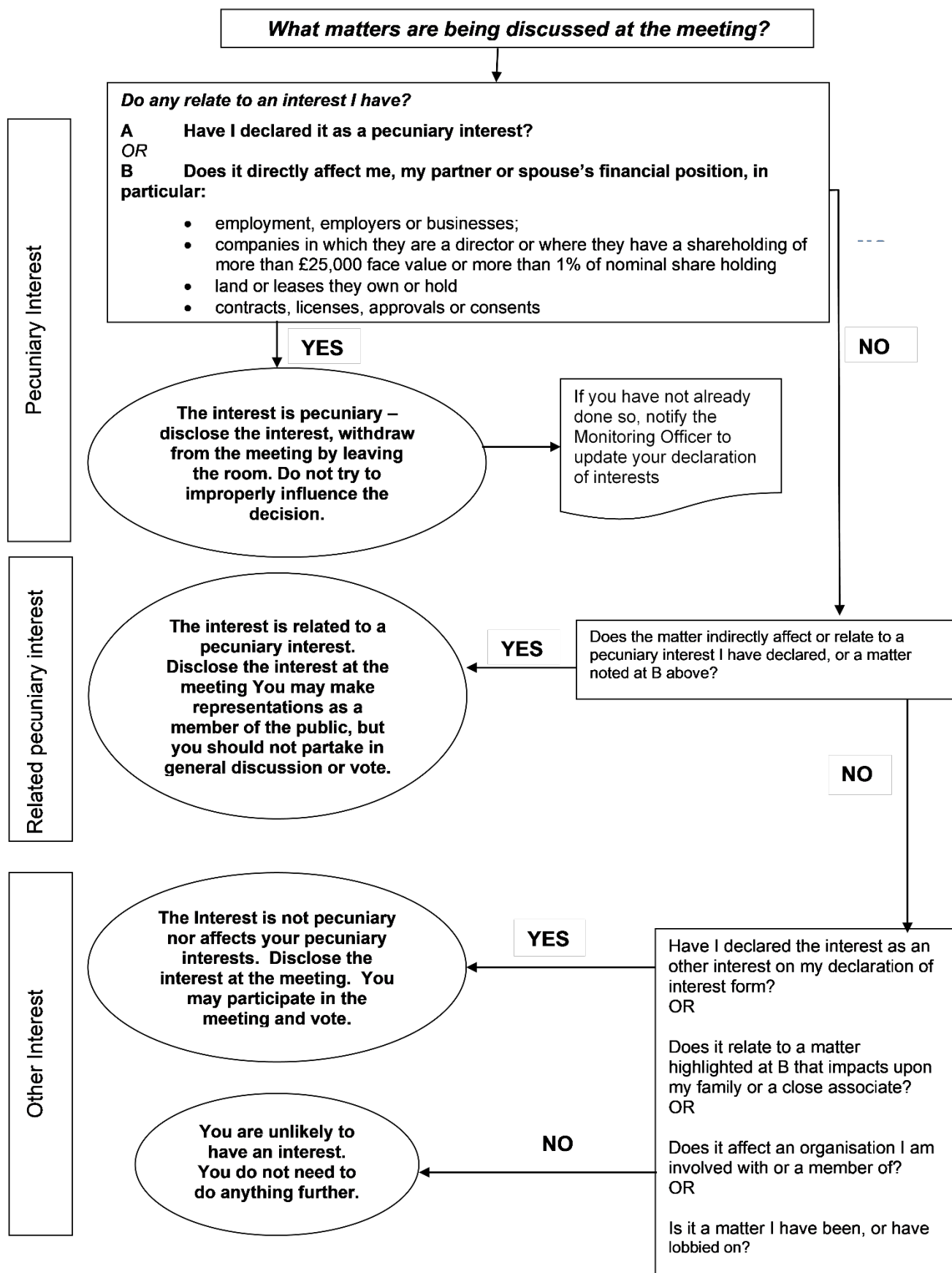
When declaring an interest at a meeting Members are asked to indicate whether their interest in the matter is pecuniary, or if the matter relates to, or affects a pecuniary interest they have, or if it is another type of interest. Members are required to identify the nature of the interest and the agenda 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.

<p>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.</p>
<p>Does the interest directly:</p> <ol style="list-style-type: none"> 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 <p>If the answer is "yes" to any of the above, it is likely to be pecuniary.</p> <p>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.</p>
<p>Does the interest indirectly affect or relate any pecuniary interest you have already declared, or an interest you have identified at 1-5 above?</p> <p>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 you should not partake in general discussion or vote.</p>
<p>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.</p>
<p>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.</p>

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



Agenda Item 4

DEVELOPMENT MANAGEMENT COMMITTEE

Minutes of a remote meeting of the Development Management Committee of South Norfolk District Council, held on 5 May 2021 at 10am.

Committee Members Present: Councillors: V Thomson (Chairman), D Bills, L Glover, G Minshull and L Neal

Apologies: J Halls with L Glover as Substitute

Officers in Attendance: The Development Manager (T Lincoln), the Area Planning Manager (C Raine) and the Principle Planning Officer (G Beaumont)

556 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
2020/1506/F	WOODTON	V Thompson	Other Interest Known to the applicant
2020/1689/F	PORINGLAND	All	Local Planning Code of Practice Lobbied by the Parish Council
		V Thomson	Other interest County Councillor for Poringland
		L Neal	Other Interest Parish Councillor for Poringland but did not partake in any planning discussions
			Other Interest Former Member of the Poringland Neighbourhood Plan Committee

557 MINUTES

The minutes of the meeting of the Development Management Committee held on 22 April 2021 were confirmed as a correct record.

558 PLANNING APPLICATIONS AND OTHER DEVELOPMENT CONTROL MATTERS

The Committee considered the report (circulated) of the Director of Place, 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 application listed below.

Application	Parish	Speakers
2020/1506/F	WOODTON	J Wells – Agent
2020/1689/F	PORINGLAND	J Joyce – Parish Council S Litten – Applicant D Jewell-- Agent Cllr T Spruce – Local Member

The Committee made the decisions indicated in Appendix B of the 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 Place.

559 PLANNING APPEALS

The Committee noted the planning appeal

(The meeting concluded at 12:00pm)

Chairman

Updates for DEVELOPMENT MANAGEMENT COMMITTEE
5 May 2021

Item	Updates	Page No
Item 1	<p>On a point of clarification, whilst para 4.12 may appear to indicate there is a concern in respect of flooding, updated information has been received (referred to in para 5.16 to 5.18) and therefore subject to suggested condition 3 the LLFA are not objecting (see their e-mail of the 18th March 2021).</p> <p>Likewise, following on from the comments referred to in para 4.10 of the cttee report, officers can confirm that the Highway Authority are satisfied that the scheme is acceptable subject to conditions as confirmed in their e-mail of 1st April 2021. It is evident that an additional condition relating to visibility is also required.</p> <p>For the avoidance of doubt officers would wish to make it clear that a garage and 3 further parking are being put forward as part of the scheme to serve Georges House which is an existing adjacent neighbouring dwelling. This has been considered as part of the assessment of the scheme and presents no particular concerns.</p> <p>Boundary treatments condition should also be included.</p>	14
Item 2	<p>One further objection received from a nearby resident:</p> <p>There is already congestion around the entire area in the vicinity of Budgens. The community and schools are already overflowing and cannot cope with added pressure.</p> <p>The inconvenience that such a building site would cause to traffic and quality of life would be untenable. Please note my strong objection to the application.</p>	26

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

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

Other Applications

1. **Appl. No** : **2020/1506/F**
Parish : **WOODTON**
Applicant's Name : Mr Julian Wells
Site Address : Land North West of The Street Woodton Norfolk
- Proposal : Erection of 23 dwellings with associated landscaping, drainage and highways works.
- Decision : Members voted unanimously to authorise the Director of Place to **Approve** subject to conditions and a Section 106 regarding affordable housing (including a clawback provision in the event commencement and completion targets are not met) and open space provision.

