

Development Management Committee

Agenda

Members of the Development Management Committee:

Cllr V Thomson (Chairman)	Cllr T Holden
Cllr L Neal (Vice Chairman)	Cllr F Ellis
Cllr D Bills	Cllr G Minshull
Cllr B Duffin	Cllr T Laidlaw
Cllr J Halls	

Date & Time:

Wednesday 9 March 2022
10.00am

Place:

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

Contact:

Leah Arthurton tel (01508) 533610
Email: committee.snc@southnorfolkandbroadland.gov.uk
Website: www.southnorfolkandbroadland.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 Committee.snc@southnorfolkandbroadland.gov.uk, no later than **5.00pm** on **Friday 4 March 2022**. 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: Committee.snc@southnorfolkandbroadland.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:
committee.snc@southnorfolkandbroadland.gov.uk by 5pm on Friday 4 March 2022.

Please note that due COVID, the Council cannot guarantee the number of places available for public attendance, but we will endeavour to meet all requests.

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.

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 8)
4. Minutes of the Meeting of the Development Management Committee held on Wednesday, 9 February 2022;
(attached – page 10)
5. Planning Applications and Other Development Control Matters;
(attached – page 16)
To consider the items as listed below:

Item No.	Planning RefNo.	Parish	Site Address	Page No.
1	2020/1925/F	PORINGLAND	Land south west of Bungay Road Poringland Norfolk	16
2	2021/1659/RVC	WYMONDHAM	Land southeast of 9 Spinks Lane, Spinks Lane, Wymondham	52
3	2021/1660/RVC	WYMONDHAM	Land southeast of 9 Spinks Lane, Spinks Lane, Wymondham	52
4	2021/1661/RVC	WYMONDHAM	Land southeast of 9 Spinks Lane, Spinks Lane, Wymondham	52
5	2021/1662/RVC	WYMONDHAM	Land southeast of 9 Spinks Lane, Spinks Lane, Wymondham	53
6	2020/1754/F	ALBURGH	Mill Farm Mill Road Alburgh IP20 0DS	63
7	2021/0743/F	EAST CARLETON	Carleton House Rectory Road East Carleton NR14 8HT	72
8	2021/1993/F	BAWBURGH	Kerkira, Stocks Hill, Bawburgh, NR9 3LL	80
9	2021/2321/O	ASHWELLTHORPE & FUNDENHALL	Timber Yard North of The Street Ashwellthorpe Norfolk	87
10	2021/2523/O	BARNHAM BROOM	Land south of Norwich Road Barnham Broom Norfolk	95

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.southnorfolkandbroadland.gov.uk/south-norfolk-committee-meetings/south-norfolk-council-development-management-planning-committee>

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 103)

8. Date of next scheduled meeting- Wednesday 6 April 2022

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

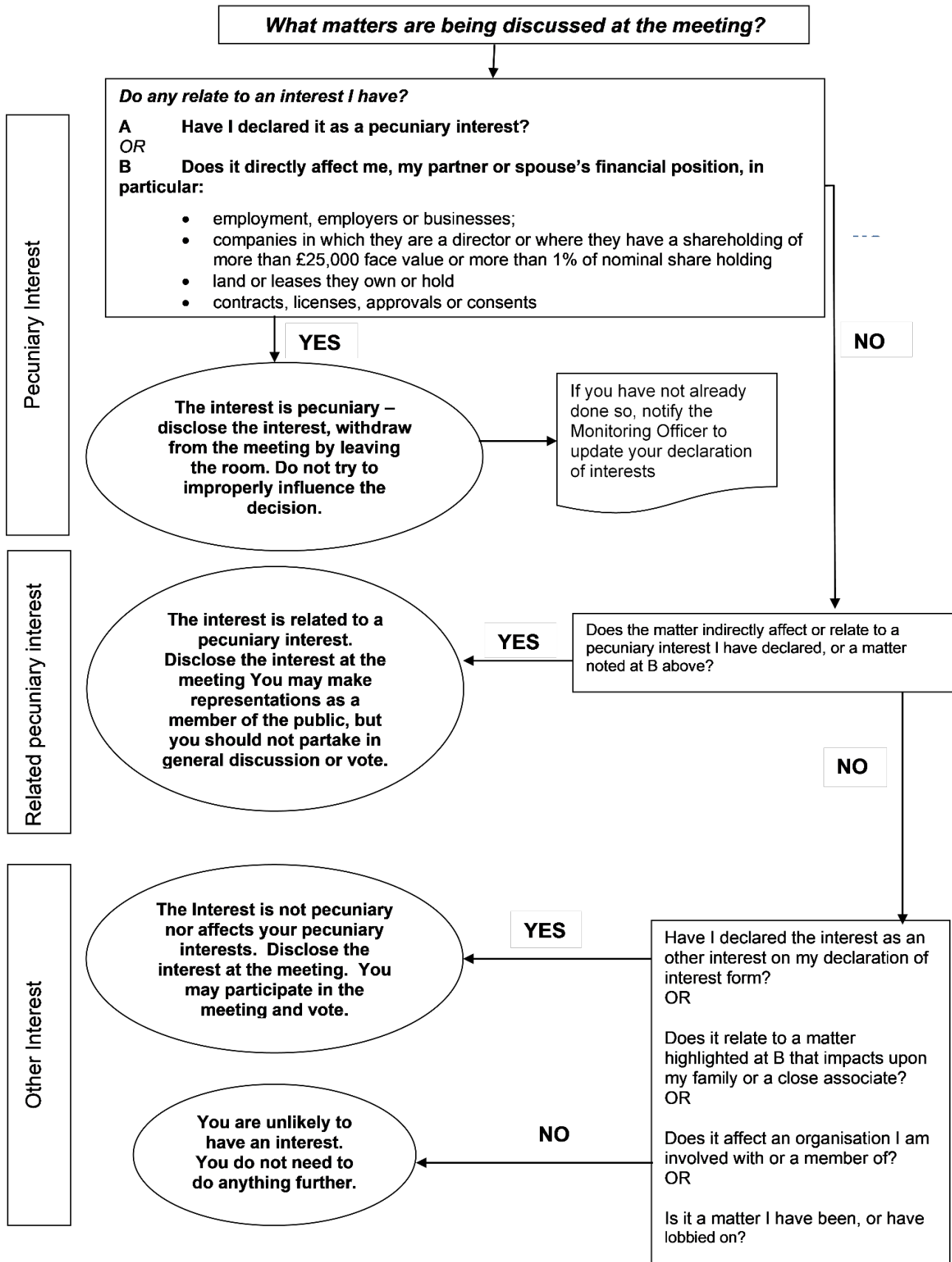
When declaring an interest at a meeting Members are asked to indicate whether their interest in the matter is pecuniary, or if the matter relates to, or affects a pecuniary interest they have, or if it is another type of interest. Members are required to identify the nature of the interest and the agenda 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 <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 meeting of the Development Management Committee of South Norfolk District Council, held on 9 February 2022 at 10am.

Committee Members Present: Councillors: V Thomson (Chairman), Y Bendle, D Bills, B Duffin, J Halls, T Holden, T Laidlaw, L Neal (Items 2 -4) and G Minshull (Items 2 -4).

Apologies: Councillor: F Ellis (with Y Bendle appointed substitute)

Officers in Attendance: The Development Manager (T Lincoln), the Area Team Manager (C Curtis) and the Principal Planning Officers (T Barker & P Kerrison)

7 members of the public were also in attendance

595 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
2021/0195/F (Item 1)	CRINGLEFORD	L Neal & G Minshull	Local Planning Code of Practice As Cabinet Members, Cllrs Minshull and Neal left the room while this application was considered
2021/2757/F (Item 4)	BURSTON AND SHIMPLING	All D Bills, Y Bendle, T Holden, J Halls & T Laidlaw	Local Planning Code of Practice Lobbied by the Parish Council Local Planning Code of Practice Lobbied by the District Member

		B Duffin	Other Interest County Councillor for the area
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596 MINUTES

The minutes of the meeting of the Development Management Committee held on 12 January 2022 were confirmed as a correct record.

597 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 applications listed below.

Application	Parish	Speakers
2021/1343/F	ASHWELLTHORPE AND FUNDENHALL	C Eastwood – Objector E Griffiths – Agent Cllr N Legg – Local Member Cllr V Clifford Jackson – Local Member (Written Representation)
2021/1244/LB	ASHWELLTHORPE AND FUNDENHALL	C Eastwood – Objector E Griffiths – Agent Cllr N Legg – Local Member Cllr V Clifford Jackson – Local Member (Written Representation)
2021/2757/F	BURSTON AND SHIMPLING	Cllr J Easter – 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.

598 PLANNING APPEALS

The Committee noted the planning appeals.

(The meeting concluded at 12:00pm)

Chairman

Updates for DEVELOPMENT MANAGEMENT COMMITTEE
– 9 February 2022

Item	Updates	Page No
Item 1 2021/0195		18
Item 2 2021/1343	<p>Parish Council Objection:</p> <p>Reiterating points covered in previous objections:</p> <ul style="list-style-type: none"> - Consultation with Neighbours - Removal of Trees/hedges - Reduction in the size of the pond - Loss of amenity for neighbours - Increase in size of the building <p>Additional Neighbour Objection:</p> <ul style="list-style-type: none"> - Date of Consultation - Heritage - Parking/highway safety - Sustainability 	26
Item 3 2021/1344	See above for 2021/1343	40
Item 4 2021/2757	<p>Parish Council - recommends Approval</p> <ul style="list-style-type: none"> - The amendments were noted. The roofline has been lowered to replicate the proportions of the streetscape - There were no concerns raised regarding the proposed double garage with annexe above, which meets the criteria as set out in DM3.4 b, c and d. - The design of the proposal also meets DM3.6 a and b in the view of the Parish Council - DM3.4a invites a subjective view and does not appear to be applied to other decisions for other applications as could be cited for approval for a barn conversion which is higher than surrounding buildings thus lacking consistency <p>2 letters of support</p> <ul style="list-style-type: none"> - In place of an existing building so would have less impact than a new building - Evergreen hedging shields the property from view - Will not be taller than the existing house - There are buildings in the area that are a multitude of shapes and sizes 	45

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.

Applications submitted by South Norfolk Council

1. **Appl. No** : **2021/0195/F**
Parish : **CRINGLEFORD**
Applicant's Name : Big Sky Developments Ltd
Site Address : Land East of A11 and North and South of Round House Way Cringleford Norfolk

Proposal : Proposed section of road to extend the existing proposed highway within the development approved under application ref. 2017/2120

Decision : Members voted 7-0 for **Approval**

Approved with conditions

1 Time Limit - Full Permission
2 In accordance with submitted drawings

Other Applications

2. **Appl. No** : **2021/1343/F**
 Parish : **ASHWELLTHORPE AND FUNDENHALL**
 Applicant's Name : Mr H Mason
 Site Address : Barn at The Grange Whipps Lane Fundenhall Norfolk
- Proposal : Proposed conversion of existing Atcost building to
 residential use (following the permission granted for Class
 Q conversion of the building under reference: 2020/2236)

 Decision : Members voted 5-4 for **Approval**

 Approved with conditions

- 1 Time Limit - Full Permission
- 2 In accordance with submitted drawings
- 3 External materials to be agreed
- 4 Access Construction Details
- 5 Biodiversity Method Statement
- 6 Tree protection
- 7 Retention of Trees and Hedges
- 8 Details of Services etc.
- 9 Visibility Splays
- 10 Provision of Parking Etc.
- 11 Foul drainage -sealed system/package
- 12 New Water efficiency
- 13 Contaminated land during construction
- 14 No PD for Classes ABCD&E
- 15 No PD for fences, walls etc
- 16 External Lighting to be agreed
- 17 Ecology Mitigation/Enhancement
- 18 Restrict outbuildings to ancillary and incidental to dwelling

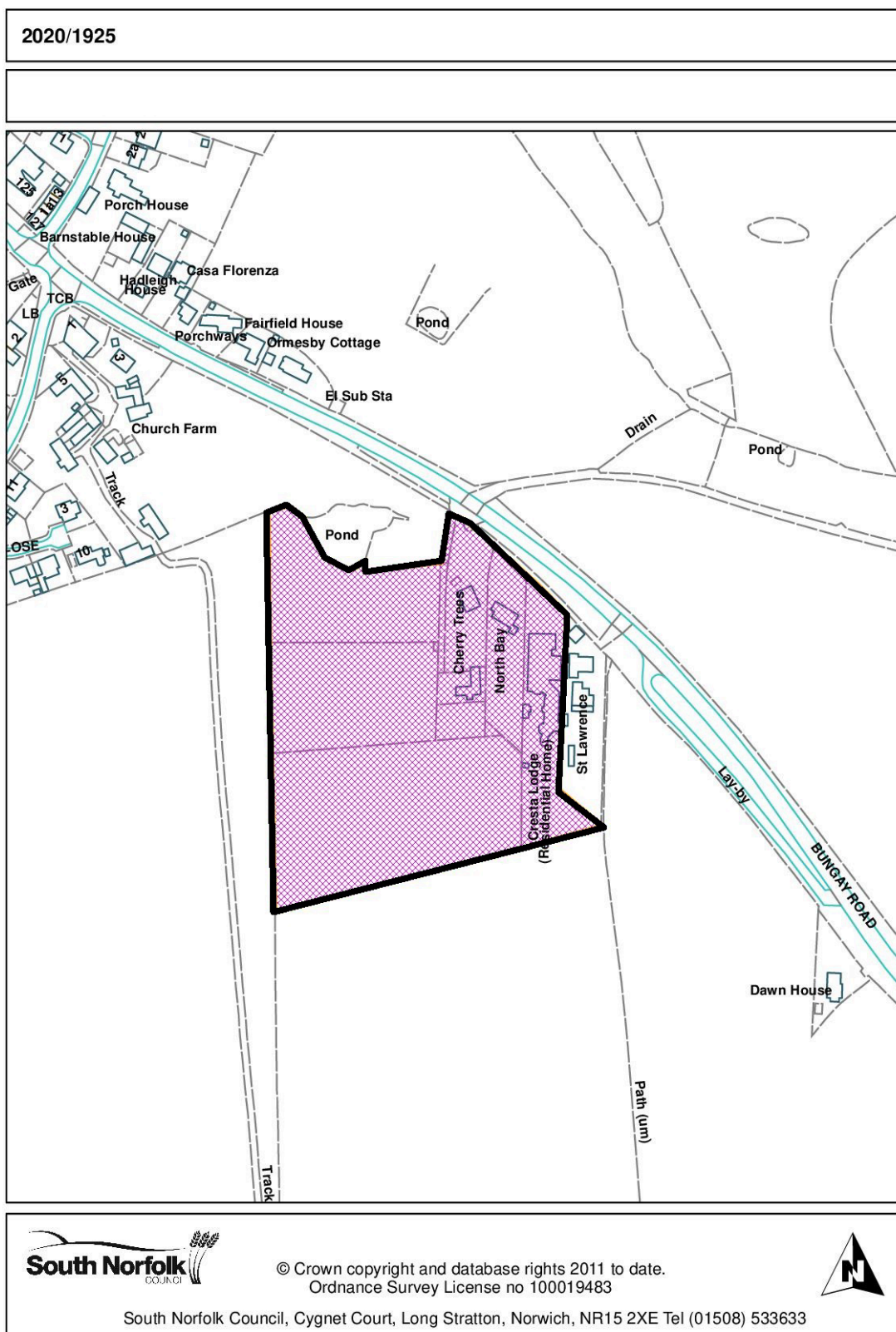
3. **Appl. No** : **2021/1344/LB**
Parish : **ASHWELLTHORPE AND FUNDENHALL**
Applicant's Name : Mr H Mason
Site Address : Barn at The Grange Whipps Lane Fundenhall Norfolk
- Proposal : Proposed alteration to existing curtilage listed outbuilding to form car port, as well as minor repairs/alterations to fabric of three other outbuildings.
- Decision : Members voted unanimously for **Approval**
- Approved with conditions
- 1 Time Limit - Listed Building
 - 2 In accordance with submitted drawings
 - 3 Matching materials
 - 4 Making good to match existing
4. **Appl. No** : **2021/2757/F**
Parish : **BURSTON AND SHIMPLING**
Applicant's Name : Mr Nigel Frankland
Site Address : Bell Cottage Back Lane Burstons IP22 5TT
- Proposal : Demolition of existing double garage and erection of proposed double garage with annexe above
- Decision : Members voted 6-3 for **Approval** (contrary to officer recommendation, which was lost 3-6)
- Reasons for overturning officer recommendation
- Reduction in height of building from previously refused scheme addresses the previous reasons for refusal and scheme is now acceptable in terms of its impact on the dwelling and its setting
- Approved with conditions
- 1 Standard time limit
 - 2 In accordance with submitted drawings
 - 3 Annexe accommodation only
 - 4 Materials

PLANNING APPLICATIONS AND OTHER DEVELOPMENT CONTROL MATTERS

Report of Director of Place

Applications referred back to Committee

Application 1



1. **Application No :** **2020/1925/F**
 Parish : **PORINGLAND**

Applicant's Name: Mr Robert Blackham
Site Address Land south west of Bungay Road Poringland Norfolk
Proposal Demolition of existing buildings and construction of a 41 bed care home
 (with 10 extra care apartments on ground floor, Use Class C2) and 42 extra
 care lodges (All Use Class C2), together with vehicular access, landscaping
 and communal facilities including, restaurant, cafe, bar, gym, therapy
 rooms, hair salon, shop and bowls green.

Reason for reporting to committee

Members authorised approval for the proposal development subject to a Section 106 agreement relating to the extra care provision. The applicant wishes to amend the approved scheme by reducing the number of units and this change whilst minor when considered against the overall scheme, this did not form part of the agreed authorisation and therefore is referred back to Development management Committee for consideration of the proposed amendment.

The previous report is attached as Appendix 1 for Members information.