Approved with Conditions

- 1 Full permission time limit
- 2 In accordance with submitted details
- 3 Surface water drainage scheme
- 4 Foul water scheme
- 5 Standard estate roads
- 6 Roads constructed to binder course
- 7 Construction traffic management and work
- 8 Off-site highways works
- 9 Materials
- 10 Ecology
- 11 Details of landscaping scheme
- 12 Landscaping management scheme
- 13 Tree protection (implementation only)
- 14 Contamination remediation
- 15 Contaminated land during construction
- 16 Air source heat pumps
- 17 Fire hydrants
- 18 Water efficiency
- 19 Renewable energy

2. **Appl. No** : **2020/1689/F**
 Parish : **PORINGLAND**
 Applicant's Name : Mr Stephen Litten
 Site Address : Land to the east of Overtons Way, Poringland, Norfolk
- Proposal : Construction of 9 new residential dwelling units, to
 include 1 retail unit facing north towards existing
 retail/commercial units.
- Decision : Members voted unanimously for **Refusal** (contrary to
 officer recommendation, which was unanimously lost)

Refused

Despite the alterations to the design following the refusal of application ref. 2019/1940 and the dismissal of the subsequent appeal, the scale, appearance, density and layout of the proposal will result in a constrained form of development with awkward relationships within the site (demonstrated for example by parking arrangements and the proximity of some units to their boundaries) but also a form of development that does will not relate successfully to its surroundings. The development will not make a positive contribution to the appearance of the area and instead will result in harm to its character and appearance. The application is contrary to Policy 2 of the Joint Core Strategy, Policies DM1.4 and DM3.8 of the South Norfolk Local Plan Development Management Policies Document and Policy 14(a) of the emerging Poringland Neighbourhood Plan and is therefore refused.

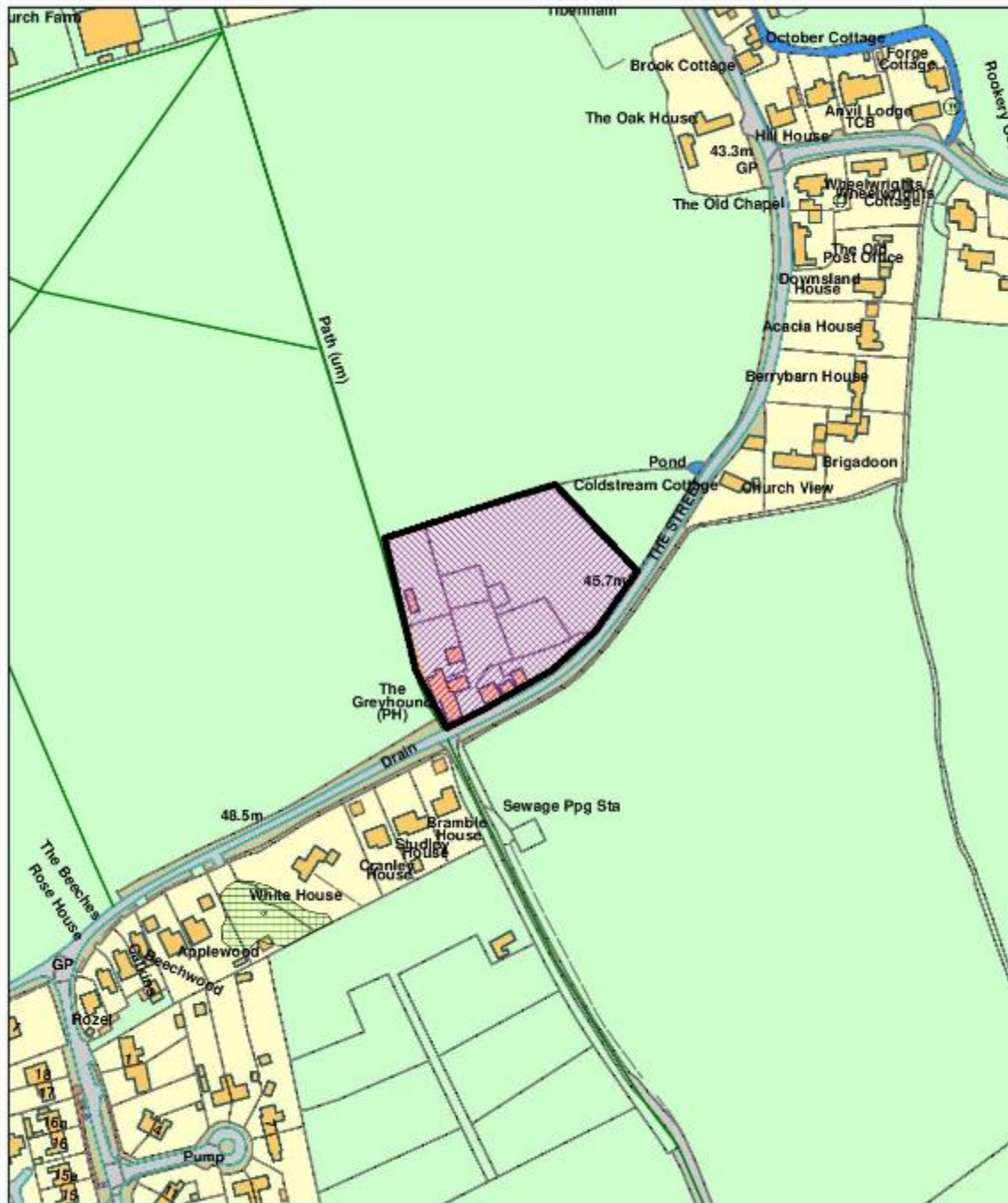
PLANNING APPLICATIONS AND OTHER DEVELOPMENT CONTROL MATTERS

Other Applications

Report of Director of Place

Application 1

2020/0768



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

1. **Application No :** 2020/0768/CU
Parish : TIBENHAM

Applicant's Name: Mr Martin Adams
Site Address Land north of The Greyhound Public House The Street
Tibenham Norfolk
Proposal Change of use for conversion of existing caravan site to the
north-west for 7no mobile lodges attached to services
(water, waste, electricity), including removal of the existing
static caravan

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 in section 4.

Recommendation summary :

Approval with Conditions

1 Proposal and site context

- 1.1 This application seeks planning permission to site seven mobile holiday lodges on land to the rear The Greyhound PH. The site is located on the northern side of The Street between two separate parts of the village of Tibenham. It is outside of the development boundaries that have been defined for the village.
- 1.2 As part of the application, it is proposed that the existing access serving The Greyhound will be stopped up with a new access being provided approximately 90 metres to the east. The existing hedge between the outbuildings next to the pub and the new access is to be removed to provide an adequate visibility splay and a new hedge planted behind the splay. This section of hedge measures approximately 65m in length. The hedge to the east of the proposed access is to be trimmed back. The driveway leading from the access drive will curve round to left leading to the car park that will serve the pub and holiday units. Three holiday units are positioned in a horseshoe arrangement in the northwest corner of the site with the other four units arranged in a staggered line along the northern boundary.
- 1.3 The agent has set out that the lodges will be built on site to the specifications of the Caravan Acts and will be structures as opposed to buildings and capable of being moved from place to place once assembled. Photographs were submitted showing examples of possible accommodation and include park-style homes and wooden lodges. Each unit will have two bedrooms.
- 1.4 The existing pub (an Asset of Community Value) and its associated outbuildings are located in the southwest corner of the wider site. Agricultural land is located to the west, rear/north and on the opposite side of The Street to the south. Residential dwellings are located to the northeast (including a Grade II listed building) and southwest.