Recommendation summary :

Authorise the Director of Place to approve subject to a Section 106 agreement relating to the extra care provision

1 Background, proposal and site context

- 1.1 At the Development management Committee on 28 January 2021, members resolved to grant full planning permission for the proposed development for the demolition of existing buildings and construction of a 41 bed care home (with 10 extra care apartments on ground floor, Use Class C2) and 44 extra care lodges (All Use Class C2), together with vehicular access, landscaping and communal facilities including, restaurant, cafe, bar, gym, therapy rooms, hair salon, shop and bowls green with club house. This was subject to a S106 agreement relating to the extra care provision. Officers have subsequently been working with the applicant/agents to agree the S106.
- 1.2 Since commencing the preparation of the S106, the applicant has advised that a small portion of Cygnet Care's land within the application site's red line boundary (directly south of the existing Crest-a-Dene care home) is subject to a restrictive covenant. The covenant does not allow built development within the area of land shown on the title plan. Whilst the applicant has since taken positive steps with the beneficiaries of the covenant, seeking agreement to remove the covenant from their title, they have received limited correspondence. Therefore, to ensure that planning permission can be issued, it is necessary to revise the proposal to address the issue regarding the covenant.
- 1.3 In view of the above the following revisions are proposed to remove all proposed built development from within the area of land subject to the covenant:
- Plots 27 and 28 have been omitted from the application site.
 - Plot 29 has been moved to avoid the area subject to the covenant, and proposed car parking and associated landscaping has been amended accordingly.
 - Unit 30 has been moved and angled slightly with car parking and landscaping amended accordingly (to account for the amendment to plot 29).

- 1.4 The development is proposed to the southeast of Poringland outside the defined development boundary for the village. The site at present incorporates 2 detached residential properties with their associated curtilages and Cresta Lodge a 25-bed care home run by Cygnet Care Ltd, which front the B1332 to the north. To the east of the site is St Lawrence which has consent for the erection of 3 detached chalet style dwellings. To the south is open countryside and to the west of the site there is extensive mid to late C20th estate style development along Howe Lane, although an intervening field remains undeveloped.
- 1.5 The site lies within the D2 Poringland Settled Plateau Farmland which is located south-east of Norwich. The key characteristics described in the South Norfolk Place Making Guide as being composed of 'Flat landscape which rises to a gentle central dome'...'Long views to Norwich from the northern edge and to the Tas Valley'...'Densely settled core area, predominantly of ribbons of post-war bungalows and other development along the small roads'.... The Landscape Character Assessment also adds 'Large scale open arable fields.'..'Poor hedgerows but wide roadside verges'. ...'Wooded character in parts and when viewed from afar'.

2. Relevant planning history

- | | | | |
|-----|-----------|--|---------|
| 2.1 | 2019/0667 | Demolition of existing buildings and construction of 60 bed care home, 56 extra care apartments and 31 extra care bungalows together with vehicular access, landscaping and communal facilities including cafe bar, restaurant, lounge, gym, salon and spa, bowls green, allotments and multi-functional open space. | Refused |
|-----|-----------|--|---------|

History in respect of the immediately adjacent site

- | | | | |
|-----|-----------|---|------------------------------|
| 2.2 | 2013/0930 | Outline application for demolition of existing bungalow and erection of 3 chalet bungalow dwellings | Refused
Allowed at appeal |
| 2.3 | 2016/0872 | Reserved matters for 3no Chalet bungalows for access, appearance, layout and scale, together with the discharge of conditions 4, 5, 6, 8 and 10 relating to outline consent from 2013/0930. | Approved |

3. Planning Policies

- 3.1 National Planning Policy Framework (NPPF)
- NPPF 02 : Achieving sustainable development
 - NPPF 04 : Decision-making
 - NPPF 05 : Delivering a sufficient supply of homes
 - NPPF 06 : Building a strong, competitive economy
 - NPPF 09: Promoting sustainable transport
 - 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

- 3.2 Joint Core Strategy (JCS)
 - Policy 1 : Addressing climate change and protecting environmental assets
 - Policy 2 : Promoting good design
 - Policy 3: Energy and water
 - Policy 4 : Housing delivery
 - Policy 5 : The Economy
 - Policy 6 : Access and Transportation
 - Policy 7 : Supporting Communities
 - Policy 14 : Key Service Centres

- 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
 - DM1.4 : Environmental Quality and local distinctiveness
 - 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
 - DM2.1 : Employment and business development
 - 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
 - DM4.8 : Protection of Trees and Hedgerows
 - DM4.9 : Incorporating landscape into design
 - DM4.10 : Heritage Assets

- 3.4 Poringland Neighbourhood Plan (PNDP)
 - (Subsequent to the Members decision this Plan has been Adopted).
 - Policy 1 : Sustainable Residential Growth
 - Policy 2 : Housing - Scale
 - Policy 3: Housing Mix
 - Policy 4 : Housing - Location
 - Policy 5 : Affordable Housing
 - Policy 6 : Natural Environment
 - Policy 7 : Trees and Hedgerows
 - Policy 8 : Landscape
 - Policy 9 : Long Views
 - Policy 10 : Recreational Open Space Provision
 - Policy 12 : Street Lighting
 - Policy 13 : Flood Risk
 - Policy 14 : Character and Design
 - Policy 15 : Historic Environment
 - Policy 16 : Sustainable Transport
 - Policy 18 : Transport Layout of New Residential Development
 - Policy 19 : Residential Parking Standards
 - Policy 22 : Economic Development

- 3.5 Supplementary Planning Documents (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.

4. Consultations

4.1 Poringland Parish Council

- No objections

4.2 District Councillors

Cllr John Overton:

- This application can be determined as a delegated decision, based on a minor variation to the original application due to a covenant covering the restriction of constructing (extra care lodges) on this parcel of land, therefore these units have been removed as per the amended plans.

Cllr Lisa Neal: To be reported if appropriate

Cllr Trevor Spruce: To be reported if appropriate

4.3 Anglian Water Services Ltd

- No further comments

4.4 Senior Heritage & Design Officer

- No objections to the changes which will also improve the landscape setting of the development to the south with additional planting to the rural edge

4.5 NCC Ecologist

No comments received

4.6 SNC Community Services - Environmental Quality Team

No comments received

4.7 NCC Highways

- There are no highway related concerns and as such the Highway Authority has no further comments to make over and above those made in my response dated 24 November 2020 – No objections subject to conditions.

4.8 SNC Housing Enabling & Strategy Manager

- I note that the effect of the amendment is to reduce by two the number of extra care lodges. Despite this, I believe that the application will deliver independent living for people with support needs, and I still have no objection to the application

4.9 SNC Environmental Waste Strategy

No comments received

4.10 SNC Landscape Architect

- I have no issues with the revised plans, which arguably improve the situation for the setting of the scheme as viewed from the southern footpath approach
- No objections subject to conditions

4.11 NCC Planning Obligations Co Ordinator

- Education – No obligations sought due to the age-restricted nature of this development
- Library – No obligations sought due to the age-restricted nature of this development
- Fire – 1 or 2 Fire hydrants required it may be that the fire hydrant provision for the care Home would be adequate to cover the Extra Care Lodges
- Adult Social Services - Norfolk County Council would welcome the affordable and assisted living units being available for those with disabilities (mental health, learning disability and/or physical disability).

4.12 SNC Community Assets Management Officer

No comments received

4.13 Police Architectural Liaison Officer

The previous comments are still relevant to this application:

- If the applicant seeks to adopt the specifications contained within the SBD, Homes 2019 guidance or SBD, Commercial Development 2015 v2 guidance, they could achieve the prestigious Secured by Design Developer Award through their engagement on the scheme. I would encourage the adoption of the principles contained within Secured by Design.
- The developers should be aware of and promoting some degree of compartmentalisation within the larger communal buildings in order to promote the safety and security of potentially vulnerable members of our society.
- Concerns regarding boundary security of the development, in particular the height of the railings (1.2m) and hedges (unknown height) indicated around the houses/bungalows as seen on the site plan. Would-be offenders also use areas of open access - often using busy, dynamic places to 'hide' within and move around the site to enter private dwellings. Secured by Design recommends the side and rear boundary treatments are 1.8m high to secure the dwelling.

4.14 NHS England

No comments received

4.15 NHSCCG

No comments received

4.16 GP's

No comments received

- 4.17 Norfolk And Waveney Local Medical Council
- No comments received
- 4.18 NCC Lead Local Flood Authority
- No objections subject to conditions
- 4.19 NHS STP Estates
- No comments received
- 4.20 NCC Public Health
- No comments received
- 4.21 Norfolk Fire Service
- No comments submitted but fire hydrants have been requested via the Planning Obligation Team
- 4.22 Heathgate Surgery
- The partners of our practice and the neighbouring GP Practice at Old Mill and Millgates Surgery find it interesting that no direct approach has been made of us in terms of providing General Medical Services to the increased population of this care home and new care (in respect of the S106 agreement)
 - With the nature of the development, the residents are likely to require comprehensive care plans with regular input from Primary Care No comments received
- 4.23 Historic England
- No comments
- 4.24 Economic Development Officer
- No comments received
- 4.25 Norfolk Police
- No comments received
- 4.26 Historic Environment Service
- No objections subject to conditions
- 4.27 Other Representations
- 1 letter of objection
- Having watched the committee approve the plans early last year, I was angered at the inaccuracy of the photo examples of how the development will look from the footpaths. I have been a professional photographer for 18 years and know that taking a ground level shot with a wide-angle lens isn't even close to what it will look like with the naked eye. This will tower over the bushes and trees and be an eyesore for the residents of Howe Lane who are currently enjoying beautiful scenery out of their back windows

- Despite amendments to the overall site, the main building is still a modern 3 storey monstrosity that will ruin the beautiful historic entrance to the village. This was one of the 4 reasons the original plan was denied the first time round, and despite the reduction in dwellings, the main building remains unaltered in scale and appearance
- The public comments on this seem to follow a trend in that all who are 'supporting' the development, reside a reasonable distance away from the site. Whereas those who are 'Objecting' will be directly affected by it
- The light pollution from this development will ruin our beautiful starry nights, which are a true benefit of living here.

1 Letter of comment

- Have looked at the amendments and note that there is an increase in landscaped space at the Southeast corner. Ask that an appropriate maintenance regime be put in place and that this area not be allowed to become overgrown or used in an inappropriate way to the detriment of Plot 3 and the occupants.

5 Assessment

Key considerations

- 5.1 In light of the resolution to approve the development, the main issue for consideration is in respect of the loss of two of the units, Plot 29 being moved to avoid the area subject to the covenant and the movement of Unit 30 is the impact this has on the overall design, highway safety, setting of listed buildings, residential amenity, trees, ecology and flood risk/drainage

Layout/design

- 5.2 Planning policy promotes a high standard of design at all levels. In particular Policy 2 of the Joint Core Strategy and DM3.8 of the Development Management Policies Document set out the design principles promoted by the Council. Good design is considered to be a key component of sustainable development and is therefore integral to successful development.
- 5.3 The site lies to the south of historic core of Poringland village. Although Poringland has been significantly expanded with suburban style housing in the late C20/early C21, the core is still an identifiable historic grouping with limited development in the approach from the south, so still retains its connection to the rural hinterland to the south.
- 5.4 Although there has been some development on the west side of the approach along Bungay Road, it is well set back behind landscaping, and also some development on the east side, which is detached properties with bespoke character, again set back from the road behind hedging, the historic core of the settlement is still entered relatively quickly in the southern approach. The character of this area to the south of the settlement is therefore still relatively rural with limited development, and it is not dominated by the more regular layout and consistency of building lines and forms of later suburban style estate development that characterises other parts and approaches into the settlement.
- 5.5 Whilst although not a conservation area, there is a concentration of heritage assets to the north of the site which have a relatively low rural density and historic grain. To the south of the site the views with open countryside are quite open with dipping gradient to the south. In urban design terms, although there has been some suburban style development, this area is still characterised in the southern approach along Bungay Road as a well vegetated, more rural settlement character with historic buildings and a looser grain of development.

- 5.6 This amendment seeks to remove two of the extra care bungalows from the south/southeast corner of the site and revise the position of two of the others. In terms of impact on the design and layout of the proposed scheme; and the character and appearance of area, this change would not have any detrimental impact and would arguably improve the layout on the sensitive southern boundary by reducing the amount of built form providing a looser and more informal landscaped edge to the development. There are no changes proposed in terms of design or materials and therefore these remain consistent with the authorised scheme. The impact in terms of views across the fields from the footpath to the south in urban design terms with regard to the village edge will be improved.
- 5.7 With regard to developing the site, the South Norfolk Place Making Guide has some key design principles, which includes: "Ensure that new development is well integrated into the landscape and maintains the quality of the transition between the settled and agricultural landscape. "The National Design Guide outlines ten characteristics that a development should adhere to, such as C1 in terms of how the site "understands and relates well to the site, its local and wider context" and also, I1 in terms of development to 'respond to the existing local character and identity.'
- 5.8 It is considered that in view of the above, the proposed layout and design of the Care Home and bungalows as amended continues to result in a sufficiently high-quality development. Overall, the scheme results in a development with its own distinctive character and does not harm the setting of the village or the character and appearance of the area.
- 5.9 The revised scheme is therefore considered acceptable in terms of its design, scale, layout and relationship to the surrounding area. On this basis, it is considered that the proposal would accord with policies DM 3.8, Policy 2 of the JCS, together with Section 7 of the NPPF, Policy 2 and 14 of the PNDP and the design principle 3.4.1 of the South Norfolk Place-Making Guide.

Access and highways

- 5.10 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.
- 5.11 At present the development site, which consists of an existing care home site and residential dwellings (which will be demolished), has a number of vehicular accesses directly onto the B1332 Bungay Road.
- 5.12 The proposed amendments reduce the amount of on-site parking required and NCC Highways have raised no objections to the revision subject to the imposition of the conditions as previously requested and these are contained within the list of conditions.
- 5.13 In view of the above, the proposal therefore accords with Policy DM3.11 and DM3.12 of the Development Management Policies document and Policy 16, 18, and 19 of the PNDP.

Impact on Residential Amenity

- 5.14 Policy DM3.13 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.
- 5.15 To the east of the site are the consented 3 detached residential properties. Concerns were raised by the neighbouring residents about the impact on their amenities of their development. Whilst it is inevitably the case that there will be a significant change to the present situation presently enjoyed by the existing dwelling and that which would be enjoyed by the consented dwellings, the removal of two of the extra care bungalows adjacent to their boundary, would not give rise to a situation detrimental to the amenities presently enjoyed or future occupiers will enjoy; and can equally be viewed as a positive change in the fact it moves buildings away from the neighbour.

- 5.16 Given the current permitted use of the site and together with the imposition of the conditions as set out in the agenda, it is not considered that the proposed development nor the amended scheme would not result in any significant harm to the amenities of existing or consented properties and accords with DM3.13 and DM3.14 of the Development Management

Landscaping, Impact on the character of the area

- 5.17 A core planning principle of the National Planning Policy Framework is to recognise the intrinsic character and beauty of the countryside, which is reflected in Policy DM1.3 of the Development Management Policies document. Planning Practice Guidance clarifies that conservation and enhancement of the landscape, not only designated landscapes, 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. Policy DM4.9 looks for a high quality of landscape design, implementation and management as an integral part of new development and advises that the Council will promote the retention and conservation of significant trees, woodlands and traditional orchards. Policy DM4.8 promotes the retention and conservation of trees and hedgerows.
- 5.18 The site lies within the D2 Poringland Settled Plateau which is located south-east of Norwich. The key characteristics described in the South Norfolk Place Making Guide as being composed of 'Flat landscape which rises to a gentle central dome'...'Long views to Norwich from the northern edge and to the Tas Valley'...'Densely settled core area, predominantly of ribbons of post-war bungalows and other development along the small roads'.... The Landscape Character Assessment also adds 'Large scale open arable fields'..'Poor hedgerows but wide roadside verges'..Wooded character in parts and when viewed from afar'
- 5.19 The submission is supported by a Landscape and Visual Impact Assessment (LVIA). It is clear that the most notable adverse visual effect will be from the southern aspect approach, in the views from the public footpath. The Council's Landscape Architect agrees with the general conclusion of the LVIA regarding visual effect, which states:

"The most significant visual effect from the PROW is for a short section, approximately 100m between viewpoints 12 and 11 and again at viewpoint 10. The visual magnitude of change to users of public rights of way is medium and the overall significance of visual effect is moderate/substantial."

- 5.20 The southern boundary of the site is considered to be a sensitive boundary because of the views from the public footpath and whilst it was considered that the proposal would not be significantly harmful to the character and visual appearance of the area, it is considered that the reduction of built form in this location would represent an improved situation for the setting of the scheme as viewed from the southern footpath approach. The amended proposal in view of the above is therefore considered to continue to accord with policies DM1.3, DM4.9, DM4.8 and DM4.5 of the Development Management Policies document and Policy 7, 8 and 9 of the PNDP.

Ecology

- 5.21 Policy 1 of the JCS requires the development to both have regard to and protect the biodiversity and ecological interests of the site and contribute to providing a multi-functional green infrastructure network. Policy DM4.4 looks for new development sites to safeguard the ecological interests of the site and to contribute to ecological and Biodiversity enhancements
- 5.22 An Ecological Assessment has been provided and assessed by the NCC Ecologist who have confirmed that they agree with the assessment and mitigation proposals to reduce the likelihood of impacts on ecological receptors. Due to the distances involved between the site and designated sites and the scale of the proposed development there are unlikely to be impacts on designated sites. The proposed amendments do not change the impacts in ecology terms and as such the proposal accords with DM4.4 of the Development Management Policies document and Section 15 of the NPPF.

Drainage

- 5.23 Policy 1 of JCS and Policy DM4.2 require development to minimise the possibilities of flooding and pollution.
- 5.24 The authorised scheme was considered acceptable by the Lead Local Flood Authority subject to the imposition of conditions which are contained within the list of conditions. The proposed amendments do not adversely affect the sites drainage strategy and as such the proposal accords with DM4.4 of the Development Management Policies document, Policy 13 of the PNDP and Section 15 of the NPPF.

Impact on the setting of Listed Buildings

- 5.25 The site lies to the south of historic core of Poringland village. Although Poringland has been significantly expanded with suburban style housing in the late C20/early C21, the core is still an identifiable historic grouping with limited development in the approach from the south, so still retains its connection to rural hinterland to the south. The historic core of the settlement contains several listed buildings including grade I listed Church of All Saints and grade II* Church Farm and its barn grade II. Other buildings in this historic grouping includes Porch House grade II* Margin Cottage and Forge Cottage.
- 5.26 The southeast corner of the proposed development is the furthest part of the site from the nearby listed buildings. It is therefore considered that the amendments to remove the two bungalows and the minor re-siting of the two other plots would not alter the view that considering the positioning and height of the proposed buildings, and how the setting of the various listed buildings has already been affected by more modern development within their context to the west, that officers are in agreement with The Heritage Statement that there is an impact on the setting of the church and the barn, but that this would be negligible in terms of experiencing the individual assets, as their immediate context remains preserved. The development therefore is considered acceptable in regard to Policy DM4.10 and Policy 15 of the PNDP. Equally in consideration of the Council's duties under the Act it is considered for the reasons set out above that the proposal would not adversely affect the setting of the listed buildings.

Other Issues

- 5.27 Planning Obligations:
The proposal is required to provide fire hydrants which is proposed to be a condition of any consent.
- 5.28 Direct mitigation and GI provision should therefore be included within the site proposal. Mitigation for new and existing GI feature identified as strategic shall be funded by the Community Infrastructure Levy (CIL) through the Greater Norwich Investment
- 5.29 Under Section 143 of the Localism Act the council is required to consider the impact on local finances. This can be a material consideration but in the instance of this application the other material planning considerations detailed above are of greater significance.
- 5.30 This application is not liable for Community Infrastructure Levy (CIL) due to falling within use class C2.

COVID as a material planning consideration

- 5.31 The need to support the economy as part of the recovery from the COVID-19 pandemic is a material consideration. This application will likely provide employment during the construction phase of the project and protects existing employment and provides jobs. This weighs in favour of the proposal.

Conclusion

- 5.32 The proposed amendments are considered acceptable in terms of design and layout. Furthermore, the development will not adversely impact of the character of appearance of the area or the setting of nearby listed buildings to a material degree. It will not be detrimental to highway safety; drainage; ecology; nor adversely affect the amenities of nearby residential properties. In view of the above, I recommend that the application be approved.

Authorise the Director of Place to approve conditions

- 1 Time Limit - Full Permission
- 2 In accordance with submitted drawings
- 3 Boundary treatments to be agreed
- 4 Materials to be agreed
- 5 Written scheme of archaeological investigation
- 6 Provision of fire hydrants
- 7 Water efficiency
- 8 Renewable energy
- 9 Detailed design of surface water drainage to be agreed
- 10 Foul Water to main sewer
- 11 Landscaping scheme
- 12 Long term landscape management plan
- 13 Tree protection (implementation only)
- 14 Details of no/minimal dig construction to be submitted
- 15 Retention of tree and hedgerows
- 16 No additional external lighting without details
- 17 Noise management plan for refuse bins to be agreed
- 18 Construction Management Plan
- 19 Noise and mitigation plan
- 20 Cooking fume extraction system to be agreed
- 21 No generators/air plant without consent
- 22 Contaminated land - Investigation
- 23 Implementation of remediation scheme
- 24 Contaminated land during construction
- 25 Ecology Mitigation
- 26 Biodiversity Enhancement Plan
- 27 Lighting design for light-sensitive biodiversity
- 28 Construction Traffic (Parking) management plan
- 29 Existing Access, Widen or Improve
- 30 Visibility splay, approved plan
- 31 Access Gates - Restriction
- 32 Access - Gradient
- 33 Traffic Regulation Orders
- 34 Provision of parking, service
- 35 Highway Improvements Offsite
- 36 Highway Improvements Offsite implementation
- 37 Air Source heat pumps
- 38 No PD for Classes ABCD&E
- 39 No PD for fences, walls etc
- 40 Restricted use of the restaurant/café
- 41 Details of the access road/drive surfacing

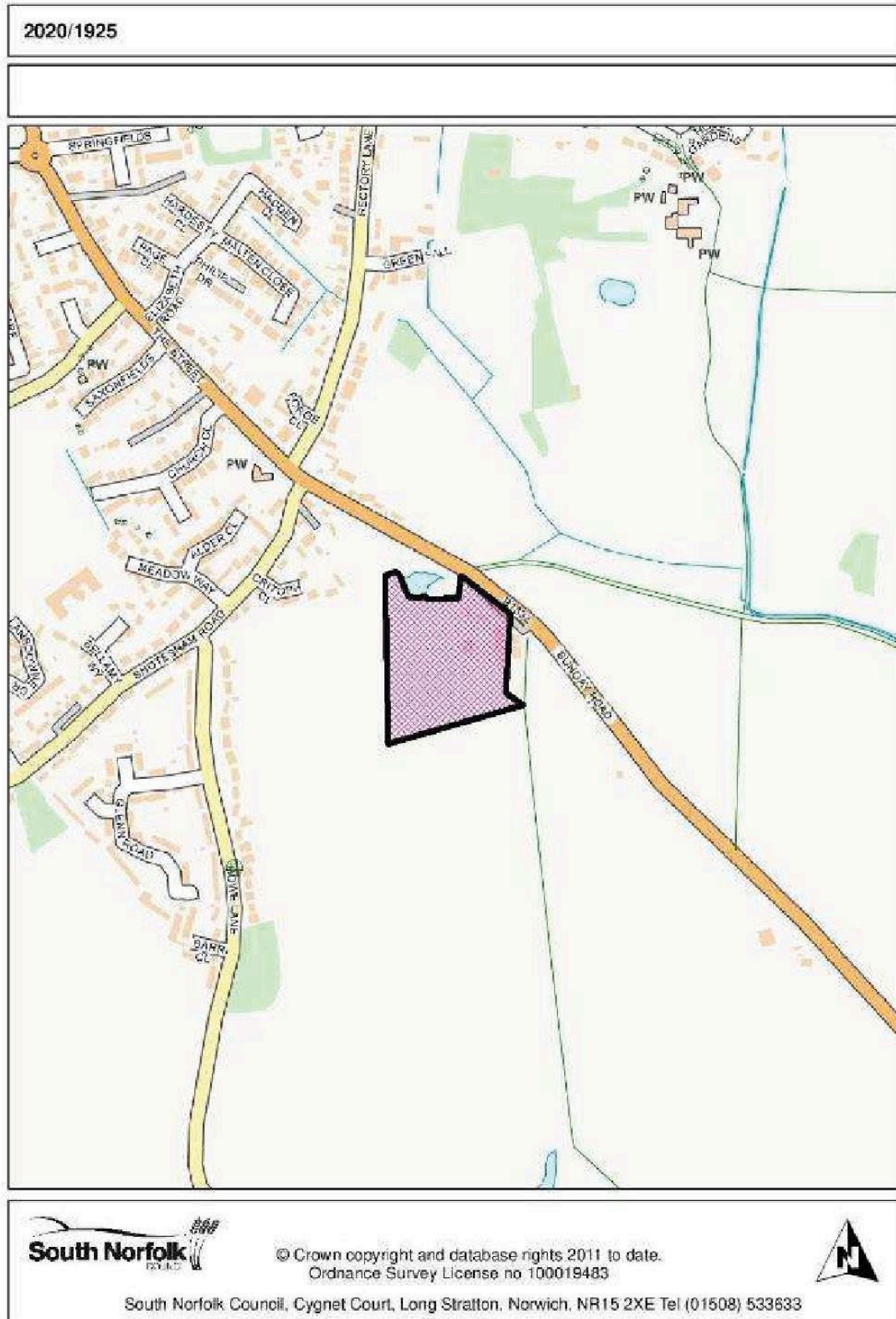
Contact Officer	Claire Curtis
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Appendix 1

Development Management Committee

28 January 2021

Application 2



2. Application No : 2020/1925/F
Parish : PORINGLAND

Applicant's Name: Mr Robert Blackham
 Site Address Land South West of Bungay Road Poringland, Norfolk
 Proposal Demolition of existing buildings and construction of a 41 bed care home (with 10 extra care apartments on ground floor, Use Class C2) and 44 extra care lodges (All Use Class C2), together with vehicular access, landscaping and communal facilities including, restaurant, cafe, bar, gym, therapy rooms, hair salon, shop and bowls green.

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: Authorise the Director of Place to approve subject to a Section 106 agreement relating to the extra care provision.

1 Proposal and site context

- 1.1 The proposed development is for the demolition of existing buildings and construction of a 41 bed care home (with 10 extra care apartments on ground floor, Use Class C2) and 44 extra care lodges (all Use Class C2), together with vehicular access, landscaping and communal facilities including, restaurant, cafe, bar, gym, therapy rooms, hair salon, shop and bowls green with club house.
- 1.2 The development is proposed to the south east of Poringland outside the defined development boundary for the village. The site at present incorporates 2 detached residential properties with their associated curtilages and Cresta Lodge; a 25-bed care home run by Cygnet Care Ltd, which front the B1332 to the north. To the east of the site is St Lawrence which has consent for the erection of 3 detached chalet style dwellings. To the south is open countryside and to the west of the site there is extensive mid to late C20th estate style development along Howe Lane, although an intervening field remains undeveloped.
- 1.3 The site lies within the D2 Poringland Settled Plateau Farmland, which is located south-east of Norwich. The key characteristics described in the South Norfolk Place Making Guide are being composed of 'Flat landscape which rises to a gentle central dome'...'Long views to Norwich from the northern edge and to the Tas Valley'...'Densely settled core area, predominantly of ribbons of post-war bungalows and other development along the small roads'.... The Landscape Character Assessment also adds 'Large scale open arable fields'...'Poor hedgerows but wide roadside verges'. ...'Wooded character in parts and when viewed from afar'.
- 1.4 This application follows the refusal of 2019/0667 for the demolition of existing buildings and construction of 60 bed care home, 56 extra care apartments and 31 extra care bungalows together with vehicular access, landscaping and communal facilities including cafe bar, restaurant, lounge, gym, salon and spa, bowls green, allotments and multi-functional open space.
- 1.5 It seeks to address the reasons for refusal which were as follows:
 - 1) The proposed care home and extra care apartments and bungalows are not supported by any specific Development Management Policy which allows for development outside of the development boundary and nor does it represent overriding benefits when having regard to the harm caused in relation to the impact on the form and character

and landscape impact of the area and as such does not satisfy the requirements of either 2 c) or d) of Policy DM1.3 of the South Norfolk Local Plan.

- 2) It is considered that the proposal would be harmful to the character and visual appearance of the area by virtue of its overall density, scale and massing and would not make a positive additional contribution to the village, in terms of integrating itself appropriately into the settlement form and character and its surroundings. Consequently, the proposal would result in the erosion of the rural undeveloped character of the site and lead to an encroachment on the open countryside. The proposal in view of the above is therefore contrary to policies DM 3.8, Policy 2 of the JCS, together with Section 7 of the NPPF and the design principle 3.4.1 of the South Norfolk Place-Making Guide which requires new development to relate well to the character of the local area which this proposal does not do.
- 3) The development would result in harm to the rural character of the landscape, thereby conflicting with Policy 2 of the Joint Core Strategy and Policy DM4.5 of the South Norfolk Local Plan. In particular, the development, which would not be of a density to respect the rural edge of the area, would be apparent from public viewpoints on the public footpath to the east/south of the site where there are currently limited views of development thereby leading to a loss of the landscape's rural character.
- 4) The proposed development does not represent sustainable development, having regard to the three tests set out in the National Planning Policy Framework, by virtue of the harmful impact to the character and visual appearance of the area and encroachment into the open countryside, which would significantly and demonstrably outweigh the benefits of the proposed development. Accordingly, the proposal fails to comply with policy DM1.1 of the South Norfolk Local Plan and Paragraph 11 d) of the National Planning Policy Framework.

- 1.6 In order to address the concerns raised the overall scale and massing of the scheme has been reduced and the care home, previously located on the southern boundary (and prominently visible from the public right of way) has been relocated to the northern boundary, adjacent to Bungay Road. The care home will be built in place of the existing development currently adjacent to Bungay Road. Across the wider site, the proposals have been revised to remove the apartment buildings and the proposed pavilion, in an attempt to minimise any adverse impacts upon the wider landscape and provide single storey care bungalows to the southern part of the site.

- 1.7 Part of the site is presently occupied by the existing care home at Cresta Lodge, which employs 26 members of staff. As set out in the supporting documents, it is anticipated that the combined care home and care village would employ a total of approximately 50 full time and part time staff (with a further 15 full and part time jobs associated with providing care for the residents of the extra care bungalows. This will fluctuate dependent upon level of care). The Applicant has clarified the types of job opportunities on offer following the redevelopment of the care home, with job roles including:

- Managers;
- Carers;
- Night Carers;
- Housekeepers;
- Activity Co-ordinators;
- Chefs;
- Kitchen Assistants;
- Groundsman;
- Reception;
- Hairdresser; and
- Additional maintenance person based at Pen House head office.

The new care home will operate as follows:

- 5 Shift patterns as follows (same as existing Cresta Lodge)
 - 7.30am to 2.30pm – 10 x carers, 2 x managers, 1 x Activities, 1 x head Housekeeper
 - 9.00am to 1.00pm – 4 x Housekeepers
 - 9.00am to 5.00pm – 1 x Activities, 1 x Reception, 1 x Chef, 1 x Kitchen Assistant
 - 2.30pm to 9.30pm – 10 x carers, 2 x managers,
 - 9.30pm to 7.30am – 4 x Night carers, 1 x Night Manager
- 1.8 The lodges will likely require 5 care staff on site from 7.30am to 2.30pm and 4 from 2.30pm to 9.30pm. Also 2 groundsmen from 9am to 4pm.
- 1.9 Use of communal facilities - Cygnet Care's intention is to make the communal facilities on site available on a membership basis to other members of Poringland's community. This is to help to integrate the development and its residents with the existing village of Poringland and to afford residents further protection from any isolation and loneliness impacts.
- 1.10 Use of the proposed restaurant/café - Concern was raised under the last application regarding the use of the proposed restaurant/café to be provided as part of the new Care Home on the site and the use of the facilities by people passing by. The restaurant/café will not be for general use by passing members of the public. It is intended that it may be used by families and friends of residents on site who might wish to eat with their friends and family during their visit. In addition, the facilities may also be used following games of lawn bowls on the proposed village green. It is not anticipated that the facilities will be used by members of the public passing through Poringland or by those who do not otherwise have a purpose to visit the site.
- 1.11 Use of the proposed gym – Concerns were raised at the lack of a dedicated "Gym" within the application plans. The Applicant has sought to clarify that the space within the proposed Pavilion accompanying the bowls green can be used for multiple activities, such as group exercise classes (including Pilates and other exercises aimed at retaining mobility), as opposed to a dedicated "Gym" containing specific gym equipment.

2. Relevant planning history

2.1	2019/0667	Demolition of existing buildings and construction of 60 bed care home, 56 extra care apartments and 31 extra care bungalows together with vehicular access, landscaping and communal facilities including cafe bar, restaurant, lounge, gym, salon and spa, bowls green, allotments and multi-functional open space.	Refused
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History in respect of the immediately adjacent site

2.2	2013/0930	Outline application for demolition of existing bungalow and erection of 3 chalet bungalow dwellings	Refused Allowed at appeal
2.3	2016/0872	Reserved matters for 3no Chalet bungalows for access, appearance, layout and scale, together with the discharge of conditions 4, 5, 6, 8 and 10 relating to outline consent from 2013/0930.	Approved

3 Planning Policies

- 3.1 National Planning Policy Framework (NPPF)
 NPPF 02 : Achieving sustainable development
 NPPF 04 : Decision-making
 NPPF 05 : Delivering a sufficient supply of homes
 NPPF 06 : Building a strong, competitive economy
 NPPF 09 : Promoting sustainable transport
 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
- 3.2 Joint Core Strategy (JCS)
 Policy 1 : Addressing climate change and protecting environmental assets
 Policy 2 : Promoting good design
 Policy 3: Energy and water
 Policy 4 : Housing delivery
 Policy 5 : The Economy
 Policy 6 : Access and Transportation
 Policy 7 : Supporting Communities
 Policy 14 : Key Service Centres
- 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
 DM1.4 : Environmental Quality and local distinctiveness
 DM3.8 : Design Principles applying to all development
 DM3.10 : Promotion of sustainable transport
 DM3.11 : Road safety and the free flow of traffic
 DM3.11 : 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
 DM2.1 : Employment and business development
 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
 DM4.8 : Protection of Trees and Hedgerows
 DM4.9 : Incorporating landscape into design
 DM4.10 : Heritage Assets
- 3.4 Poringland Neighbourhood Plan
- Note: The Poringland Neighbourhood Plan has been through a period of formal consultation, followed by an independent examination. In her report, the examiner recommended that the Neighbourhood Plan should proceed to a referendum in the parish, subject to a number of specific modifications. Subsequently, there has been a second examination which focused purely on Policy 4 of the plan. The modifications to this policy are still ongoing and therefore the Local Planning Authority has not yet made a decision detailing its intention to send a Neighbourhood Plan to referendum. As such, that plan can be given limited weight in decision-making, so far as the plan is material to the planning application being considered.

3.5 Supplementary Planning Documents (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.

4. Consultations

4.1 Poringland Parish Council

Original Proposal

Approve:

- The council gave considerable consideration to this application, taking into account the revised scheme, its location outside the settlement boundary, its compliance with the emerging neighbourhood plan and its impact on the landscape.
- Also considered was the unmet need within the District for places which care for the elderly.
- On balance, it was agreed that the Parish Council does not object to this application.

Amended proposal

Approve:

- Please be advised that, after careful consideration, on balance the Parish Council has
- no objections to the application as amended

4.2 District Councillors

Cllr Overton

This application should be determined by Committee:

- It is a facility that is much needed and I whilst I appreciate that the applicant has made quite a few changes from the original application and addressed the concerns of the Parish Council and most of the concerns that South Norfolk Council had.
- I also would like the objectors to have the opportunity to voice their concerns to the Committee.