2. Relevant planning history

- | | | | |
|-----|-----------|--|-----------|
| 2.1 | 2020/0769 | Erection of 2no. houses and double garage | Withdrawn |
| 2.2 | 2020/0770 | Conversion of out-building into 2 en-suite bed and breakfast rooms | Approved |

3 Planning Policies

3.1 **National Planning Policy Framework (NPPF)**

NPPF 02 : Achieving sustainable development

NPPF 04 : Decision-making

NPPF 06 : Building a strong, competitive economy

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

3.2 **Joint Core Strategy (JCS)**

Policy 1 : Addressing climate change and protecting environmental assets

Policy 2 : Promoting good design

Policy 5 : The Economy

Policy 6 : Access and Transportation

Policy 16 : Other Villages

3.3 **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

DM2.12 : Tourist accommodation

DM3.8 : Design Principles applying to all development

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

DM3.12 : Provision of vehicle parking

DM3.13 : Amenity, noise, quality of life

DM3.14 : Pollution, health and safety

DM3.16 : Improving the level of community facilities

DM4.2 : Sustainable drainage and water management

DM4.5 : Landscape Character Areas and River Valleys

DM4.8 : Protection of Trees and Hedgerows

DM4.9 : Incorporating landscape into design

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.

4. Consultations

4.1 Tibenham Parish Council

We write further to the applications above and would like to request that all three applications for this site are considered together as one, rather than as three separate applications.

We also request that this application (as a whole) goes to Committee for consideration.

Further concerns we wish to be noted are:

1. The Pub and its attached meadow (as a whole plot) are listed as an Asset of Community Value.

2. The properties may increase the flood risk to The Street which already experiences flooding.

3. Access issues - the properties will be built on a bend of a single-lane road.
4. The proposed site is outside of the planning boundary envelope. However, the Greyhound Pub is a key part of this village, and we would support development that will ensure the retention of the pub as a focal point of village life.

If the Council is minded to allow the houses, we ask that it be made clear that no further development should be allowed on this land.

Reconsultation:

We stand by our original objections, plus:

Concern over the number of lodges to be erected on the site - it is too many for the site and also the community. We have no local shops or amenities and therefore this will encourage more travel on the roads.

Removal of an established mature hedge to provide sufficient visibility to access the road - this will leave the site 'open' to the road and remove a habitat for wildlife.

Lack of parking on site for customers at the pub - those staying in the lodges will park in the customer car park.

Increased vehicles on the site itself and on the narrow roads through Tibenham which has no paths and therefore there is an increased risk to pedestrians and the like.

Concern regarding flooding to the area due to current rainfall and the likeliness this will continue to be a regular occurrence.

4.2 District Councillor
Cllr J Easter:

I am asking that this application is put before the planning committee for a decision to be made.

1. The highway alongside this development is very narrow and unsuitable for this type of development.

2. In order to achieve a reasonable access and splayed entrance which still exits onto a narrow road, a considerable length of mature hedgerow will be removed. Although it is suggested that it will be replaced by another, it will take 10 years or so to become a reasonable hedge.

3. Flooding is a big issue in this area as seen in December 2020. Ditches in this area are inadequate to take the existing water, additional surface water created by this development will not only create flooding in this area but further along in Tibenham. This is a major issue.

4. I understand that the pond on the grounds is man-made and not supplied by any underground water supply and is prone to drying up.

5. Water treatment plant out flow could also be an issue here due to lack of proper drainage or soakaway.

4.3 NCC Highways

Consultation 1:

The existing entrance onto The Street has poor visibility, owing to the location near a bend and the siting of the PH buildings themselves close to the road. Visibility to the north-west is particularly poor at less than 15 metres. Which is about 1/3 of the recommended sight distance for a 30 mph road. Query therefore query whether an alternative and higher standard of access can be provided on the straight section of the Street.

Consultation 2:

No objection subject to planning conditions being imposed relating to the construction of the new vehicular access, there being no obstruction across the new vehicular access, the provision of visibility splays, the provision of the parking and turning area, and that the existing access is permanently closed (apart from deliveries to the pub).

Consultation 3:

There is a concern at the increase in units at a location where the highway network is limited and at a location where there is no formal footway along the road side. Although there are a number of Public Rights of Way in this vicinity. Although I am not convinced that there are sufficient highway grounds to refuse the proposal, the number of six units would have certainly been preferred.

Of benefit are the closure of the closure of the existing site entrance which has poor visibility and the removal of the existing caravan site, although I have no details as to how many caravans were involved.

Also in terms of car parking, whilst three spaces are shown for the original three units, there is no specific provision for the additional 7 units. Other than the general car park, which I assume will be mainly for Public House use. It is also a notable distance for carrying bags to and from that carpark to the furthest Lodge.

In technical terms, should a permission be granted, the conditions that I noted in my consultation of 10 December 2020 would still be appropriate.

4.4 SNC Conservation & Tree Officer

Consultation 1:

The proposed tree removals relate to fair or lower quality trees and hedge, I don't object to these removals and I agree the site would benefit from arboricultural management including bringing the hedges back into regular cutting schedules.

There is opportunity for a large amount of replacement planting as indicated on the submitted Tree Protection Plan. The landscaping in the Design and Access Statement indicates "new planting of native trees will be carried out within the context of the new development and for ecological benefit".

There is a tree protection fence illustrated to the south of the proposed dwellings in the NE corner of the site, do you know why it doesn't continue round to protect trees to the north and the hedge to the south of the new driveway? Ideally it would continue round to protect the trees in the Northern boundary hedge H27, T26 and T25 and round to H20. Please could you condition work in accordance with the TPP and AMS?

Consultation 2:

The hedgerow assessment confirms the hedge does not meet the "important" criteria and so the replacement specified will be adequate mitigation. Please could you condition the implementation of the boundary treatment in accordance with an agreed timetable.

The replacement section should be native species, double row with plants at 30cm spacing. The plants should be protected with spiral guards or preferably compostable alternative and a layer of woodchip mulch applied. It may be necessary to water the new hedge if we see prolonged drought conditions over the next 2 summers. Planting from November to March will be the ideal time to plant the new hedge.

The revised AIA shows the hedge set back, it's not clear if this now means T5, T17 and T18 are to be removed. If not they'll be in close proximity to the new road edge and there is likely to be a conflict in particular with the installation of the road's kerb edges.

T5, T17 & T18 are substantial trees and replacement planting to mitigate their loss should be specified. There appears to be new trees illustrated on the plan, but no details of species, I support new trees being planted across the site, but without a plan or species list, can the implementation of the planting scheme be conditioned.

The tree protection measures around H20 (a 5m buffer) have not been illustrated on the tree protection plan.

Consultation 3:

The access road or path to the north of the site is now in close proximity to retained trees, there is a potential conflict with roots that could be resolved by using no-dig surface detail.

4.5 SNC Water Management Officer

Consultation 1:

Unable to support application as insufficient consideration has been given to surface water flood risk.

Consultation 2:

It is the local authority's responsibility to determine whether the sequential approach has been met. The FRA has demonstrated that users of the site can remain safe during all flood risk scenarios and that the proposed development will not increase flood risk at the site or elsewhere, subject to suitable arrangements for foul and surface water drainage. Planning conditions recommended in relation to the development proceeding in accordance with the FRA, a flood emergency plan being submitted for approval and details of foul and surface water drainage being submitted for approval.

Consultation 3:

The Environmental Quality Team provided comment in my memo dated 16th March 2021. We note that the number of proposed lodges has been reduced from 10 to 8. The Flood Risk Assessment (FRA) submitted 24th March 2021 appears to be the same as the one submitted 23rd February 2021 - Dated February 2021 Rev 01. If there are any significant changes to the FRA they should be identified in an addendum.

We note a number of local residents expressing concern regarding increased flood risk particularly as a result of any foul drainage discharge to the local ditch network. Localised flooding occurred during December 2020 and is evidenced by residents.