Councillor Neal

- To be reported if appropriate

Councillor Spruce

- To be reported if appropriate

4.3 Anglian Water Services Ltd

No objections

- The foul drainage from this development is in the catchment of Poringland Water Recycling Centre that will have available capacity for these flows

- 4.4 SNC Senior Heritage & Design Officer
- No objections
- 4.4 NCC Ecologist
- No objections subject to conditions
- 4.5 SNC Community Services - Environmental Quality Team
- No objections subject to conditions
- 4.6 NCC Highways
- No objections subject to conditions
- 4.7 SNC Housing Enabling & Strategy Manager
- The application is for a 41 bedroom care home, 10 apartments within the care home, 44 bungalows and a range of communal facilities
 - The concept is that the complex would meet a range of needs, with all occupiers requiring at least 1.5 hours care per week, available 24 hours each day. This care requirement would be a contractual requirement of residence. Additional care packages would be available as required.
 - The apartments and the bungalows would be sold on a leasehold basis.
 - There is a general shortage of self-contained accommodation for sale with care available on-site, with none currently existing in South Norfolk. From a housing perspective, I therefore welcome the principle of the proposed homes for sale.
- 4.8 SNC Environmental Waste Strategy
- No comments received.
- 4.9 SNC Landscape Architect
- No objections subject to conditions.
 - I consider that this revised proposal has addressed the harmful visual impact that the previous scheme was judged likely to have had.
- 4.10 NCC Planning Obligations Co-ordinator:
- **Education:** No obligations sought due to the age-restricted nature of this development.
 - **Library:** No obligations sought due to the age-restricted nature of this development.
 - **Adult Social Services:** Norfolk County Council would welcome the affordable and assisted living units being available for those with disabilities (mental health, learning disability and/or physical disability).
 - Fire Hydrants required.
- 4.11 Police Architectural Liaison Officer
- Would wish to raise the same comments as under the last application.

These were:

- If the applicant seeks to adopt the specifications contained within the SBD, Homes 2019 guidance or SBD, Commercial Development 2015 v2 guidance, they could achieve the prestigious Secured by Design Developer Award through their
- engagement on the scheme. I would encourage the adoption of the principles contained within Secured by Design.
- The developers should be aware of and promoting some degree of compartmentalisation within the larger communal buildings in order to promote the safety and security of potentially vulnerable members of our society.
- Concerns regarding boundary security of the development, in particular the height of the railings (1.2m) and hedges (unknown height) indicated around the houses/bungalows as seen on the site plan. Would-be offenders also use areas of open access - often using busy, dynamic places to 'hide' within and move around the site to enter private dwellings. Secured by Design recommends the side and rear boundary treatments are 1.8m high to secure the dwelling.

4.12 NHS England

- No comments received.

4.13 NHSCCG

- No comments received.

4.14 GP's

- No comments received.

4.15 Norfolk And Waveney Local Medical Council

- No comments received.

4.16 NCC Lead Local Flood Authority

- No objections subject to conditions.

4.17 NHS STP Estates

- No comments received.

4.18 NCC Public Health

- No comments received.

4.19 Norfolk Fire Service

- No formally submitted comments but fire hydrants have been requested via the Planning Obligation Team.

4.20 Heathgate Surgery

- No comments received.

4.21 Historic England

- On the basis of the information available to date, we do not wish to offer any comments. We suggest that you seek the views of your specialist conservation and archaeological advisers, as relevant.

4.22 SNC Economic Development Officer

- Would support the retention and expansion of potential employment opportunities on the site. In this case, there would be a considerable opportunity for full and part-time employment in the long term as well as employment during the construction phase.

4.23 Norfolk Police

- No comments received.

4.24 NCC Social Services - Adult

- No comments received.

4.25 Historic Environment Service

- No objections subject to conditions.

4.26 Other Representations:

Original Proposal

- 7 letters of objection (In addition multiple letters have also been received from the same addresses)
- Raise concerns at how this application is being by SNDC
- I'm saddened that after this project was rejected for sound reasons that were supported by the community, this is back as a potential threat to our village
- Having viewed the new plans see no reason why the original reasons for rejection would be overturned based on the changes that have been made
- Is a gated community for a segregated single age group within the scope of the planning system?
- No demonstrable and verified need for such a large single use (ie retirement) village. Office National Statistics shows total population (16-64) of SNDC to be approx. 58% and below national and eastern region average; retirement statistics are therefore too small to quantify
- NPPF states that planning should be relevant, proportionate and necessary and should have economic, social and environmental considerations
- Sufficient land has already been allocated for building in Poringland
- Does not support social cohesion/inclusion
- Design is not in keeping with the local vernacular buildings at this end of the village and which are of heritage interest
- The area has a disproportionate amount of new build in relationship to population. Objective 9 of the JCS 2014 notes to protect,
- manage and enhance the natural, built and historic environment, including key landscapes, natural resources and areas of natural
- habitat or nature conservation value. The heritage sight lines of the listed barns and that of the local church should also be considered
- Are the properties to be freehold and open to all without any further encumbrances or leasehold with restricted covenants relating to re-sale and management fees? Will the management company be sold on and with the resultant increase in fees?

- Housing commitments within Poringland have not yet been built. Only 100 - 200 additional houses are now needed
- Are the leisure facilities to be open to the village or, if so, to be treated as a paying health club for non-retirement residents? If not, is this financially sustainable?
- Loss of privacy and overshadowing
- Not enough infrastructure to cope with the implications this project will bring, the doctors, dentists etc are fit to bursting now.
- Poringland doctors' surgeries are already oversubscribed and would struggle with extra pressure from a care home of vulnerable people.
- The Location is far from shops, bus stops and other amenities. Current bus services have contracted. GP surgeries are under pressure and are too far to walk to as is the Post Office
- The disturbance in terms of noise and dirt, airborne dust particles will impact my home and its appearance
- The build will be a blight on the landscape and is very out of character with the surroundings of fields and countryside
- The animals and wildlife that inhabit this space will be displaced or could die including wild birds such as red kites that live on this stretch as well as native great crested newts and in greater concentration bats
- Detrimental impact on wildlife, nesting birds and hedgehogs
- The local roads couldn't cope with the extra traffic or dust or mess
- Excess traffic leads to longer queues and can affect road safety in terms of trying to get children and vulnerable people across surrounding roads safely
- The entrances will be on bends, on a stretch of road currently 60mph. Traffic frequently speeds into the village at that point and the zebra crossing is already extremely dangerous
- This end of the village is not in possession of an ATS crossing, the pedestrian crossing is often overshoot, not allowing precedence to pedestrians by vehicles, in my opinion this will only worsen with extra traffic
- Poringland is already in dire need of a bypass as it is the end of the main road into Norwich and therefore gets heavily congested on a daily basis
- In addition to this there is a school on the main road that not only adds to the congestion, but also (and more importantly) puts children at risk of serious injury or worse. A development of this size will only increase the traffic flow in the area and cause longer daily disruption and more danger to life
- Insufficient parking, leading to detrimental impact on highway safety
- Believes the current Trics Analysis to be highly misrepresentative and therefore seeks N.C.C's further independent analysis
- The Poringland area is already too built up to handle the water disposal, as evidenced by the 3 year inconvenience the residents have endured to install a more robust water main. Further development and disruption is just an unforgivable burden, regardless of what the proposed development will be.
- The proposed entry/exit point will cause further disruption and slowing of traffic on the only main road into and out of Poringland. With proposals to include a total of 132 car parking spaces, the increased thoroughfare will only further aggravate an already notoriously bad traffic situation in the local area
- The Magnitude of Landscape Change is described on Landscape Visual Impact Assessment as being "Medium", although from a neighbouring resident's perspective the proposed changes would seem to more aptly fit the description for "High" (i.e. "Change that may be large in scale and extent, including the loss of key landscape elements and features or the addition of new uncharacteristic elements or features, leading to a change in the overall landscape character.")
- The proposed development would see one and two-storey buildings as well as a large three-storey apartment block being built in the direct eye-line of mine and my neighbours' back gardens - significantly degrading the look and feel of our current idyllic view
- Loss of value of property

- Out of character
 - Contradiction to the Poringland Neighbourhood Plan
 - The Burgate Lane application was refused "by virtue of the detrimental impact the scheme would have on the rural landscape" and "significant harm to the rural character of the landscape"
 - Loss of hedgerow
 - High risk of flooding
 - Concern regarding surface water run-off
 - Noise, disturbance and light impact from around the clock care, deliveries and visitors
 - Request that a Lighting Assessment - This type of proposal is likely to see high levels of ambient lighting for residents and staff; Noise Impact Assessment to the committed builds - Proximity of an internal road to the properties; Site Waste Management Plan - Please identify routes by Compactors preferably with turning radii, specifically the road in very close proximity to St. Lawrence; and a Phasing Plan - Demonstrating how the care home will remain live during the construction of multiple buildings including the care home
 - Landscape Visual Impact Assessment is misleading, missing information, not accurate
 - Question the conclusion that the overall impact is Minor/Adverse? One of the Largest buildings in Poringland with 30 outlying structures
 - Planning Statement is inaccurate and gives false information
 - Design and access statement is misleading
 - Transport statement – question the parking arrangements and the vehicular movements
-
- 9 letters of support
 - As the son of two former residents over many years, both of whom had excellent care during their twilight years
 - Would benefit from moving into a smaller residence with care
 - This is an opportunity for a very useful addition to the aging and growing Poringland Community
 - There is a great need not only for high quality residential care for our elderly residents, but also for those who need some assistance whilst retaining some degree of independence
 - This is especially the case in South Norfolk and the wider Norfolk area, details of which are mentioned in some of the supporting documents
 - The application is well drawn up and the result would be a complex that would both blend in well with the surroundings but also deliver a pleasant environment for residents to live in
 - Appreciate that it will have an impact on neighbours but feel that the proposal deals sympathetically with possible issues and the result would be harmonious with the existing housing and buildings. This contrasts with other sites in the immediate area
 - Having used the existing Cresta Lodge for an elderly parent, I fully support the need for the redevelopment of the existing facility. We found the level of care to be first class but understand the limitations of the current building
 - With an ageing population, the requirement for this type of development, which offers different levels of care according to need, is essential to the development of our welfare system and it is critical that we provide for our elderly community and provide supportive and enjoyable places for them to spend their later years
 - Being virtually self-contained it will have little impact on the local area and in fact would appear to offer excellent access via the B1332, although extending the 30MPH limit to the south would seem appropriate

- The changes made from the first proposal and can see there are significant alterations which improve the development density, height and overall impact
- Does not encroaching or negatively impacting the immediate surrounding area
- This proposed facility would provide a valuable service to our community and would ensure a safe and inclusive environment for its residents
- With an increasingly aging population and ever more uncertain challenges in society
- The proposed location is ideal as it provides modern facilities in close proximity to the community
- The construction of the new facility would create employment for construction workers during the build period which based on the phased approach to the project would give work for some time
- The facility itself would safeguard and inevitably create new employment opportunities both directly within the facility but also for its suppliers and subcontractors
- Will support various local amenities
- The design of the scheme is unique to the site and has taken the local vernacular into consideration
- It has been highlighted that the facility, namely the new bowling green and clubhouse, will be made available to the wider community and since the current bowls club has had to close this would offer a facility for the benefit of those players and integrate the community with the facility
- This development proposal would have no impact on the rural landscape as the proposal sites the main care home at the front of the site along the main road within an existing development area
- The remaining development at the rear is all low level (single storey) dwellings that would prevent any privacy issues to existing homes.

Amended Proposal

- 5 letters of objections
- Maintain previous concerns
- Despite amendments to the overall site, the main building is still a modern 3 storey monstrosity that will ruin the beautiful historic entrance to the village
- This was one of the 4 reasons the original plan was denied and despite the reduction in dwellings, the main building remains unaltered in scale and appearance
- The public comments on this seem to follow a trend in that all who are 'supporting' the development, reside a reasonable distance away from the site. Whereas those who are 'Objecting' will be directly affected by it
- Unsuitable development for of development
- Flood Risk Assessment - the recent rainy weather demonstrated that the Bennett Home site at the opposite end of the village could not cope with water run-off and homes were flooded; this is in spite of a Flood Risk Assessment and presumably, methods to control excess water
- The plan states that water run-off is to be stored on site and then run through a culvert to land opposite and not owned by the applicant. Has the landowner of this land opposite the proposed development given his consent for this? Flooded fields would render the field useless for grazing (as is current) and spoil the natural environment/wildlife
- There are a great number occupying this area that will be affected
- Concerned at the highly contrasting Assessment made by The Landscape Architect to this proposal 2020/1925, in comparison to Burgate Lane 2019/1593. Believes this further demonstrates the 'easy ride' being enjoyed by the Applicant from some Consultees

- In Burgate Lane, The LA made specific references to the South Norfolk Landscape Assessment & which policies it is contrary. In this Application, the LA is silent to the obvious harms. D2 Poringland Settled Plateau Farmland is referenced. None of the key advice in respect of the sensitive landscape of the area has been referenced in the LA's Comments.
- In Burgate Lane, The LA makes reference to Motorist Receptors from the B1332 and the harm to these for a proposal a significant distance away. However, in comparison with A Major Facility proposed on the B1332 and significantly bulked & higher, the LA has said...nothing.
- In Burgate Lane, The LA makes specific references to the roof tops that will still be seen at 15 years growth whereas in this new Application they are not raised
- The LA makes no comment with regard to the local distinction of the South Poringland Area. It has been specified both within the SNLA and in the Poringland Neighbourhood Plan as valued/important/distinctive. Not one mention is afforded to the relative importance of the Landscape at the location. While both Applications seek development within the 'important' zone, this Application seeks a major development in the core of this valued area as opposed to the fringe as shown in Burgate Lane. Where is this addressed?
- The Neighbourhood Plan (Version 1.3 May '19) has a picture (Page 58) which is used as exemplar for Long Views, for which the Applicant seeks to develop upon. The LA does not argue the importance of these long views but again...is silent. However, in the Burgate Lane Proposal, The Long Views are addressed
- SNDC should note that the Burgate Lane Development proposal directly adjoined an existing development pattern, whereas this proposal is completely irregular to the existing development pattern & significantly so. This has not been afforded any negative comment from the LA.
- The Burgate Lane Application, much like this proposal, argues a 'reduced development.' However, this proposal continues with a full curtilage design. However, SNDC LA would seem much more generous in his appraisal of the updated 2020/1925 scheme, as if any concerns are alleviated! Despite it being contrary to SNDC policy in numerous areas.
- Believe that this demonstrates the subtle support from SNDC, being very 'generous' and contradictory in their findings. SNDC can't have it 'both ways.' There is a clear disparity from developments not welcome and those that proceed with generous support. The difference in argument & tone is striking.

5 Assessment

Key considerations

- 5.1 The main issues to be considered are:
- The principle of development.
 - Provision of care home.
 - Extra care apartments and bungalows.
 - Highway safety.
 - Impact on the character and appearance of the area of the area.
 - Setting of listed buildings.
 - Residential amenity.
 - Trees.
 - Ecology and flood risk/drainage.

Principle

- 5.2 Planning law requires that applications must be determined in accordance with the Development Plan, unless material considerations indicate otherwise. The National Planning Policy Framework (NPPF) is a material consideration in determining planning decisions.

- 5.3 The site lies outside the development boundary for the village of Poringland as defined by the South Norfolk Local Plan (SNLP). Policy DM1.3 states that permission for development outside of development boundaries will only be granted where specific Development Management Policies allow for development (criterion c) or otherwise demonstrates overriding benefits in terms of economic, social and environmental dimensions as set out in Policy DM1.1 (criterion d).
- 5.4 There is no specific policy relating to the nature of development proposed within the SNLP. Joint Core Strategy (JCS) Policy 4 specifically requires allocations to be made for housing with care within the Norwich Policy Area, in which Poringland falls. There is, however no specific exceptions made within this policy for such development outside of development boundaries. JCS Policy 7 looks for expansion of care home provision specialising in dementia care in Wymondham, Long Stratton and Loddon and/or Poringland.
- 5.5 Albeit Cresta Lodge is an existing care home and therefore is an employment and business use and as such Policy DM2.1 allows for the expansion of existing businesses located in the Countryside provided that it does not have a significant adverse impact on the local and natural environment and character of the countryside, and should protect the amenities of the neighbouring occupiers.
- 5.6 On the basis of the above the following assessment seeks to establish whether the care home component of the scheme complies with all relevant policies including those of criterion 2d) of Policy DM1.3 of the SNLP as to whether or not the application provides overriding benefits in terms of economic, social and environmental dimensions and whether the scheme represents sustainable development as set out in the NPPF, with reference to the three dimensions (economic role, social role and environmental role) and under each of these three headings the relevant South Norfolk Local Plan Development Management Policies will be referred to.

Economic Objective

- 5.7 The NPPF highlights the economic objective as "to help build 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; by identifying and coordinating the provision of infrastructure."
- 5.8 There would be local economic benefits from the retention and generation of employment for the various uses proposed; equally from the construction and serving of the care village; and also, from the additional household expenditure and Council Tax revenue.

Social Objective

- 5.9 The NPPF confirms the social objective as "to support 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 the current and future needs and support communities' health, social and cultural well-being."

Need for care homes and homes with care

- 5.10 Norfolk County Council has identified that South Norfolk has an unmet need to provide 360 affordable Extra Care units by 2028. Equally, the Strategic Housing Market assessment 2017 shows a requirement for the provision of 634 C2 bed spaces within South Norfolk, within the period of 2015 to 2036.

- 5.11 Under the last application Norfolk County Council raised the following comments regarding Adult Social Care, which are relevant to this application:
- Across Norfolk more people are living longer, with a significant number of these predicted to live beyond 85 years. Increases in frailty and health needs in later life effects the housing and care choices people make. In South Norfolk district, it is estimated by 2028 there will be 40,200 people over the age of 65. The housing needs of this population will range from housing built to lifetimes homes standards to more specialist accommodation, as people's needs increase.
 - Extra care housing: Adult Social Care recognises there is a need for a range of appropriate housing in Norfolk to support an aging population to live as independently as possible, with the over 65 population set to incur the largest increase of any age group over the next ten years.
 - Norfolk County Council has recognised a need for more extra care in South Norfolk district to build an additional 360 extra care units, of which 144 are to be at affordable rent levels by 2028.
 - Residential and nursing homes: Norfolk County Council also recognises that there will be a need for Residential and Nursing home in line with this older population growth and growing complexity of needs. By 2028, it is estimated that there will be a need for an additional 1,947 residential and nursing care beds across Norfolk, of which 590 will be for people in receipt of a Local Authority care package. By 2028 it is estimated that there will be a need to build an additional 288 care and nursing beds in the South Norfolk district, of which 70 beds will need to be provided by the Local Authority.
- 5.12 In order for the application to be considered as homes with care they need to fall within the use class C2.
- 5.13 The use class order defines a C2 use as "use for the provision of residential accommodation and care to people in need of care (other than a use within class C3 (dwelling houses). Care as defined in the Order as personal care for people in need of such care by reason of old age, disablement, past or present dependence on alcohol or drugs, or past or present mental disorder and treatment'.
- 5.14 It was agreed in the Sidmouth appeal decision (ref APP/U1105/W/17/3177340) that there is no definitive means by which to establish the use class of Extra Care housing units...Ultimately, this is a matter of fact and degree in each individual case.
- 5.15 The supporting information provided confirms that the extra care apartments and bungalows will be offered on a long lease arrangement, will pay a monthly service charge related to the maintenance of communal facilities and payment of a minimum care package. In line with appeal decisions of both Sidmouth and Buckingham (APPJ0405/W/17/3181140) the care package is of at least 1.5 hours per week. Prospective purchasers would be assessed for their care need and would need to satisfy an eligibility criteria where at least one occupier would require as a minimum the standard care package. Additional care would be tailored for the changing life needs of the residents. The use and occupation of the development for extra care accommodation would require a Section 106 agreement and the applicants have agreed to enter into one. In view of the above I consider that the development would fall into the use class C2 and therefore a significant material consideration/benefit of the application is that it provides housing with care against the identified unmet need.

Layout/design

- 5.16 Planning policy promotes a high standard of design at all levels. In particular Policy 2 of the Joint Core Strategy and DM3.8 of the Development Management Policies Document set out the design principles promoted by the Council. Good design is

considered to be a key component of sustainable development and is therefore integral to successful development.

- 5.17 The site lies to the south of historic core of Poringland village. Although Poringland has been significantly expanded with suburban style housing in the late C20/early C21, the core is still an identifiable historic grouping with limited development in the approach from the south, so still retains its connection to the rural hinterland to the south.
- 5.18 Although there has been some development on the west side of the approach along Bungay Road, it is well set back behind landscaping, and also some development on the east side, characterised by detached properties with bespoke design, again set back from the road behind hedging, the historic core of the settlement is still entered relatively quickly in the southern approach. The character of this area to the south of the settlement is therefore still relatively rural with limited development, and it is not dominated by the more regular layout and consistency of building lines and forms of later suburban style estate development that characterises other parts and approaches into the settlement.
- 5.19 Whilst although not a conservation area, there is a concentration of heritage assets to the north of the site which have a relatively low rural density and historic grain. To the south of the site the views with open countryside are quite open with dipping gradient to the south. In urban design terms, although there has been some suburban style development, this area is still characterised in the southern approach along Bungay Road as a well vegetated, more rural settlement character with historic buildings and a looser grain of development.
- 5.20 The revised proposal, taking into account the reasons for refusal, has been reduced in size and now proposes a 41 bed care home (with 10 extra care apartments on ground floor, Use Class C2) and 44 extra care lodges (all Use Class C2), together with vehicular access, landscaping and communal facilities including, restaurant, cafe, bar, gym, therapy rooms, hair salon, shop and bowls green. The size and type of unit provides for a range of accommodation for the retirement sector. The major built form is now the Care Home, which has been relocated off the southern boundary to the northern boundary adjacent to Bungay Road. It will replace the existing 25 bed care home and two detached dwellings. The main building remains at three storey (the third storey being an attic storey with gabled and dormer windows), with the design adopting a style loosely resembling an Elizabethan/Jacobean E type frontage with gable projections, which assists in breaking up the bulk and massing of the building.
- 5.21 It is proposed to utilise a limited palette of materials; quality red blend brick with white cement/lime mortar, a colour through render and weatherboarding, red or black pantiles, cream windows and doors to the Care Home and graphite grey to the other buildings. The design approach is to provide a contemporary appearance, but still recognise the local vernacular. A condition requiring the agreement of the materials has been included within the list of conditions, as these are considered important to lend character to the buildings.
- 5.22 Concern was raised previously to the extent of development and hard surfacing across the site, and the limited landscaping. This made the site appear dense and heavily built up, which would not be in keeping with edge of settlement grain in a rural context. This is a much-improved scheme with the reduction of height of buildings (with the exception of the main block) across the site to one storey. The impact in terms of views across the fields from the footpath to the south in urban design terms with regard to the village edge will be much improved. More space is provided to the south, which is shaped around by buildings, providing a looser and more informal landscaped edge to the development. However, in design terms, it was considered that it would be better if tree planting was carried out with the aim of mature hedge/field trees being established to

further improve the transition from the village edge to the surrounding fields/open countryside. These details have now been provided by the applicant.

- 5.23 Minor design concerns were raised with regard to what could be considered a cramped layout with units 16 and 17 and clarity of the division between public and private space. It is, however appreciated that the dwellings will also be within a managed 'envelope' of privately managed space that will be accessible and that a greater degree of amenity space will be shared between residents. Concerns were also raised regarding the size of windows in the third storey of the main block and window detailing for lintels of bungalow units. The application has been amended to satisfactorily address these concerns.
- 5.24 With regard to developing the site, the South Norfolk Place Making Guide has some key design principles, which includes: "Ensure that new development is well integrated into the landscape and maintains the quality of the transition between the settled and agricultural landscape." The National Design Guide outlines ten characteristics that a development should adhere to, such as C1 in terms of how the site "understands and relates well to the site, its local and wider context" and also, I1 in terms of development to 'respond to the existing local character and identity.'
- 5.25 It is considered that in view of the above, the proposed layout and design of the Care Home and bungalows would result in a sufficiently high-quality development. Overall, the scheme results in a development with its own distinctive character and does not harm the setting of the village or the character and appearance of the area.
- 5.26 The scheme is therefore considered acceptable in terms of its design, scale, layout and relationship to the surrounding area. On this basis, it is considered that the proposal would accord with policies DM 3.8, Policy 2 of the JCS, together with Section 7 of the NPPF and the design principle 3.4.1 of the South Norfolk Place-Making Guide.

Access and highways

- 5.27 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.
- 5.28 At present the development site, which consists of an existing care home site and residential dwellings (which will be demolished), has a number of vehicular accesses directly onto the B1332 Bungay Road. The previously submitted application provided for an 'in' and a separate 'out' access, however the NCC Highway Authority objected to this on highway safety grounds. The proposal was amended according, and this new submission reflects the previously agreed means of access. NCC Highway Authority raises no objections subject to the imposition of conditions. It should be noted that the previous application was not refused on highway safety grounds and this scheme represents a reduction in the amount of development.
- 5.29 Concerns have been raised in respect of the irregularities within the schedule of application documents, plans and drawings. The applicant has provided clarification on the number of car parking spaces provided within the development site, the number of jobs likely to be created out of the proposals, the anticipated shift patterns of staff on site and the consideration of those trips within the Transport Statement.
- 5.30 The site layout plan shows that there will be 32 car parking spaces plus two disabled car parking spaces associated with the main care home. The original Transport Statement made reference to 30 car parking spaces and 2 disabled spaces which was correct for the layout assessed, however a further two spaces are being provided now so there is a discrepancy of two spaces. Furthermore, these 2 parking spaces will provide electric vehicle charging points. The proposed extra care bungalows will

require 44 car parking spaces. The submitted masterplan demonstrates that there are 44 car parking spaces provided for the bungalow accommodation (i.e. one for each bungalow). All car parking spaces related to individual bungalows will be constructed to meet standards for disabled spaces. The scheme is therefore considered fully compliant with adopted car parking standards. The applicant considers that the assessment of the trip generation of the site is reasonable and representative. They have acknowledged over an entire day there could be an additional 77 vehicle trips arriving and 77 vehicle trips departing. The highest vehicle movement increase is from 1300 hours to 1400 hours where it is predicted that there would be 18 extra vehicles accessing the site.

- 5.31 The Highway Authority have considered the applicant's most recent comments, in light of the concerns raised regarding the Transport Assessment and the amount of car parking provided for the development and continue to raise no objections.
- 5.32 In terms of sustainability / accessibility, it is accepted that the site is well positioned albeit located on the edge of the built village environment. Further improvement will be required to the existing footway on the south side of the B1332 which links the site back to Shotesham Road. Whilst at present there is a continuous footway, this section is considered to be substandard, by virtue of its narrow width, and not suitable to safely cater for the increased pedestrian flow (staff / residents / visitors / external users of on-site facilities) associated with the development.
- 5.33 Concerns have been raised by the local residents regarding the existing highway issues including highway safety, nature of the existing road network, on-site parking, trip generation etc. However, and as set above, I do not consider the application should be refused on the grounds raised, particularly in the absence of an objection from NCC Highways, and in having due regard to paragraph 109 of the NPPF which states development should only be prevented or refused on highway grounds if there would be an unacceptable impact or the residual cumulative impacts on the road network would be severe.
- 5.34 In view of the above, the proposal therefore accords with Policy DM3.11 and DM3.12 of the Development Management Policies document.

Impact on Residential Amenity

- 5.35 Policy DM3.13 directs that development should not be approved if it would have a significant adverse impact on nearby resident's amenities or the amenities of new occupiers.
- 5.36 To the east of the site are the consented 3 detached residential properties. Concerns have been raised by neighbouring residents about the impact on their amenities of their development as set out above. Whilst it is inevitably the case that there will be a significant change to the present situation presently enjoyed by the existing dwelling and that which would be enjoyed by the consented dwellings, the application has been amended to minimise the impact the care village will have.
- 5.37 The eastern elevation of the Care Home has been redesigned following concerns raised at the potential overlooking from windows within this elevation. The applicant has changed the eastern elevation of the care home to mitigate to the greatest possible extent any potential impacts on the amenity space of the adjacent properties, without compromising the viability of the care home or its ability to provide high quality accommodation for its future occupants. The first floor of the care home has been amended through a revision to the internal orientation of bedrooms 3 and 4. This has ensured that bedroom 4 now only has a view out to the north of the care home, rather than views out towards plot 1 of the adjacent site. The projection of the eastern elevation of the care home has been increased for bedrooms 5 and 6 on the first floor

and for bedroom 29 on the second floor of the care home. Bedroom 5 now has a view out to the north and bedroom 6 has a view out to the south. For bedroom 29, the amendments to the care home are such that two dormer windows have been provided which focus views out of the room to both the north and south only. The terrace, at the southern end of the eastern elevation of the care home has been modified to include 1.8m high privacy screening to prevent views out to the east towards the adjacent properties. Whilst three-bedroom windows will maintain some views towards plots 1 and 2, these will be partially obscured by the proposed amendments to bedrooms 5, 6 and 29, will be further mitigated by the proposed mature planting along the eastern boundary and by the move of lodge 32 to the north. The distances between the remaining bedroom windows and the private amenity space/existing windows of the neighbouring properties are similar to or exceed accepted distances for other residential developments in Poringland. The closest distance from window of the care home (bedroom 30) to the closest window of plot 1 of the neighbouring site is 26.4m. From the window of bedroom 8, the closest window of plot 2 on the adjacent site is 36m.

- 5.38 The materials to be used for the access drive surfacing would keep noise and disturbance from vehicles to a minimum; and a condition is suggested to control the surfacing to protect the amenities of the neighbours.
- 5.39 In view of the above it is considered that the amended proposal would not give to a situation so detrimental to neighbouring properties amenities via overlooking/loss of privacy as to warrant refusal on this ground.
- 5.40 Issues have been raised regarding noise, disturbance and pollution, for example, which are fully appreciated. The application has been assessed by the Environmental Services Officer, who has raised no objections to the proposal subject to the imposition of conditions to ensure that amenities of the neighbouring properties are protected. The conditions include a Construction Management Plan in respect of noise etc; any external lighting to agreed; and noise and odour conditions in respect of the kitchen. With the imposition of the conditions as set out in the agenda the proposal is considered acceptable.
- 5.41 Given the current permitted use of the site and together with the imposition of the conditions as set out in the agenda, it is not considered that the proposed development would not result in any significant harm to the amenities of existing or consented properties and accords with DM3.13 and DM3.14 of the Development Management Policies document.
- 5.42 **Summary of Social Role:**
The development provides significant benefits from the provision of homes with care, and these benefits are not outweighed by any identified harms.

Environmental Objective

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

Landscaping, Impact on the character of the area

- 5.44 A core planning principle of the National Planning Policy Framework is to recognise the intrinsic character and beauty of the countryside, which is reflected in Policy DM1.3 of the Development Management Policies document. Planning Practice Guidance clarifies that conservation and enhancement of the landscape, not only designated landscapes,

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. Policy DM4.9 looks for a high quality of landscape design, implementation and management as an integral part of new development and advises that the Council will promote the retention and conservation of significant trees, woodlands and traditional orchards. Policy DM4.8 promotes the retention and conservation of trees and hedgerows.

- 5.45 The site lies within the D2 Poringland Settled Plateau which is located south-east of Norwich. The key characteristics described in the South Norfolk Place Making Guide are described as being composed of 'Flat landscape which rises to a gentle central dome'...'Long views to Norwich from the northern edge and to the Tas Valley'...'Densely settled core area, predominantly of ribbons of post-war bungalows and other development along the small roads'... The Landscape Character Assessment also adds 'Large scale open arable fields.'...'Poor hedgerows but wide roadside verges'..Wooded character in parts and when viewed from afar'.
- 5.46 The submission is supported by a Landscape and Visual Impact Assessment (LVIA). For the previous (refused) scheme it was clear that the most notable adverse visual effect would be from the southern aspect approach, in the views from the public footpath. The overall significance of the visual effect was deemed to be moderate/substantial which the accompanying methodology categorised as significant in terms of the Environmental Impact Assessment (EIA) Regulations.
- 5.47 The current proposals have reorganised the site layout to set the main Care Home building to the northern side of the scheme (it was previously at the south). The development to the south of the site now comprises single-storey elements and amenity spaces. It is still proposed to provide a new hedged boundary along the south, with complimentary tree planting. The Landscape and Visual Impact concludes that the visual effect of the proposed development will be moderate, which is not significant in EIA terms. The Landscape Architect does not disagree with this assessment.
- 5.48 He considers that the submitted proposal has addressed the harmful visual impact that the previous scheme was judged likely to have had. Therefore, raising no objection to the development as proposed.
- 5.49 In respect of the impact of the proposal on existing trees the Landscape Architect considers it regrettable that the loss of the category A sweet gum tree is a consequence of the scheme, but this is essentially an ornamental garden tree, and his judgement is that its loss is of no particular wider significance. The scheme also proposes loss of some other category B trees in the vicinity of the proposed new care home; this is not ideal, but there will be extensive new tree planting as part of the overall scheme. There are some identified conflicts with retained trees, and these will need to be addressed by no-dig construction methods for the proposed accesses and drives. He does have a reservation, however, about the relationship to the oak (T29) which is due west of the individual unit at plots 12 and 13. Large trees can cause anxiety for residents, especially the elderly, so would encourage as much space around this as possible, especially as it is a key existing feature along the boundary. Loss of evening light might be an issue for future residents, so it might be prudent to consider introducing further fenestration to the southern elevation of these units. Suitable conditions have been included on the list of conditions set out in the agenda.
- 5.50 In view of the above and as a consequence of the amended layout and design as set out above, it is considered that the proposal would not be significantly harmful to the character and visual appearance of the area and would make a positive additional contribution to the village, that would integrate itself appropriately into the settlement form and character of its surroundings. The proposal in view of the above is therefore

considered to accord with policies DM1.3, DM4.9, DM4.8 and DM4.5 of the Development Management Policies document.

Ecology

- 5.51 Policy 1 of the JCS requires the development to both have regard to and protect the biodiversity and ecological interests of the site, and contribute to providing a multi-functional green infrastructure network. Policy DM4.4 looks for new development sites to safeguard the ecological interests of the site and to contribute to ecological and Biodiversity enhancements .
- 5.52 An Ecological Assessment has been provided and assessed by the NCC Ecologist who has confirmed that they agree with the assessment and mitigation proposals to reduce the likelihood of impacts on ecological receptors. Due to the distances involved between the site and designated sites and the scale of the proposed development there are unlikely to be impacts on designated sites. As such the proposal accords with DM4.4 of the Development Management Policies document and Section 15 of the NPPF.

Drainage

- 5.53 Policy 1 of JCS and Policy DM4.2 require development to minimise the possibilities of flooding and pollution.
- 5.54 Surface Water Drainage and Flood Risk
Concern have been raised as set out above regarding drainage, and it is fully appreciated that that there are known drainage problems and flooding in the village. The site is located within Flood Risk Zone 1 and therefore is not at risk from flooding from nearby water course. A Flood Risk Assessment (FRA) has been submitted with the application.
- 5.55 The Lead Local Flood Authority (LLFA) objected to the previous application in the absence of an acceptable FRA/drainage Strategy in respects of impacts from the development adversely effecting flood risk. Furthermore it had not provided sufficient justification for not following the SuDS hierarchy to assess the suitability of discharging collected surface water to ground via infiltration as infiltration rates in the east of the site appear to be suitable for a soakaway. They also required evidence of the connection of the proposed discharge location to a wider watercourse network. These details were submitted at that time and this application has also been supported by the amended scheme. The LLFA have confirmed that the sustainable drainage strategy for the site is considered acceptable subject to the appropriate conditions.
- 5.56 Foul Water drainage
In respect of the foul water drainage Anglian Water has raised no objections and confirmed that the foul drainage from this development is in the catchment of Poringland Water Recycling Centre that will have available capacity for these flows.
- 5.57 Whilst the concerns raised in respect of the flood risk and surface water drainage are fully appreciated it is considered that in view of the above with suitable compliance conditions, that the development accords with Policy 1 of the JCS and Policy DM4.2 of the SNLP.

Impact on the setting of Listed Buildings

- 5.58 The site lies to the south of historic core of Poringland village. Although Poringland has been significantly expanded with suburban style housing in the late C20/early C21, the core is still an identifiable historic grouping with limited development in the approach from the south, so still retains its connection to rural hinterland to the south. The historic

core of the settlement contains several listed buildings including the grade I listed Church of All Saints and grade II* Church Farm and its grade II barn. Other buildings in this historic grouping includes Porch House grade II* Margin Cottage and Forge Cottage.