Our comments relating to flood risk and drainage remain unchanged as previously detailed.

4.6 Other Representations

Originally submitted plans for three lodges and six camping pods:

Two objections received on the following grounds:

- Concerned about where extra water will be channelled to.
- Concerned regarding flood risk, how modern holiday lets will relate back to a historic pub and a listed building to the east, and highway safety as the site is next to a blind bend.

Six lodges:

Two objections received on the following grounds:

- A schedule of works should be drawn up and approved by the Parish and District Council and fully completed to the satisfaction of the Councils before the leisure area is commenced.
- Number of car parking spaces is insufficient.
- Traffic movements along a sweeping bent will create an unacceptable hazard.
- If approved in full, the proposals are too great a compromise for the village and too great a benefit for the applicant.
- Concerned about flood risk, highway safety and damage to property as a result of construction works.

Ten lodges:

Ten objections received on the following grounds:

- There will be a significant increase in the volume of traffic.
- The character of the location will change, especially as it removes an established mature hedge.
- There must be protection for the pub and no work should be allowed to take place on the development until an agreed programme of modernisation is submitted and completed at the pub.
- Careful consideration should be to whether surface water run-off from the proposal will increase any future flooding.
- The flood risk is real. On 23 December 2020, residents were trying to contain flooding from the stream. The stream flows down into the village and caused flooding to properties downstream.
- Adverse impact on wildlife.
- The paddocks is listed as a community asset.
- Development will be detrimental to the historic nature of Tibenham, which has a number of listed buildings.
- There is insufficient parking for the pub and occupants of the lodges.
- How will the pub sustain an income without the various events that it holds.
- If we lose the paddock the pub will struggle to keep going because with the events and beer garden are needed for use throughout the summer also the lack of money spent on the refurbishment of the pub is worrying.
- Concerned about the loss of space for events and activities.
- Increase in the number of lodges are much larger and imposing than the original design.
- Concerned about impact on highway safety.
- The amendments would have an impact on the development and future of The Greyhound.
- Concerned that the loss of the field will result in the loss of a community asset.
- Pods 9 and 10 are close to the road and will suffer noise.

- Object on the grounds of flood risk. Concerned that additional surface water being directed to nearby drains and ditches will cause them overtop. Can the ditch be made larger to cope.

Eight lodges:

One email of support received:

Happy with the application as long as the pub remains open.

25 objections received on the following grounds:

- Concerned about impact on ecology - newts in pond and removal of ancient hedgerow.
- The ecology pond appears to be poorly thought through. It represents a high risk for young children, it is a man-made feature and there is no indication of who will be maintaining it.
- Suggest that the application does not comply with Policy DM2.12 of the local plan.
- It is important that the pub remains as the primary use of the site.
- The Design and Access Statement minimises the wide variety of events that take place. Agree that the updates are needed to the pub but not that it is unviable.
- The Street is narrow, unpaved and unlit and a problem for walkers to avoid existing traffic. The increase in traffic movement caused by the development could present a dangerous situation.
- In the event that this development wasn't financially viable solely as "holidays lets", what plans are in place to prohibit extended or permanent occupation of the accommodation.
- What safeguards will there be to prevent the units from becoming permanent residences.
- From the applicant's redacted viability document, it is clear that the scale of the development is being driven by the recommendations of the lenders, not with regard to what is suitable development for the site. It is further stated that the lender would prefer the larger development "to ensure greater return and therefore less risk to service the borrowings". It is important to recognise that the needs of the lenders should not lead to an inappropriate development.
- Fear for the future of the pub. The future of the Greyhound as a village pub is paramount and must be secured before any consideration is given to a change of use and development of the land is permitted.
- Concerned about increase in crime arising from the proposal.
- Concerned about route effluent will take from the package treatment plant.
- Concerned that units will be sold as holiday homes.
- The Greyhound Public House is an asset of community value. The applicant has made no effort to maintain the fabric of the building. Moreover the plans marginalise the pub.
- The proposed development would fail to respect the existing pattern of development or urban grain of the area thus failing to protect and enhance to the character and appearance of the rural locality.
- The development would have an intrusive visual impact upon the site and its surroundings as well as a material detrimental effect on the character and appearance of the wider countryside which is noted for its landscape value. The development proposal would introduce unwelcome domestic activity to the site which would also have a detrimental impact upon the character and appearance of the village.
- The Greyhound PH was purchased by the current owners in December 2019, as the current owners do not reside there. It appears that this was purchased with the intention of applying for planning and getting permission as a financial venture rather than have the village's interest at heart bearing in mind a full planning

application was submitted in April 2020 (16 weeks later). If the owners are unable to make it pay, then it is their issue and not for the villagers to suffer as a consequence.

- The viability study shows a failing of knowledge and understanding of the demographics of Tibenham and its residents, indicating once more that the applicant has no intention to help support the village as a whole. It also implies that the applicant needs to satisfy lenders and borrowings in order to make any investment in the pub. If this has to be ensured through the crass ideas, as proposed, maybe consideration should given to finding alternate land with which to do so, thereby offering this freehold for sale.
- The lane is narrow, has no footpath and is used by villagers on a very regular basis for dog walking, walking, cycling, horse riding. The undoubted increase in traffic would have a detrimental effect on our quiet rural village. It would also increase the risk to villagers.
- The Flood Risk Assessment shows a disregard and lack of knowledge of the flooding problems already being experienced in Tibenham.
- The increased hard surfaces can only increase surface water run-off and increase flood risk.
- There is an ongoing issue of flooding in The Street just downstream from the proposed development and adjacent to this site on the Highway. The capacity of the ditch along the Street is already inadequate and floods onto the highway in times of heavy rainfall and any development on this site can only make this worse, the proposal Flood Risk Assessment does not fully address this issue and the issue of Climate change which bring more intense rainfall.
- Water from the foul package treatment plant should not discharge into dry ditches. The ditch network is seasonally dry and discharges will create an odour issue.
- This proposal will cause excessive noise and disturbance to residents.
- The Greyhound has been a coaching inn and public house for at least 170 years and remains a valuable, and viable, village asset, as outlined by other objectors.
- There has been absolutely no investment into the existing buildings or grounds and there appears to be none planned. As Tibenham is not a holiday 'destination', I can see no requirement for 10 holiday lodges.
- Properties in the village were flooded during the heavy December rainfall.
- Lodges are much larger and more imposing than the original smaller pod design.
- Development of this size is not in keeping with the size of Tibenham.
- The lack of facilities within the village means that they will have to travel to access shops, restaurants and entertainment.
- The proposal is taking too many amenities away from the village. The land is a community asset used for community events.
- Concerned over the amount of traffic that will be generated and the absence of pedestrian facilities within the village.
- The development will only exacerbate existing flood issues in Tibenham.
- The removal of the hedgerow and development of the land will have a detrimental impact on wildlife habitats.
- Car park is too small for the holiday units and the pub.

Seven lodges:

18 objections received that substantially reiterate the matters raised above.

5 Assessment

Key considerations

- 5.1 Principle of development
The pub as an asset of community value
Impact on the character of the area
Impact on setting of listed building
Impact on residential amenity
Impact on highway safety
Trees, hedgerow and ecology
Flood risk

Principle of development

- 5.2 Amongst other things, Policy DM1.3 of the SNLP permits new development in the countryside where specific development management policies allow it. For this application, Policy DM2.12 of the SNLP is relevant. At criterion (1) of that policy, it states that proposals for new built permanent or semi-permanent tourist and holiday accommodation will be required, unless specific justification is provided, to locate within development boundaries or on sites well related to settlements with development boundaries, and at a scale appropriate to the settlement.
- 5.3 In this case, the agent has explained that the pub needs to increase revenues in order for it to be viable and that the holiday use will provide a viable income stream in support of the pub. The applicant has supplemented this by explaining that the pub has lacked investment and is in need of improvement although no specific information has been submitted to demonstrate that the pub is not viable or whether there is a sliding scale of works that may improve its viability. Despite this, Policy DM2.12(1) is generally permissive of holiday accommodation in a situation like this one. The site is sandwiched between the two development boundaries that have been defined for Tibenham and so is well related to the development, as required by Policy DM2.12(1). The village has been classed as an Other Village by Policy 16 of the JCS on the basis of the limited range of facilities that are available, with limited infill development being deemed acceptable. Although Tibenham is a small village with few services, my view is that seven holiday lodges that are subject to planning conditions that restrict their use to holiday accommodation only is not an inappropriately high quantum of development relative to the village and the location next to the pub. On the whole, I am satisfied that the application complies with Policy DM2.12.

The pub as an asset of community value

- 5.4 The Greyhound has been designated as an Asset of Community Value (ACV). The aim of the ACV regime is to give communities the right to identify a building or other land that they believe to be of importance to the community's social well-being. The aim is that, if the asset comes up for sale, then the community will be given a fair chance to make a bid to buy it on the open market. It does not restrict what an owner can do with their property if it remains in their ownership; it is for the planning system to determine appropriate uses. This application does not propose to change the use of the pub and that it is an ACV does not prevent the applicant from submitting applications at or within the grounds of the pub. It is understood that the application site has been used amongst other things as a caravan site, for clay pigeon shooting, themed weekends, weddings and other celebrations but it is not community land in as much as it is not owned by the parish council or a community group - it is hired from the pub.

- 5.5 Taking account of the above, while the pub as an ACV is a material consideration, taking account of the type of development that is being proposed and the use of the pub not changing, I do not ascribe significant weight to it being an ACV in my overall assessment.

Impact on the character of the area

- 5.6 The explanatory text for Tibenham in the Site Specific Allocations and Policies DPD states the following:-

Form and Character

The parish of Tibenham has a dispersed rural settlement pattern consisting of individual dwellings and farms scattered throughout the parish. The established village of Tibenham is concentrated along The Street and around the site of the old school. Further detached clusters of development exist at Pristow Green and Long Row. The main concentration of development has developed in a linear form characterised by one plot depth. Its setting in a small valley with abundant tree hedge planting along the road frontages and attractive open countryside give it a rural character.

and:

Development Boundary and Constraints

Due to the limited facilities available in the settlement the development boundary has been drawn to maintain the separation between the two parts of the village and to provide some limited infill development opportunities in locations close to the facilities.

- 5.7 As referred to above, the application site is a field that is contiguous with The Greyhound on the northern side of The Street that is located between the two development boundaries that have been defined for Tibenham. A new access is to be provided and associated with this, a substantial section of hedge is to be removed to provide the necessary visibility splays. Views of the three units in the northwest corner of the site will be largely filtered from roads by the pub and existing and retained planting. The removal of the hedge will open out the site in the short term making views of four of the units more visible but given their position to the rear of the site and the winding nature of The Street, I do not anticipate that they will stand out as jarring features within the street scene. In addition to that, the hedge will in time grow to obscure views further.
- 5.8 Views of the site may also be possible from the public footpaths to the northwest. The trees along the northern boundary are the dominant feature and when in leaf, they are likely to largely obscure the units from this direction. When not in leaf, the trees will still be the dominant features and will continue to provide a decent degree of obscuring.
- 5.9 When having regard to the above, there will be some level of erosion of the space between the two parts of Tibenham but when taking account of the number, position and layout of the holiday units, I do not consider that they or the new access result in a level of development that will significantly alter the character of the village. Instead, my view is that the two distinct parts of the village will remain substantially intact and that the character of the wider area will be maintained. The application therefore complies with Policies 1 and 2 of the JCS and Policies DM3.8 and DM4.5 of the SNLP.

Impact on setting of listed building

- 5.10 Coldstream Cottage to the northeast is a Grade II listed building. In view of the position of that property diagonally opposite the site and that it will continue to stand by itself, I am of the view that its setting and significance will be maintained and that impact of this

development will be neutral. The application therefore meets the test set by section 66 of the Planning (Listed Buildings and Conservation Areas) Act and the guidance set out in Policy DM4.10 of the SNLP.

Impact on residential amenity

- 5.11 Concerns have been raised about the impact of noise and disturbance on existing residents and the possibility that levels of crime may increase. The introduction of the holiday lodges will mean that development will be closer to existing residences and given that the site is a field at present, the activities associated with the holiday lodges may well be noticeable to residents. However, in view of the level of separation between the lodge at the eastern end and the nearest dwelling (at least 45m), I do not consider that what might be construed as normal activity will not result in circumstances that will be harmful to living conditions.
- 5.12 While appreciating that there are fears that this development will lead to an increase in crime, that seven holiday units are being proposed does not automatically equate to an increase in levels of crime.
- 5.13 Taking account of the above, I consider that the impact on residential amenity will be neutral thus allowing the application to comply with Policy DM3.13 of the SNLP.

Impact on highway safety

- 5.14 In commenting on the application in its various guises, the Highway Authority did not object on the grounds of highway safety to six units of accommodation subject to planning conditions being imposed relating to the construction of the new access, there being no means of obstruction across the access, the existing access to The Greyhound being stopped up with the exception of deliveries to it and appropriate visibility splays being provided.
- 5.15 For ten units, the Highway Authority recognised the limitations of the highway network and there being no formal footway along the road. However, while expressing a preference for six units, it still did not object to ten units provided the conditions referred to above are imposed.
- 5.16 The application has been amended again to seven units and having regarding to the Highway Authority's position when six and ten units were being proposed, subject to those conditions being imposed, I consider that the application complies with Policy DM3.11 of the SNLP.
- 5.17 In respect of parking, 23 spaces are shown as being provided, 4 of which will be for disabled parking. At present, although there is a parking area, spaces are not defined. The Site Plan shows the parking area extending further to the north to provide some parking, a turning area for fire tenders and spaces being better defined. Concerns have been raised about the amount of parking and potential conflict between holidaymakers and customers of the pub. While no doubt attracting customers from outside of Tibenham, I have not been made aware that the pub is busy throughout its opening hours at all times of the year. The pub will clearly be busier at some times than others but demarcation of the spaces alongside the provision of additional spaces to the north is likely to aid better parking than currently takes place. For the most part and since occupancy rates are unlikely to be 100%, I consider it likely that the amount of parking spaces stated will be sufficient.

Trees, hedges and ecology

- 5.18 A group of trees are proposed to be removed in the area of units 1, 2 and 3. Five of these trees are category C trees and one category B. In view of their position, these are of limited value and given the presence of other trees around the site, their removal will not have a significant impact on the character of the area. An existing category C tree within the current park is shown as being retained but in view of its position and categorisation, if this was to be removed to ease manoeuvring in and out of spaces, there would be no objection. Other trees are sufficiently distant from the various elements of the application or any impacts can be mitigated through appropriately worded planning conditions and to ensure compliance with Policy DM4.8 of the SNLP.
- 5.19 A Hedgerow Assessment was submitted during the course of the application. In commenting on this, the Conservation and Tree Officer accepted that the hedgerow along the front does not meet the "important" criteria and that the replacement specified will be adequate mitigation subject to the use of conditions to secure this. With such a condition, the application complies with Policy DM4.8 of the SNLP.
- 5.20 Concerns have been raised on the impact on other ecology matters and the prospect of Great Crested Newts being present has been raised by local residents. During the course of application ref. 2020/0769 (for two dwellings at the eastern end of the site which was withdrawn), advice was sought from the County Ecologist as a pond is located beyond the hedgerow at the far eastern end of the site. An ecology survey has not been submitted. The County Ecologist is aware that Great Crested Newts are in the area but her observation was that she was doubtful that a Preliminary Ecological Survey would raise anything of concern. She commented that there is only one other pond within a 250m radius of the site and the photos of the pond at the eastern end of the site suggest that it has poor water quality and is unlikely to score very highly on the Habitat Suitability Index scale. My own observations from visiting the site were that the pond is stagnant, a good amount of algae and debris was present on the surface and that there is a direct channel leading to it from the highway. These are indicators of poor water quality.
- 5.21 The main part of the site is regularly mown grassland and so will have limited, if any, suitability as terrestrial habitat for Great Crested Newts. The hedges and trees around the site may be suitable as commuting routes and for nesting. The new access is unlikely to affect this to a significant degree and provided the removal of the hedge between the access and pub is carried out at the appropriate time and the applicant complies with the relevant guidance and legislation that relates to any nesting birds or other protected species that may be observed during the course of its removal, I do not consider that there are sufficient reasons on which to refuse the application on ecology grounds. A suitable condition has been drafted to ensure that the removal of the hedges takes place under appropriate ecological supervision if it is to be removed between during the nesting season.