- 5.59 Although there has been encroaching development on the setting of these buildings with development of Critoph Close to the west of Church Farmhouse, and development along Howe Lane, the connection to the open countryside to the south of church farm house is still preserved with the field to the south and this area of land. There is some limited development to the east of the site but landscaping around the existing pond separates this area in views. The church tower is clearly visible across the fields from open countryside to the south and the footpath. Whilst not designated as a conservation area, these listing buildings can be considered to be part of an historic grouping of buildings which functions as the historic village core of settlement in terms of neighbourhood character.
- 5.60 The church, church farmhouse and barn are the heritage assets which potentially are directly affected in terms of the setting of the listed buildings. The submitted heritage statement details the impact of the scheme on the various nearby heritage assets. Considering the positioning and height of the proposed buildings, and how the setting of the various listed buildings has already been affected by more modern development within their context to the west. Therefore, officers are in agreement with the statement that there is an impact on the setting of the church and the barn, but that this would be negligible in terms of experiencing the individual assets, as their immediate context remains preserved. The development therefore is considered acceptable in regard to Policy DM4.10. Equally in consideration of the Council's duties under the Act it is considered for the reasons set out above that the proposal would not adversely affect the setting of the listed buildings.
- 5.61 Summary of the environmental role:
The development would not result in harm to the rural character of the landscape for the reasons identified above and does not represent significant harmful impacts.

Other Issues

- 5.62 Planning Obligations:
The proposal is required to provide fire hydrants which is proposed to be a condition of any consent.
- 5.63 Direct mitigation and GI provision should be included within the site proposal. Mitigation for new and existing GI features identified as strategic shall be funded by the Community Infrastructure Levy (CIL) through the Greater Norwich Investment
- 5.64 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.
- 5.65 This application is not liable for Community Infrastructure Levy (CIL) due to falling within use class C2.

COVID as a material planning consideration

- 5.66 The need to support the economy as part of the recovery from the COVID-19 pandemic is a material consideration. This application will likely provide employment during the construction phase of the project and protects existing employment and provides jobs. This weighs in favour of the proposal.

Conclusion

- 5.67 The proposed development provides the benefit of homes with care which will help South Norfolk's identified unmet need as well as retaining and providing new employment, both of which are considered to be significant benefits of the scheme. The proposal is considered acceptable in terms of design and layout. Furthermore, the development will not adversely impact on the character or appearance of the area or the setting of nearby listed buildings to a material degree. It will not be detrimental to highway safety; drainage; ecology; nor adversely affect the amenities of nearby residential properties. Given the clear benefits of the scheme and the absence of any meaningful harm it is considered that the scheme satisfies the requirements of criterion 2d) of Policy DM1.3 of the SNLP. Likewise, it is considered that the development represents a sustainable development, having regard to the three tests (social, economic and environmental) set out in the NPPF. In view of the above, I recommend that the application be approved.

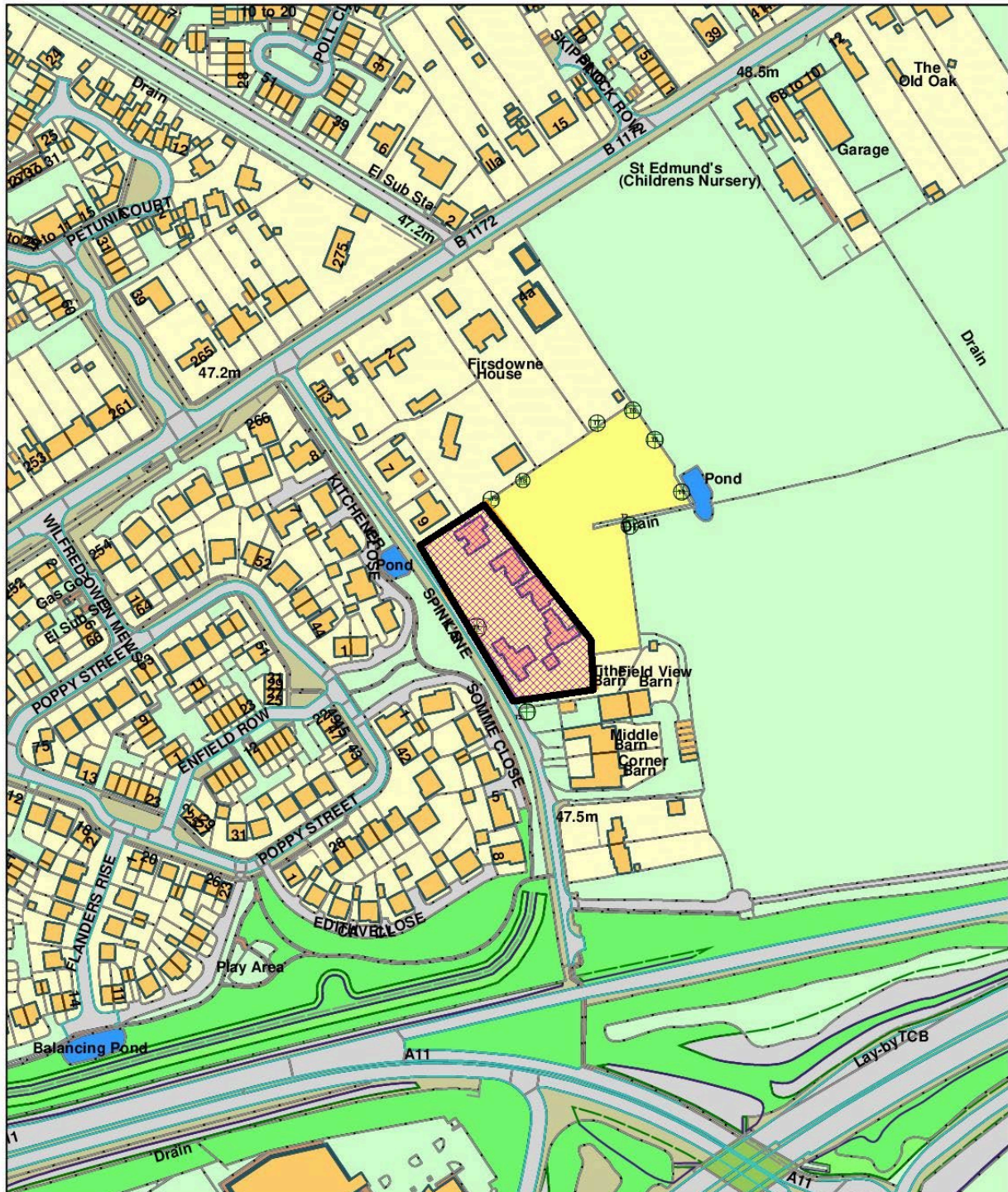
Recommendation Authorise the Director of Place to approve conditions

- 1 Time Limit - Full Permission
- 2 In accordance with submitted drawings
- 3 Boundary treatments to be agreed
- 4 Materials to be agreed
- 5 Written scheme of archaeological investigation
- 6 Provision of fire hydrants
- 7 Water efficiency
- 8 Renewable energy
- 9 Detailed design of surface water drainage to be agreed
- 10 Foul Water to main sewer
- 11 Landscaping scheme
- 12 Long term landscape management plan
- 13 Tree protection (implementation only)
- 14 Details of no/minimal dig construction to be submitted
- 15 Retention of tree and hedgerows
- 16 No additional external lighting without details
- 17 Noise management plan for refuse bins to be agreed
- 18 Construction Management Plan
- 19 Noise and mitigation plan
- 20 Cooking fume extraction system to be agreed
- 21 No generators/air plant without consent
- 22 Contaminated land - Investigation
- 23 Implementation of remediation scheme
- 24 Contaminated land during construction
- 25 Ecology Mitigation
- 26 Biodiversity Enhancement Plan
- 27 Lighting design for light-sensitive biodiversity
- 28 Construction Traffic (Parking) management plan
- 29 Existing Access, Widen or Improve

- 30 Visibility splay, approved plan
- 31 Access Gates - Restriction
- 32 Access - Gradient
- 33 Traffic Regulation Orders
- 34 Provision of parking, service
- 35 Highway Improvements Offsite
- 36 Highway Improvements Offsite implementation
- 37 Air Source heat pumps
- 38 No PD for Classes ABCD&E
- 39 No PD for fences, walls etc
- 40 Restricted use of the restaurant/café
- 41 Details of the access road/drive surfacing

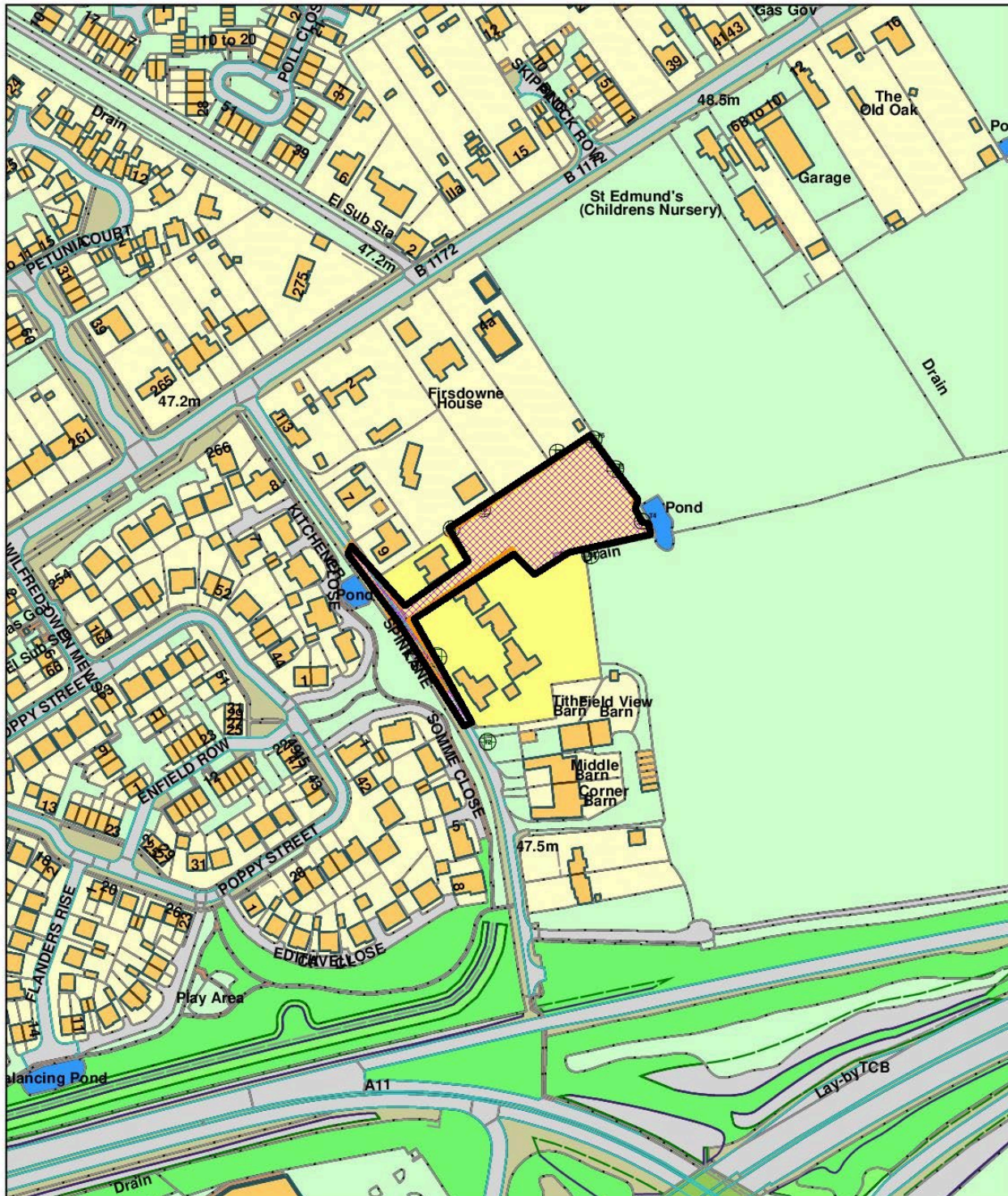
Contact Officer, Telephone Number Claire Curtis 01508 533788
and E-mail: ccurtis@s-norfolk.gov.uk

2021/1659, 2021/1660, 2021/1661



Application 5

2021/1662



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

- 1.3 These applications have come about following flooding that took place within the area and elsewhere throughout the County in December 2020. The County Council's investigation into the flooding that took place in this case concluded that there were a number of factors that contributed to the flooding. During contact with the developer in early 2021, it became apparent that the development was not taking place in accordance with the previously approved drainage strategy. Instead, a previous iteration had been implemented. Since then, discussions and meetings have been held with the developer, his engineer and the Lead Local Flood Authority (LLFA) resulting in the latest applications being submitted for an amended drainage strategy.
- 1.4 Since December 2020, the developer has obtained land drainage consents from the LLFA for various culverting and other works to ditches that pass through the site. These ditches include those that run alongside the front boundary and parts of the side boundaries. Filled in but piped ditches also pass through the rear of and behind plots 1 to 5. The culverting works within the ditch that runs alongside the front boundary is complete, the remainder of the works around the site not and are subject to these applications being determined so that if approved, they may sit alongside the land drainage consents.
- 1.5 Land drainage consent has been refused for the filling in of a ditch and the installation of a 150mm diameter perforated pipe at the rear of plot 2 and in the back gardens of plots 3 and 4. The LLFA has advised that it is unable to approve retrospective applications for land drainage consent but it does not propose to take enforcement action on this at this time on the grounds that there is no evidence that flood risk will increase as a result of the pipe being installed, that the perforated pipe provides drainage rather than storage and that adequate storage for surface water has been catered for elsewhere within the site.
- 1.6 By way of background, the ditches (existing and those that are currently been filled in) on the site are part of a wider network. Ditches flow into the site from the farmland to the east, pass through the site to the southeast corner of 9 Spinks Lane then through a mixture of culverts and open ditches, travel north to Norwich Common through the back gardens of other properties along Spinks Lane, passes under Norwich Common via a culvert, then turns east then north again along Downham Grove.

2. Relevant planning history

2.1	2015/1836	Erection of 5 new dwellings and garages with highway improvements.	Approved
2.2	2015/2655	Erection of new dwelling and garage	Refused Allowed on appeal
2.3	2018/0583	Reserved Matters for design, scale, appearance, layout and landscaping following Outline application 2015/1836 - Erection of 5 new dwellings and garages with highway improvements	Approved
2.4	2019/1516	Reserved matters application for access, appearance, landscaping, layout and scale following Outline permission 2015/2655 for erection of dwelling and garage.	Approved
2.5	2019/2534	Erection of dwelling and garage	Approved
2.6	2019/2535	Additional residential garden land to approved housing plots 2, 3 and 4.	Approved

2.7	2020/0179	Revised house type	Approved
2.8	2020/0275	Amended house types at plots 2 & 3	Approved
2.9	2020/0470	T3 - Oak, crown reduction to reduce height to approx 15 to 20 metres. T5 - Ash, remove as signs of dieback and replace with Acer Saccharinum. T4 - Oak, crown raise to 4 metres and crown thin by 20%. T8 - Ash, crown reduction to reduce height to approx 10 to 15 metres. T7 - Oak, remove dead wood. T9 - Oak, crown reduction to reduce height to approx 4 to 5 metres.	Approved

3 Planning Policies

- 3.1 National Planning Policy Framework (NPPF)
NPPF 02 : Achieving sustainable development
NPPF 04 : Decision-making
NPPF 14 : Meeting the challenge of climate change, flooding and coastal change
- 3.2 Joint Core Strategy (JCS)
Policy 1 : Addressing climate change and protecting environmental assets
- 3.3 South Norfolk Local Plan Development Management Policies
DM4.2: Sustainable drainage and water management
DM4.8: Protection of trees and hedgerows
- 3.4 Wymondham Area Action Plan
No relevant policies

4. Consultations

4.1 Wymondham Town Council

Comments on application in original form:

Application should be approved subject to approval by SNC's flooding/drainage officer.

Comments following submission of amended drainage strategy:

No views or comments on this application.

4.2 District Councillor Cllr T Holden:

Following the flooding in late December 2020, I have serious concerns about how this development will impact the land drainage in Spinks Lane, and the steps currently in place to mitigate any issues caused. So with this in mind and also in the interest of transparency, I would like these concerns to be taken before the Development Management committee at the earliest available opportunity, for their consideration.

4.3 Other representations

Comment on application in original form:

Eight objections received raising the following summarised items:-

- The revised drainage report and management plan are not fit for purpose. Having lived in Spinks Lane for 25 years, we have never known any flooding to occur that could be classed as extreme or cause damage or ingress to property prior to 23 December 2020. Prior to development, this parcel of land acted as a sponge.
- We believe that the new development and lack of adequate drainage systems has caused flooding and will continue to cause flooding to the properties to the north unless the correct action is taken.
- The drainage strategy shows a ditch network that is no longer in existence having been infilled by the developer. There are no calculations included in either the original or this latest drainage strategy regarding the capacity of the land prior to development and nothing relating to proposed capacity to reduce the risk of future flooding.
- Request that any culverted works on this development should be in line with LLFA guidelines.
- The restricted depth of the on site balancing storage pond relates primarily to the ground coverage of the new properties themselves and not additional storage capacity in compensation for infilling low lying land prior to works on site. Request that any drainage strategy ensures that the capacity of the site is returned to that proper to the development commencing. This means the reconstruction of the original ditches behind plots 2, 3 and 4 and utilising 600mm pipes to culvert the sections around plot 1 and across the access to plot 6.
- The culvert that has been installed from the southeast corner of 9 Spinks Lane to the centre of the site has been piped with pipes that have too small a diameter. The pipe that flows to the southeast corner of 9 Spinks Lane has a 600mm diameter but the newly laid pipework on the site is smaller than the pipe that flows behind numbers 7 and 9 Spinks Lane and that has been in place for at least thirty years without any flooding problems.
- Unconsented works have been carried out on site and yet nothing has been done by SNC.
- Drainage from site would appear to be controlled by a single chamber. The BHA report identifies who is responsible for maintaining several important points of the drainage infrastructure. Has anyone advised the new residents? Will the system be OK in 5 years time?
- Silt has been allowed to flow from the site into the surrounding ditch network along with other debris from the site. This has not been controlled and has caused problems in the area.
- We would also add that due to the delays in doing any significant works to improve the drainage situation since the flood in December 2020, the developer is leaving all the surrounding properties at risk of a reoccurrence and that the Council in not placing any enforcement on the developer to complete the drainage is therefore complicit in this and is leaving itself liable to claims should a similar or worse situation occur.
- The culvert that runs under Norwich Common must be maintained in order to allow for free flow. This has not been maintained in the past with any degree of regularity.