Flood risk

- 5.22 Much of the site is at low risk from surface water flooding with the centre of the site being at medium and high risk from surface water flooding. Associated with this, the site also falls within a surface water flowpath that travels from the southwest to the northeast. Units 2, 3, 4 and 5 are outside of all of these areas of flood risk. Just over half of unit 1, most of unit 6 and a front corner of unit 7 are within the low risk area. The new access drive passes through the flood risk area. Under the Flood Risk Vulnerability Classification, the proposal is a 'more vulnerable' use. When exercising the Sequential Test, since the application has been submitted in support of the pub and the site has been used in the past for caravanning, I am satisfied that there are no

other sequentially preferable sites that should have been considered. In view of the position of the units relative to flood risk zones and the use, I do not consider that it is necessary for the Exception Test to be applied.

- 5.23 The Water Management Officer has provided comments on the application in its various guises but for 10 units, she commented that the Flood Risk Assessment has demonstrated that users of the site can remain safe during all flood risk scenarios and that the proposed development will not increase flood risk at the site or elsewhere. Amongst the measures included are that the finished floor levels will be 0.7m above ground level, which will provide 0.4m freeboard above the worst case scenario of 0.3m flood depth. She recommended that in the event of the application being approved, planning conditions are imposed that require the recommendations of the Flood Risk Assessment to be implemented and that a Flood Emergency Plan is submitted for approval prior to the first use of the site. These conditions are reasonable and necessary to make the development acceptable and will contribute to the application complying with Policy 1 of the JCS insofar as it relates to minimising the risks of and from flooding.
- 5.24 Surface water disposal is stated as discharging to a sustainable drainage system. Since the site is substantially within an area at risk from surface water flooding and in the absence of the results of percolation tests to demonstrate infiltration potential, it is appropriate to secure compliance with Policy DM4.2 by imposing a planning condition that requires full details of surface water drainage to be submitted for approval.
- 5.25 For foul water, the intention is for the units to be served by a package treatment plant. Noting the concerns that have been raised about this discharging water into a dry ditch and potentially causing odour issues, a planning condition is proposed for use that requires precise details of foul water disposal to be submitted for approval.

Other matters

- 5.26 The need to support the economic recovery following the COVID-19 pandemic is a material consideration that weighs in favour of the application. Although there are limited services within Tibenham, the opportunity exists that visitors will use The Greyhound for meals and drinking and contribute towards its viability during the year. Visitors may also choose to visit local towns, villages and attractions and contribute towards the local economy by spending there. This development therefore will result in economic benefits of a moderate degree.
- 5.27 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.

Conclusion

- 5.28 The application site is well related to the development boundaries that have been defined for Tibenham and the number of units being proposed is appropriate and will not dominate the local community. The holiday units will contribute towards diversifying the offer at the pub and will contribute towards its viability. There will be economic benefits associated with the construction and use of the units, there will be acceptable impacts or impacts that can be mitigated on the character of the site and surrounding area, residential amenity, highway safety, trees, hedgerows and ecology and the risk from flooding can be adequately dealt with. A number of concerns have been raised by a number of parties such as those items raised immediately above and the pub being an ACV but when weighing up those matters in favour of the application and those

against it, on balance my view is that this application is an acceptable form development that complies with the relevant policies of the development plan and should be granted planning permission.

Recommendation : Approval with Conditions

- 1 Time Limit - Full Permission
- 2 In accordance with submitted drawings
- 3 Details to be submitted of the appearance of the holiday accommodation and any decking, railings and skirting
- 4 Surface water drainage
- 5 Foul water drainage
- 6 In accordance with Flood Risk Assessment
- 7 Flood Emergency Plan
- 8 No change in site levels
- 9 Construction of new access
- 10 Configuration of access gates
- 11 Close existing access
- 12 Provision of visibility splay
- 13 Provision of parking area
- 14 Removal of trees and hedge
- 15 Landscaping scheme
- 16 Tree protection and mitigation measures
- 17 External lighting
- 18 Holiday occupancy condition
- 19 Link accommodation to pub

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2021/0316



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

2. **Application No :** 2021/0316/H
Parish : CAISTOR ST EDMUND & BIXLEY

Applicant's Name: Mr P Giles
Site Address 32 Caistor Lane Caistor St Edmund NR14 8RB
Proposal Erection of detached garage, new entrance gates and all associated works.

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 in section 4.

Recommendation summary :

Refusal

1 Proposal and site context

- 1.1 The application seeks full planning permission for a two bay detached garage located at the west end of the front garden. It would be clad in weatherboarding with a low pitched roof of pantiles to match those on the house. The scheme originally proposed a three bay structure but this has been reduced in size. There are some associated works to the garden and new gates.

- 1.2 The existing plot contains a detached dwelling and is located on the north side of Caistor Lane with dwellings each side and opposite. The lane is characterised by detached dwellings of various designs and scales, set back from the highway. The site is within the development boundary of Poringland.

2. Relevant planning history

- | | | | |
|-----|-----------|---|----------|
| 2.1 | 2021/0182 | Erection of extension and double garage
At no. 36 Caistor Lane | Approved |
|-----|-----------|---|----------|

3 Planning Policies

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

- 3.2 **Joint Core Strategy (JCS)**
Policy 2 : Promoting good design

- 3.3 **South Norfolk Local Plan Development Management Policies**
DM3.6 : House extensions and replacement dwellings in the Countryside
DM3.11 : Road safety and the free flow of traffic
DM3.13 : Amenity, noise, quality of life

4. Consultations

- 4.1 Caistor St Edmund and Bixley Parish Council

The Parish Council had no comment.

- 4.2 District Councillor

Cllr Overton - If the officers are minded to refuse the application, the local member requests the application be called in to the committee.

4.3 NCC Highways

No highway objections.

4.4 Other Representations

Objection from 34 Caistor Lane expressing concern at the structure, set forward of the house, would be out of character in the locality; the building is excessive in height and size, and it would set a precedent for other nearby dwellings.

5. Assessment

Key considerations

Principle

Impact on the character and appearance of the area

Neighbour amenity

Highway safety and parking

Principle

- 5.1 The general principle of constructing a garage is supported by Policy DM3.6 of the SNLP.