A Technical Note was also undertaken by BLI Consulting Engineers having commissioned by a neighbour to the application site (summary comments provided below):

The following amendments have been made when compared to the original strategy:-

- The installation of the 375mm diameter culvert has been changed to a 450mm diameter culvert.
- From a visual review of the drawings, it would appear that the volume of attenuation provided within the onsite ditch network has been reduced beyond that of the original strategy and the pre-development condition of the site.
- No calculations have been submitted to support the amendments/strategy.

Based on the above observation the above mitigation proposal is likely to increase downstream flood risk by:

Installing a 450mm diameter culvert which will reduce flow along the downstream ditch network beyond that of the existing 600mm diameter culvert.

With less on-site storage provided, the backing up of water created by a reduced culvert size will be a flood route across the adjacent properties.

Some possible options, to ensure that the proposed development does not increase flood risk to the existing downstream development (subject to further design) could include:

The installation of a 600mm culvert diameter laid at the same gradient as the existing 600mm diameter culvert to ensure the pre-development flow are maintained.

Undertake calculations to ensure the on-site ditch network provides the same volume of storage on a like for like, level for level basis.

Alternatively, undertake catchment wide calculations to determine if the onsite storage provision is sufficient to accommodate the reduction in flow created by the installation of the reduced culvert diameter.

Discussion and Conclusion

It would appear that the onsite amendments to the on-site ditch network, including diversion and culverting would increase flood risk downstream.

Some backfilling of the onsite ditch network which has not been included as part the Drainage Strategy Report may have been undertaken without consent. If this is the case, then this is likely to further increase the risk of downstream flooding.

Comments following the submission of additional information:

Four objections received raising the following summarised items:-

- How is the pipe within Plot 1 to be replaced if the developer no longer owns the plot?
- Concerned at the prospect of the developer leaving the site without completing the necessary work.
- Filled-in ditches should be reinstated.
- Not sure how topographical measurements can be accurate if base levels of the original ditch could not be measured due to the presence of dense vegetation.
- Concerned that the detention basin is not large enough. There is also a problem with its depth when considering the high water table in the area and its proximity to nearby trees.
- Fail to see how original ditch calculations are accurate if they were made after the ditches were filled in.
- All the time these works are left uncompleted we are at risk of further flooding which as previously notified we are holding both the council and the developer "on notice" for any further damage to our property.
- There would still appear to be no detailed plans as to how the replacement volume for a previous very large ditch in the middle of the original site will function and nothing to identify the proposed volume of new lagoons compared with what was there previously.
- The initial plans identified a ditch behind plots 3 and 4 which would absorb some of the field run-off rainwater. Unfortunately the ditch was filled in.
- The amendments do not go far enough in providing sufficient capacity for storm water storage.
- How can BHA justify a betterment in terms of flood risk when they are unable to provide any capacity figures relating the site prior to the commencement of works?
- Prior to development this piece of land was the conduit for water run-off from 30 hectares of agricultural land to the northeast of Spinks Lane. The works on this development have acted as a plug, restricting flow and forcing the storm water around the site, where it seeks the lowest point, currently running through gardens and homes with horrendous consequences to our family and our neighbours.

- The new statement from BHA indicates that the ditch behind plots 3 and 4 was culverted as part of the works, though no pipe dimensions are shown. We do not believe this to be the case and strongly recommend a site visit by the LLFA is undertaken to ascertain that this whole pipe run exists. We would also like you to note that this infilled ditch area is at the upper end of the ditch network, therefore a culverted pipe, set within what would be the winter water table level, is of no consequence in providing storm water capacity, whereas an open 2 stage ditch will have immediate impact. This ditch should be reinstated.
- SNC added a condition to this planning application stating that, no property was to be occupied until the DSP was fully implemented. This condition was very clearly made, and obviously ignored by the developer. These properties have been sold with unconsented works, which resulted in inflicting untold stress, anxiety and property damage to existing residents and homes. It also means that until this matter is resolved the newly built properties with unconsented works are likely to be in breach of their mortgage and home insurance cover.
- As per the recommendations made by BLI Consulting we urge the LLFA and SNC to request that a 600mm diameter pipe is put in place rather than the previously recommended 450mm pipe as a means to mitigate the un-measured loss of storm water capacity.

Further comments from BLI Consulting Engineers:

It is noted that the client no longer owns the land behind Plots 3 and 4, however this does not provide suitable reason to increase flood risk downstream. The installation of this culvert/slotted pipe has not been formally approved by the LLFA and goes against culvert policy/guidance which is normally only permitted for access purposes. In addition to the above, the size and gradient of the culvert/slotted pipe has not been confirmed. Therefore, the culvert/slotted pipe could be prone to blockage and disrupt the natural flow of water if it has not been constructed to a suitable size and specification.

The infilling of the above ditch will occupy on-site storage even though it is located at the upstream extent of the site. This is on the basis that the bed level of the infilled section of ditch was at circa 46.10m AOD and the lowest top of bank level at the ditch/site outfall was set at circa 47.10m AOD. Therefore providing at least 1.0m depth of storage within this section of ditch network prior to the overtopping of the lowest ditch bank level. In principle, the mitigation put forward to compensate for the loss of onsite storage is sufficient, however, it is recommended that the following points are considered if the strategy is permitted by the LLFA, and the infilling of the ditch remains in place:

The compensation storage should be provided on a level for level and volume for volume basis as the possible effects of the natural ground water table have not been considered as part of the current proposal and detailed volume calculations have not been provided. If the groundwater table rises, then the mitigation volume provided at low level will become occupied by groundwater which may not have been the case for the higher storage provision within the infilled ditch network.

An additional volume of storage (betterment) should be discussed and agreed with the LLFA. This should account for the reduction in the outfall culvert adjacent to Plot 1 from 600mm diameter to 450mm diameter. The reduced culvert size will restrict the flow leaving the site and additional on-site storage will be required to ensure adjacent flood risk is not increased (similar to a surface water attenuation system). Alternatively, the 450mm diameter culvert which is not believed to be constructed to date, could be upgraded to a 600mm diameter culvert, laid at the same gradient as the existing 600mm diameter culvert to ensure the pre-development flows are maintained.

5 Assessment

- 5.1 The key consideration for this application is whether the latest surface water drainage strategy is acceptable.
- 5.2 Two drainage strategies have been approved at this site since planning permission was first granted but when having regard to how the site has evolved and the incorporation of plot 6 into drainage arrangements, for clarity, I will only refer to the drainage strategy that includes the site as a whole. That strategy is referred to in planning permission refs 2019/2534, 2020/0179 and 2020/0275. It showed that the surface water would discharge into the ditch network that ultimately exits the site towards its northwest corner via the ditch that passes through 9 Spinks Lane and beyond but in addition to that:-

The installation of a culvert underneath the access into the site from Spinks Lane;
Remodelling of the existing ditches to the rear of plots 3 and 4 and to the side/south of plot 6;
A new ditch being provided at front of plot 6 (behind plot 2) with that ditch being culverted underneath the access serving plot 6. That new ditch would then turn west on the northern side of the access before being culverted with a 375mm pipe through plot 1 to the point at which it meets the 600mm wide culvert that passes through the garden of 9 Spinks Lane to the north;
Total open ditch length will reduce from 53.3m to 43.3m. However, filter storage and tanked permeable pavement (see below) was to provide the required level of attenuation storage;
A hydrobrake adjacent to the culverted access to plot 6 that restricts flows to 0.7 litres per second (natural greenfield run off rate);
Rainwater from plots the dwellings at 1, 5 and 6 and fronts of the dwellings at plots 2, 3 and 4 will discharge to permeable paving which will be lined (tanked) to act as an attenuation structure;
Rainwater at the rear of the dwellings at plots 2, 3 and 4 to discharge to filter trenches.

- 5.3 The drainage strategy that is currently under consideration shows:-

The installation of two 375mm pipes underneath the access into the site from Spinks Lane. This benefits from land drainage consent.
Extending the culvert along the front ditch adjacent to the dwelling at plot 5;
Provision of a ditch either side of the access to plot 6, under which will pass two 375mm pipes;
The provision of a detention basin in plot 6 to provide flood mitigation following the filling-in of the ditch in the back gardens of plots 3 and 4. This will be connected to the ditch on the northern side of the access. To the rear of plot 1, the ditch will be culverted with a 450mm pipe that will run through plot 1 to the point at which it meets the 600mm culverted ditch that passes through the back garden of 9 Spinks Lane to the north;
Connection of the detention basin to the ditch to the north via a private stone filled filter trench;
Installation of a hydrobrake underneath the proposed access to plot 6 that restricts flows to 0.7 litres per second (natural greenfield run off rate);
Rainwater from plots the dwellings at 1, 5 and 6 and fronts of the dwellings at plots 2, 3 and 4 will discharge to permeable paving which will be lined (tanked) to act as an attenuation structure;
Rainwater at the rear of the dwellings at plots 2, 3 and 4 to discharge to filter trenches;
When taking account of ditch volumes lost and gained and the volume of the detention basin, a betterment of 29.75m³ can be achieved.

- 5.4 Given the history of the site, the County Council's investigation into the flooding that took place in December 2020 and the LLFA's involvement in applications for land drainage consent, advice has been sought from the LLFA on the drainage strategy. Following the submission of the application, it requested the submission of further information for consideration. This was duly provided by the developer and his engineer and following this, the LLFA did not require the submission of any further information to address any outstanding issues but it did require the filled in ditch behind plot 2 and in the gardens of plots 3 and 4 to be re-opened. However, following a meeting with the developer and his engineer at the beginning of January, while refusing the application for land drainage consent that had been submitted for this work as it is unable to approve retrospective applications, the LLFA does not plan to take enforcement action

at this time as it considers that adequate storage is being made available elsewhere around the site. Following this and the LLFA's previous advice, the drainage strategy is deemed to be acceptable and is a suitable alternative to the previously approved version. In this regard, the applications comply with Policy 1 of the JCS and Policy DM4.2 of the SNLP.

- 5.5 Neighbouring residents have set out they would like to see the installation of a 600mm pipe instead of a 450mm pipe to connect to the existing 600mm culvert that passes through 9 Spinks Lane. This has been raised with the LLFA but it has not recommended or required the installation of such a pipe. At a meeting with occupants of two properties that I attended during the summer, the LLFA recognised that the desire from the residents for a pipe of such a size but considered that a 450mm pipe would contribute towards acting as a "handbrake" on flows as they continue through the network to the north rather than flows accumulating at a single pinch point further up the network.
- 5.6 I am mindful of the concerns that have been raised by nearby residents, some of whom have sought independent advice from an engineer on the drainage strategy. There are areas of professional disagreement between the developer's engineer and the neighbours' engineer. For my part, having sought the LLFA's advice on these applications and drawing its attention to comments received throughout the application, when noting its ultimate position, similar to the above, I am satisfied the drainage strategy is a suitable alternative to that which was previously approved.
- 5.7 Plots 1 to 5 are all occupied but the work that is necessary to implement the drainage strategy falls within those area under the control of the developer or within plot 1. The developer has advised that he is contractually able to install the replacement pipework at plot 1 but failing that, responsibility will fall upon the owner of plot 1. It is understood that developer wishes to complete the site by the end of the year but in view of the whole site being substantially occupied and the garage at plot 6 being partly constructed, it is not unreasonable to impose a condition that requires the drainage strategy to be completed within six months of the date of this decision. As is now practice at the Council, it is also reasonable and necessary to impose a condition that requires the submission of a verification report by the developer to confirm that the work has taken place in accordance with the approved details. Other conditions have been reviewed and will be updated and carried forward where necessary.

Other matters

- 5.8 Comment has been made about encroachment of the detention lagoon into the root protection area of surrounding trees. That comment is correct - the lagoon and new ditch from the access serving plot 6 to the rear of plot 1 will encroach into root protection areas of an Ash and an Oak tree, both of which are the subject of a Tree Preservation Order that includes other trees around the site. It is evident that there is a need to balance out the potential impacts arising from this work against the need to provide an achievable drainage solution. The Oak is the larger tree and the banks of the lagoon will grade at a shallow angle for 2.5m to the centre, where the depth will be 75cm. The new ditch will skirt the southern edge of the root protection area. Taking account of the areas and extent of works and with a condition that requires details of the construction of the lagoon to be submitted for approval, I consider that the impact on these trees will not be significantly detrimental enough to warrant refusal of the applications and that they comply with Policy DM4.8 of the SNLP.
- 5.9 The applications are not liable for the Community Infrastructure Levy as no new floor space is being created.

Conclusion

- 5.10 In summary, the drainage strategy is considered to be an acceptable alternative to the previously approved strategy and the applications are therefore recommended for approval.

Recommendation : Approval with Conditions
2021/1659

- 1 Implementation of SWD strategy
- 2 Surface water drainage - verification

Recommendation : Approval with Conditions
2021/1660

- 1 Implementation of SWD strategy
- 2 Surface water drainage - verification

Recommendation : Approval with Conditions
2021/1661

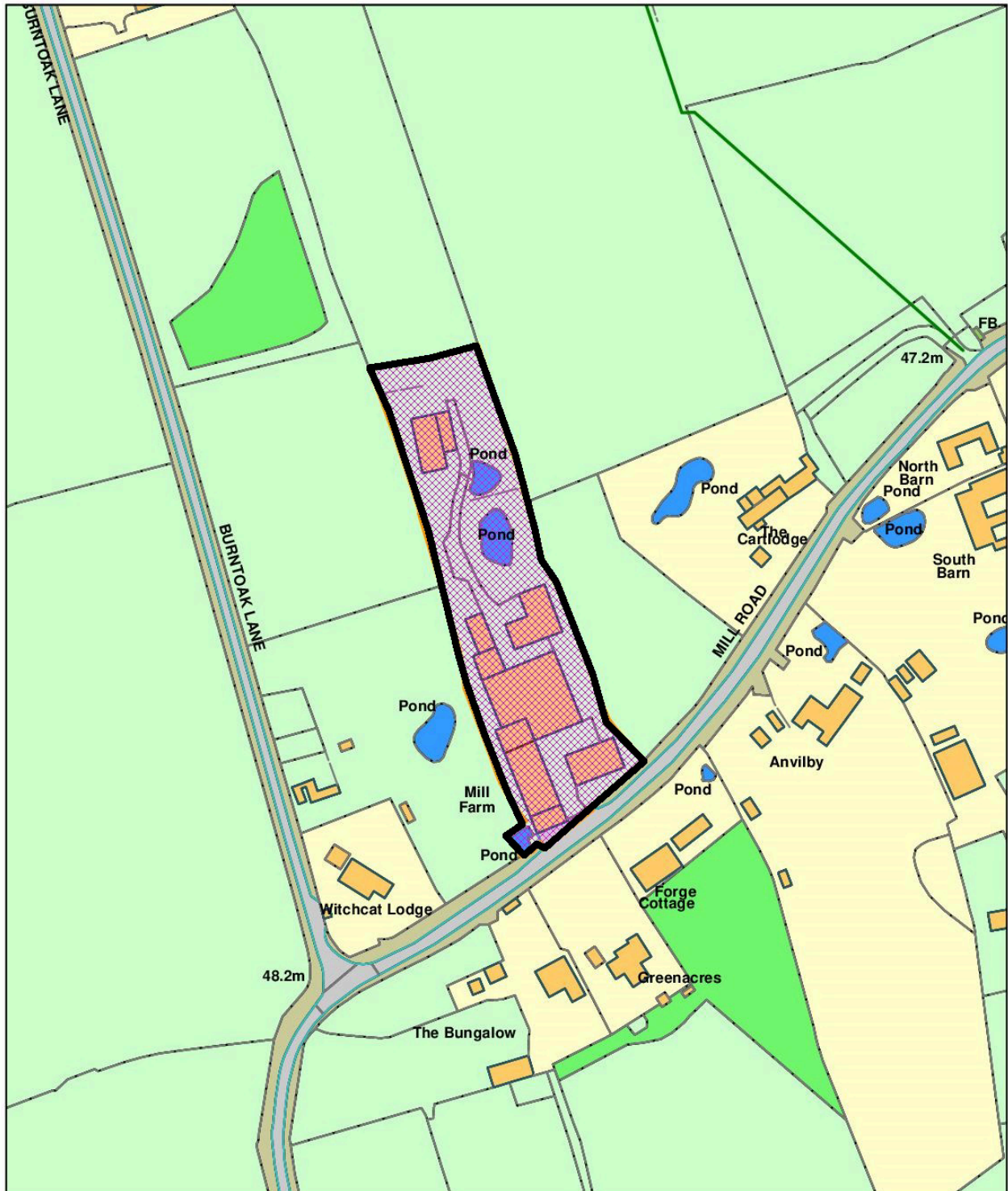
- 1 Implementation of SWD strategy
- 2 Surface water drainage - verification

Recommendation : Approval with Conditions
2021/1662

- 1 In accordance with submitted drawings
- 2 Slab levels
- 3 Implementation of SWD strategy
- 4 Surface water drainage - verification
- 5 External materials
- 6 Boundary treatments
- 7 Details of construction of detention lagoon to be submitted for approval
- 8 Tree protection
- 9 Provision of parking area
- 10 No trees or hedges to be removed
- 11 Water efficiency

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2020/1754



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6. Application No : 2020/1754/F
Parish : ALBURGH

Applicant's Name: Mr Oliver Earl
Site Address Mill Farm Mill Road Alburgh IP20 0DS
Proposal Change of use from agricultural to storage & light industrial

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 The site consists of a range of former agricultural buildings in various conditions. There are some businesses operating from the site which date back to planning permissions granted in the 1990s.
- 1.2 This application is to use a number of the buildings on the site for a fencing contractor. The buildings will be primarily used for the storage of fencing components with one building to be used for fabrication of fencing components.
- 1.3 An element of signage proposed on the building at the front of the site which is the subject of an accompanying application (2020/1755).