Impact on the character and appearance of the area

- 5.2 The site is located on a section of Caistor Lane which has a variety of detached dwellings whose ancillary outbuildings tend to be located alongside the dwelling or to the rear. The front gardens retain an open, natural character enhanced by trees and hedges, which is complemented by the grass verges to the road and absence of formal footpaths. Consequently, to introduce a building in this context is considered to be harmful to the character and appearance of the street scene and contrary to Local Plan Policy DM 3.4, and Policy 2 of the Joint Core Strategy (JCS).
- 5.3 Officers would wish to highlight that discussions were held to see if a reduced size of building could be repositioned in the gap at the west side of the house but this was considered unacceptable by the applicants as it would prevent their only access to the rear garden for garden machinery, and there would be some construction issues due to the adjacent ditch. They also felt it would not enhance the long front elevation of the house. As stated above, the applicants have since reduced the size of the garage to match the footprint of the one approved at no.36, but the principle of a building in this location on the front garden was still considered contrary to DM Policy 3.4 and Policy 2 of the Joint Core Strategy.
- 5.4 Officers do recognise that the architect has also drew attention to other examples along the lane where garages have been built forward of the building line. In this case, these are predominantly much further west of the application site, where the character of the street is more varied and different, with the garages quoted either attached to the dwellings, or on the south (opposite) side of Caistor Lane, are part of modern dwellings which are set further back from the road.
- 5.5 One exception is that recently approved at no 36, (app no. 2021/0182) where consent was granted for a double garage in front of the dwelling. The circumstances are however different to this application insofar as it is close proximity of a woodland to the west which blocks views of the garage when approaching from the west, and it would not be read as breaking the established building line, which is considered to be distinctly different to the circumstances of this application. Indeed the officer who dealt with 2021/0182 remarked in their assessment at the time the following:

In terms of the proposed garage there are no other buildings that come forward of the building line on the northern side of the street. However, given this plot is adjacent to an area of woodland surrounding a pond which comes right up to the road frontage. This would block any views of the garage when approaching from the west. This means that the proposed garage would not be read as breaking an established building line as the building line does not become established until further down the street. I note that the neighbour at No.34 is concerned about this setting a precedent for garages in front gardens in other properties along the street. Each application is assessed on its own merit so this would not set a precedent. This site is very different from the properties further down the street due to the neighbouring woodland providing screening in longer views. The proposal is therefore considered to be in accordance with Policies DM3.4 of the South Norfolk Local Plan and Policy 2 of the Joint Core Strategy.

- 5.6 Ultimately the site at no.36 is different to no. 32, and it is necessary to be mindful that each application should be assessed on its own merits, as is the case here.

Neighbour amenity

- 5.7 With regards to the impact on residential amenity, it is considered that when having regard to the size and location of the garage when noting its position relative to the neighbouring properties that no loss of light, outlook or privacy would occur and as such the scheme complies with the requirements of Policy DM3.13.

Highway Safety and Parking

- 5.8 The Highways Officer has assessed the proposal and confirmed that they have no objections and as such Policies DM3.11 and DM3.12 are met.

Other Issues

- 5.9 The impact of the coronavirus is a material consideration in the assessment of planning applications. In this case other factors had more weight and it did not affect the determination of the application.
- 5.10 Under Section 143 of the Localism Act the council is required to consider the impact on local finances. This can be a material consideration but in the instance of this application the other material planning considerations detailed above are of greater significance.
- 5.11 This application is not liable for Community Infrastructure Levy (CIL).

Conclusion

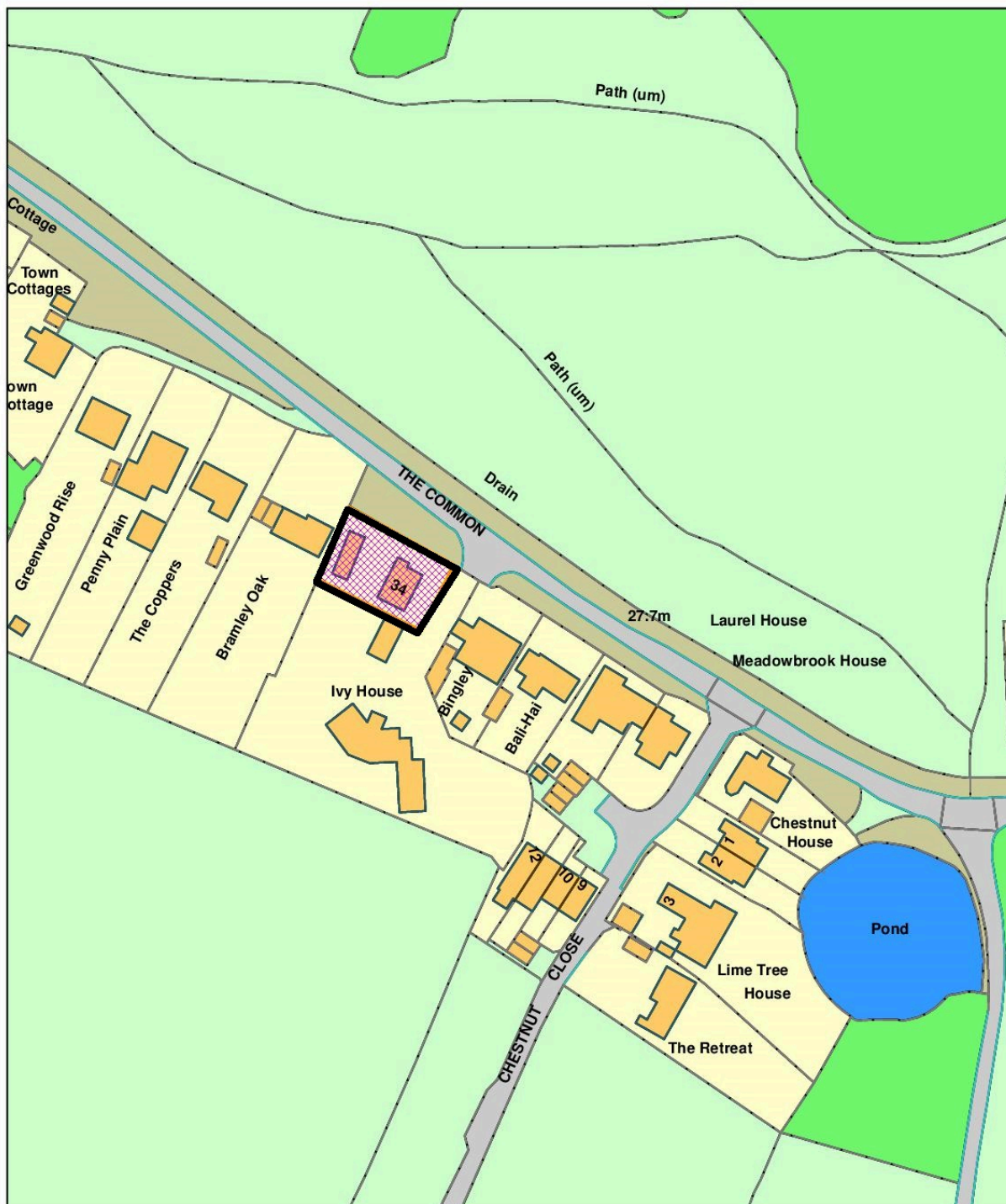
- 5.12 The proposal would not maintain or enhance the character and appearance of the street scene and would be contrary to DM Policy 3.4.

Recommendation : Refusal

1 The character of this part of the lane is largely defined by detached dwellings of a variety of designs and scales, set back from the highway behind hedge/fence boundaries which afford some privacy to the open gardens and driveways behind. Together with garden trees, it creates an open and landscape dominated impression, with ancillary outbuildings located alongside the dwellings or to the rear. The impact of a detached outbuilding of the scale proposed, set forward of the dwelling in a prominent location, would be a significant departure from this character having an adverse impact upon the character and appearance of the area, contrary to Policies DM3.6 and DM3.8 of the South Norfolk Local Plan Development Management Policies Document 2015.

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3. **Application No : 2021/0865/H**
 Parish : SWARDESTON

Applicant's Name: Mr Reece Broomfield
Site Address 34 The Common Swardeston NR14 8EB
Proposal Retrospective application for erection of Balcony
 balustrade

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 in section 4.

Recommendation summary :

Approval with no Conditions

1 Proposal and site context

- 1.1 The application seeks planning permission for the retention of the balustrade above the flat roof garage at 34 The Common Swardeston, The application is retrospective.
- 1.2 The property received planning permission under application 2018/0571 for the demolition of the existing dwelling and the building of a replacement property. This application has not however been enacted and instead the original dwelling has been renovated. The property is a two storey dwelling. The principle elevation is orientated perpendicular to the road, with the side elevation facing towards the road. The garden is located to the side (west) of the property. To the north of the site is Swardeston Common and it is this that part of the balcony faces towards. It is noted that from the balcony part of the garden of the neighbouring property Bramley Oak is also visible. To the south, east and west of the property is residential development.
- 1.3 The garage is located on the front of the property facing towards the road. To the rear of the garage is a two storey extension to the main house. A door leads from the two storey element onto the garage roof, which with the introduction of the balustrade forms a balcony. The door replaced a window within this elevation. This element has been reviewed by the compliance team and they have confirmed that it did not require planning permission as it is considered to be permitted development.
- 1.4 There is a static caravan located on the site within the garden. This is adjacent to the boundary with the neighbouring property Bramley Oak. The static caravan does not require planning permission subject to it being used ancillary to the main dwelling, and this has also been confirmed by the compliance team.

2. Relevant planning history

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|-----|-----------|-----------------------|----------|
| 2.1 | 2018/0571 | Replacement dwelling. | Approved |
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3 Planning Policies

- 3.1 **National Planning Policy Framework (NPPF)**
 NPPF 02 : Achieving sustainable development
 NPPF 04 : Decision-making
 NPPF 12 : Achieving well-designed places

3.2 **Joint Core Strategy (JCS)**

Policy 2 : Promoting good design

Policy 15 : Service Villages

3.3 **South Norfolk Local Plan Development Management Policies**

DM3.4 : Residential and conversions within settlements

DM3.8 : Design Principles applying to all development

DM3.13 : Amenity, noise, quality of life

4. Consultations

4.1 Swardeston Parish Council

The parish council has reviewed the above application and considers it should be refused as it would overlook the neighbouring property and be an invasion of the residents privacy. It is also not clear whether the construction of the existing single storey garage is of sufficient strength to be used as a balcony as no planning permission has been sought for this use.

4.2 District Councillors

Cllr Clifford-Jackson – Await comments from Parish Council and neighbours but this seems overbearing and unsuitable in its location. If you are minded to approve I would prefer it to be considered by the committee.

Cllr Legg - Can be delegated. There are considerable local concerns, particularly from neighbouring properties regarding overlooking as a result of this proposal.

I am also concerned to learn that no site visit nor site notice is proposed for this application and that determination will be a paper exercise only.

4.3 Other Representations

One public representation has been received objecting to the proposal. This has set out concerns that the balcony overlooks the neighbouring property including front and rear gardens, affecting privacy and enjoyment of the property. A solution for our privacy may be an addition of a 6ft permanent and solid screen erected on the west elevation of the balcony alongside high fencing and or mature high planting along the boundary line this would greatly help to shield our property.

5 Assessment

Key considerations

5.1 The key considerations in the determination of this application are:

Principle

Design

Impact Upon Amenity

Principle

5.2 Alterations to existing properties within development boundary are acceptable in accordance with the requirements of DM3.4 subject to good quality design and ensuring that the proposal does not have an unacceptable impact upon amenity.

Design

- 5.3 As set out previously the flat roof garage is existing, and as such this application solely considers the balustrade. This is a metal rail with toughened glass panels below. The height of the balustrade is 1.1 m. The design of the balustrade is considered to be acceptable and accords with the requirements of DM3.8 and JCS Policy 2

Impact upon Amenity

- 5.4 Policy DM3.13 requires all development to ensure that it does not have an adverse impact upon amenity for either neighbouring occupiers or the occupier of the dwelling. Concern has been raised from a neighbouring property regarding overlooking. This has also been included in the response from the parish council and ward members. The balcony provides views to the west and the north. In relation to the neighbouring property this would look towards the side elevation. There are no windows within the side elevation. Views would be provided towards the front garden, however in relation to the rear garden due to the position of the balcony and the alignment of the properties, any overlooking by virtue of the angle would be minor. There is also a reasonable degree of separation between the position of the balcony and that of the rear garden of the neighbouring property of approximately 17 metres.
- 5.5 Consideration has also been given to whether the introduction of the balustrade can be considered to have an overbearing impact upon neighbouring dwellings. The Common slopes downwards to the west, with number 34 sitting higher than the neighbouring dwelling. This is particular notable within the rear garden of the neighbouring dwelling. This may create the perception of being overbearing of the neighbouring dwelling from people standing on the balcony. The balustrade is located on the single storey element of the property, and consideration in regard to the position of the balcony is also of importance. Overall it is not considered that the introduction of a balustrade would have an overbearing impact.
- 5.6 In addition to the above, it is also important to note that whilst the introduction of the balustrade makes the use of the flat roof as a balcony more appealing and therefore more useable, the owners would be able to sit and stand in this area without the need for planning permission.
- 5.7 Overall the proposal is considered to retain a reasonable standard of amenity in accordance with the requirements of DM3.13.

Other Issues

- 5.8 Concern has been raised regarding a site notice not being erected for the application. In accordance with the regulations householder planning applications do not require site notices where all neighbours can be identified and written to. In this regard all neighbouring properties have been written to alongside the Parish Council and Ward Members. Appropriate consultation in accordance with the planning regulations is therefore considered to have taken place.
- 5.9 Under Section 143 of the Localism Act the Council is required to consider the impact on local finances. This can be a material consideration but in the instance of this application the other material planning considerations detailed above are of greater significance.
- 5.10 This application is not liable for Community Infrastructure Levy (CIL) as it does not create new floorspace

Conclusion

- 5.11 It is considered that the design is in keeping with the property and that the proposal will not have an adverse impact on the amenity of either the immediate neighbours or the wider area. As such the proposal accords with the criteria set out within policies DM3.4, DM3.8 and DM3.13 of the local plan and policy 2 of the Joint Core Strategy.
- 5.12 As a retrospective application, no conditions are proposed.

Recommendation : Approval with no Conditions

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Planning Appeals**Appeals received from 23 April 2021 to 19 May 2021**

None Received

Planning Appeals**Appeals decisions from 23 April 2021 to 19 May 2021**

Ref	Parish / Site	Appellant	Proposal	Decision Maker	Final Decision	Appeal Decision
2020/0600	Kimberley & Carleton Forehoe Land north west of Norwich Road Kimberley Norfolk	Mr & Mrs C House	Proposed over 55's, self-build dwelling (resubmission of 2019/2486)	Development Management Committee	Refusal	Appeal dismissed
2020/1747	Costessey 104 West End Costessey NR8 5AJ	Mr George Carrs	Retention of front dormer and first floor rear extension (resubmission of 2019/2466).	Delegated	Refusal	Appeal part allowed, part dismissed
2020/1154	Chedgrave Land east of The Manor Norwich Road Chedgrave Norfolk	Mr & Mrs Jeniec	Erection of single storey dwelling and workshop.	Delegated	Refusal	Appeal Allowed
2020/1890	Brooke The Bungalow Howe Lane Brooke NR15 1HH	Mr Robert Neil	Variation of condition 2 of planning permission 2018/2290 - to clad existing brickwork, reduce size of garage door and changes to fenestration.	Development Management Committee	Refusal	Appeal Allowed

Ref	Parish / Site	Appellant	Proposal	Decision Maker	Final Decision	Appeal Decision
2020/0936	Hingham Land east of The Fields Hingham Norfolk	Mr & Mrs Lee & Emma Pigott	Self build dwelling and garage	Delegated	Refusal	Appeal dismissed
2020/0051	Colney Land to the rear of 37 Watton Road Colney Norfolk	Mr Adam & Mrs Melissa Korn	Erection of new self-build dwelling to replace an existing tennis court	Development Management Committee	Refusal	Appeal dismissed