2. Relevant planning history

- | | | | |
|-----|-----------|---|----------|
| 2.1 | 1995/0591 | Conversion of existing building to light industrial site for the manufacture of drawing boards | Approved |
| 2.2 | 1995/0457 | Renewal of permission 1993/0172 – change of use from pig and cattle rearing sheds to storage facilities for roofing materials | 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 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 17: Small rural communities and the countryside

- 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
DM1.4: Environmental Quality and local distinctiveness
DM2.1: Employment and business development
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

4. Consultations

4.1 Alburgh Parish Council

Approve

- restrictions relating to noise to be added

4.2 District Councillor

Cllr Chris Brown

To Committee if considered for approval

- there are highway concerns regarding the number of and size of vehicles for such an industrial use
- there are objections from the environmental quality team, particularly with regard to potential noise, vibration and dust impact from the proposed uses
- - there are a significant number of objections from local residents

4.3 Anglian Water Services Ltd

No comments as no connection to an Anglian Water sewer

4.4 NCC Highways

Conditional Support following receipt of additional information

Based on the fact that the site is an existing farm which would generate some vehicle movements we would be able to accept an alternative use that only generates a small number of vehicle movements and potentially one that does not generate many HGV movements

4.5 NCC Lead Local Flood Authority

Standard advice

4.6 Police Architectural Liaison Officer

Recommends security measures to be installed at the site

4.7 SNC Economic Development Officer

Support

4.8 SNC Landscape Architect

No comments received

4.9 NCC Ecologist

Further information required which has since been submitted. Any further comments will be reported

4.10 SNC Senior Heritage & Design Officer

No comments received

4.11 SNC Community Services - Environmental Quality Team

Conditional Support following receipt of additional information

On balance whilst I do have some concerns about the impact of the proposal on local amenity, there are not sufficient grounds to support an objection to the application

4.12 Other Representations

2 letters of support

- small businesses are good for the village
 - already got permission for light industry
 - this is an existing farm that used to have large farming equipment in and out during the day
 - comments about light pollution are irrelevant as the business would not be used at night
-
- 1 letter to original plans neither objecting nor supporting
 - restriction of working times should be considered
 - any alarms should go to a personal device rather than a loud siren

20 letters of objection on original plans

- insufficient information provided with application
- manufacture of fencing panels will necessitate the sustained and repetitive use of industrial equipment both for the construction process itself and for lifting and transportation
- this will create noise levels well beyond those reasonable for a residential area
- trees and hedges on boundary are not sufficient to mitigate noise disturbance as claimed
- existing joinery business, which is furthest from the road, already represents a level of disruption which is the on the borderline of acceptability
- no restrictions proposed in application and therefore hours of operation could be 24 hours a day, 365 days a year with no limits of number, size and regularity of vehicles using the site
- there are 11 units at the site and if all are in use by a number of different occupants the consequences for the local community would be catastrophic
- Mill Road is a single track country lane with no highway passing places and poor visibility from the site entrance
- only way to access the A143 is via poorly maintained, winding, single track country lanes and / or through the centre of the village
- there is a blind corner at the junction with Pied Bridge Road which restricts visibility
- no pavements on Mill Road which is used regularly by local walkers, cyclists and mobility vehicles as well as horse riders
- commercial vehicles will damage grass verges
- signs on road are missing, obscured or misleading
- no foul drainage in Mill Road and the ditches are inadequate to drain surface water from the highway. Any new sewage treatment system would compound existing surface water problems

- water pressure in Mill Road is low and any additional demand will have a significant impact on our existing supply
- buildings are not suitable because of their age and in a poor state of repair with significant works of improvements needed
- impact on pond which previous Ecology Survey has indicated is used by Great Crested Newts not taken into account
- police report advises installation of alarms and lighting. Mill Road has no street lighting or light pollution and therefore the introduction of light pollution would harm the character of the area
- impact on tourism
- safe disposal of waste is a concern for us
- disturbance during construction works
- signage for business will not be in keeping with character of area
- installation of CCTV cameras would be intrusive and a infringement of privacy
- electricity supply dips when power tools are used at the site
- no additional employment if staff are transferred from an existing site
- use should be sited on an industrial estate

19 letters of objection to further information

- noise report shows that there will be significant adverse impacts at the nearest houses
- reject the suggestion that it is reasonable to expect residential occupiers to tolerate industrial noise during the summer months
- noise report had insufficient and weighted survey data which do not give a true reflection of sound levels in the area
- inadequate number of receptors were identified
- assessment of loading does not represent how the site would be used in practice
- no facts or measurements are presented on the current levels of O J Fencing
- soundproofing of building is fine until doors are left open on a summer day
- understanding that the joinery workshop has consent is not correct, the two permissions are for manufacture of drawing boards and the other to the storage of roofing materials and were restricted as such. The drawing boards business became a joinery business but was on a much smaller scale than the use by the current operator
- vehicle movements are being considered in isolation from other uses on the site
- state they are creating 100 square metres of storage / industrial space and yet only having one HGV delivery every two weeks which doesn't add up
- vehicle movements will inevitably increase as business expands
- if the storage units are let out to other businesses that will increase traffic movements as well
- concern about bonfires on site causing a nuisance
- concern over further information being drip fed by the applicant
- unfair how applicant has been given so much time to counter every objection

5 Assessment

Key considerations

- 5.1 The main issues for consideration are the principle of development, the impact on the residential amenities of surrounding properties, the impact on the local highway network, ecology, flood risk and drainage, and lighting.

Principle

- 5.2 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. This point is reinforced by the presumption in favour of sustainable development as set out in paragraph 11 of the National Planning Policy Framework (NPPF), which is a material planning consideration.

- 5.3 Policy DM1.1 of the South Norfolk Local Plan (2015) states that when considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF.
- 5.4 Policy DM1.3 of the South Norfolk Local Plan Development Management Policies Document 2015 seeks the sustainable location of new development in line with the settlement hierarchy and only permits development outside of development boundaries where specific development management policies allow (criterion (c)) or where there are overriding benefits in terms of the economic, social and environmental dimensions of sustainable development (criterion (d)).
- 5.5 Policy DM2.10 allows for the conversion of rural buildings to employment uses, thereby in accordance with criterion (c) of policy DM1.3. This is subject to the following criteria:
- (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*
- 5.6 The buildings have not been used for agricultural purposes for some time and therefore not considered to be any likelihood of a replacement agricultural building being erected as a consequence of this proposal.
- (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*
- 5.7 None of the buildings are to be extended and all are suitable for conversion. Both conversion schemes are designed to retain the rural character of the buildings and therefore are considered to comply with this criterion.
- (c) The development (including associated use of external space and change of use of land) is sympathetic to the setting*
- 5.8 The buildings will be used for commercial use and therefore would not result in domestication of the setting of the buildings. There will be parking and servicing around the buildings but this will be similar to the existing farmyard setting to the buildings.
- (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.*
- 5.9 The relocation of the business from Harleston is not considered to prejudice the vitality and viability of that or other nearby settlements.
- 5.10 Criteria (e) and (f) are not relevant as apply only for conversion of buildings to residential use.
- 5.11 It is therefore considered that the scheme accords with policy DM2.10 and is acceptable in principle.

Residential Amenity

- 5.12 The site is located in a rural area but one in which there are a number of residential properties in the vicinity. The nearest properties are Forge Cottage on the opposite side of Mill Road from the south, Witchcat Lodge 50 metres to the west and The Cartlodge and Anvilby 60 metres to the east.

- 5.13 Whilst the existing joinery business appears to operate outside of the restrictions imposed on the condition for the manufacture of drawing boards in the 1990s, it appears to be common ground that it has been used as a joinery business for over ten years and therefore a lawful use. On this basis, our Environmental Protection team have advised that they would be unable to defend an objection to the principle of the proposed use being established on the site given the presence of this business.
- 5.14 A Noise Assessment has been submitted. This included an assessment of predicted workshop noise emissions. The applicant has advised that they do not have a current facility where noise measurements could be undertaken and therefore the manufacturer data for the specific equipment proposed has been used. The Council's Environmental Protection raise no objection to this approach. The Assessment found that absolute noise levels should not exceed 50 dBL at any property on either a daily or hourly basis.
- 5.15 In order to achieve this, mitigation measures have been considered and the most appropriate is to be upgrades to the building to install internal roof lining and other measures to insulate the building. The Council's Environmental Protection Officer is satisfied with this but notes that the noise mitigation measures rely on adequate ventilation being available with the doors closed. This is also a concern of local residents who are concerned that during the summer months doors and windows will simply be left open. It can be conditioned that the doors must be closed when noisy machinery is in operation, but it needs to be demonstrated that adequate ventilation will be achieved to ensure acceptable working conditions with the doors closed. There is no reason to believe that this can't be achieved either through the design of the building or through mechanical cooling ventilation and therefore it is proposed that these details are required by condition. Clearly any mechanical ventilation will need to be of a nature that does not result in unacceptable noise disturbance itself.
- 5.16 The Council's Environmental Protection Officer has therefore concluded that whilst they do have some concerns there is not sufficient grounds to object to the proposal with the mitigation measures proposed and provided that the use is restricted to what is proposed and the buildings are not other commercial or industrial uses. Conditions are also proposed to ensure the implementation of the mitigation measures, verification testing that they have achieved the noise reductions that they set out to, and ensuring that any forklift trucks have broadband reversing alarms. It is also noted that there have been a number of concerns raised about hours of use and potential use during anti-social hours. It would not be acceptable for there to be manufacturing activities during these times and therefore manufacturing activities are proposed to be limited to between 08.30 and 16.30 Monday to Friday. In terms of vehicle movements and loading / unloading these are to restricted to between 07.00 and 17.30 Monday to Friday and Saturday mornings.
- 5.17 It is appreciated that there are concerns from local residents about the potential for noise disturbance from such a use in a quiet rural area. However mitigation is possible and with these conditions it is therefore considered that the use can be accommodated on the site without an unacceptable impact on the amenities of nearby residents. As such the proposal is considered to accord with policy DM3.13 of the Local Plan.

Impact on Highways

- 5.18 Mill Farm is, as noted above, located in a rural location accessed by narrow country lanes. The site is located on Mill Road which leads from The Street towards Burntoak Lane and in the vicinity of the site has a surface width of typically 3.5 to 4 metres which presents difficulties for vehicles to pass each other. As such the Highway Authority have indicated that any use that resulted in an increase on the likely traffic movements from the lawful use of the site would exacerbate the shortcomings of the local highway network and should be refused. Local residents have also raised this concern.

- 5.19 The applicant has since provided more details of the traffic movements from their business, to be considered against the likely traffic movements if the buildings were to be brought back into agricultural use. This specified that there would be five light goods vehicles which are loaded with materials for the days work and leave the site between approximately 07.30 and 08.30. Deliveries will be approximately fortnightly, by one HGV.
- 5.20 In response to this additional information, the Highway Authority have advised that given the lawful use of the buildings, they would be able to accept an alternative user of the site that only generates a small number of vehicle movements. Based on the information provided, they consider the proposed acceptable subject to conditions to the effect that the permission is restricted to this specific use. This would also address the concern of local residents about traffic generated if other operators were to move onto the site as further consent would be needed for this to occur.
- 5.21 With restrictions on the consent it is not therefore considered that the proposed use would result in any greater harm to the local highway network than if the buildings were to be brought back into their lawful use and as such the proposal accords with policy DM3.11 of the Local Plan. Adequate parking is provided within the site and therefore the proposal accords with policy DM3.12 of the Local Plan.

Flood Risk and Drainage

- 5.22 The site is in Flood Risk Zone 1 and therefore not at risk from fluvial flooding, nor is the site at an identified risk from surface water flooding other than a small area on the site's western boundary. No changes are proposed to the means of surface water drainage from how the site currently operates.
- 5.23 In regard to foul drainage on the site, there are no mains sewers along Mill Road and therefore any foul drainage will need to be to a sewage treatment plant. Concern has been raised that this will increase pressure on ditches in the area which already struggle to accommodate surface water run-off from Mill Road, however it is not considered that the discharge from any plant is likely to be significant.
- 5.24 Concern raised about water pressure being low on Mill Road and concern that additional demand would further impact on this. However no concern has been raised by Anglian Water who would be obliged to provide adequate supply to all properties along Mill Road.

Ecology

- 5.25 Concerns have been raised about the discharge of water into ponds within the site that have the potential to support great crested newts. An Ecological Impact Assessment has been submitted that identifies one pond as having 'average' suitability for GCNs, however the Assessment concludes that the conversion of the buildings is a relatively limited scale of development with negligible potential to impact on great crested newts. As noted above, there is no change to the discharge of surface water from the buildings whilst a condition will require provision of a treatment plant for any foul drainage on the site to ensure that there is no pollution to surrounding watercourses or ponds.
- 5.26 In terms of the impact on other protected species, it was found that only one building had low / moderate potential for bat roosts. Mitigation measures are suggested to avoid any adverse impact and enhancements suggested in the form of one bat roost box and two bird nest boxes. These can be secured by condition.

Lighting

- 5.27 Concern has been raised about light pollution. No external lighting is proposed, however it is recognised that there may be some pressure for lighting for security or operational needs. As such a condition is proposed requiring the submission of any details of lighting to ensure that any that is installed in the future is appropriate and designed in a way that minimise any impact on the surrounding area.

Other Issues

- 5.28 Concern has been raised about the potential introduction of CCTV on the site as a security measure and that this would be an infringement of privacy for neighbouring properties, however this is not a planning consideration and could be subject to other legislation.
- 5.29 Concern has also been raised about electricity supply being inadequate as supply dips when power tools are used at the site. As with water supply, this is an issue that the utility provider would be required to rectify.
- 5.30 The need to support the economy as part of the recovery from the COVID-19 pandemic is a material consideration. This application will likely provide employment during the construction phase of the project and also as a business. This weighs in favour of the proposal.
- 5.31 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.
- 5.32 This application is liable for Community Infrastructure Levy (CIL).

Conclusion

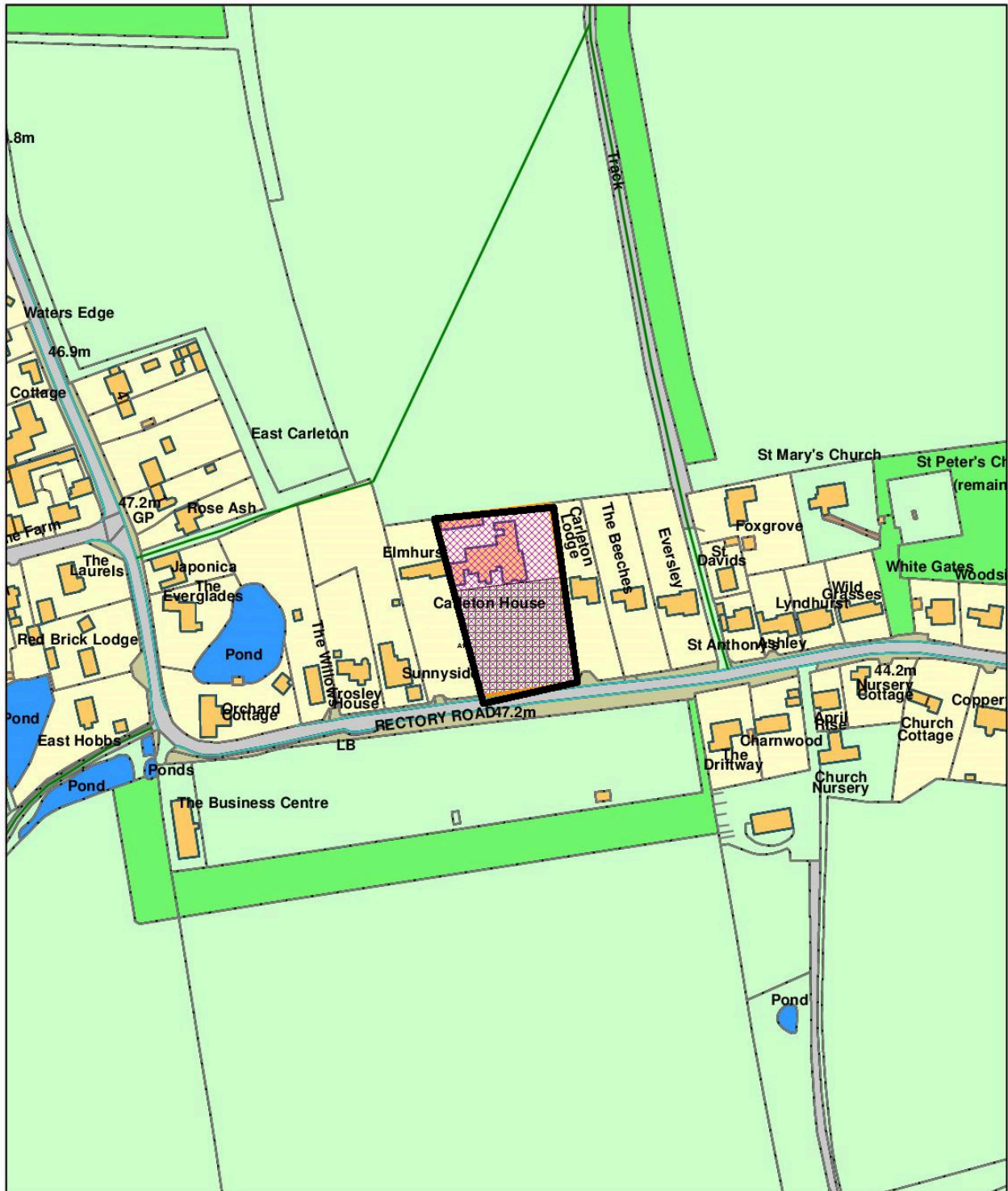
- 5.33 The proposed use is acceptable as it would use existing buildings that are suitable for conversion and, subject to a number of conditions, can be accommodated on the site without having an adverse impact on neighbouring properties or the local highway network.

Recommendation : Approval with Conditions

- 1 Time Limit - Full Permission
- 2 In accordance with submitted drawings
- 3 Specific Use
- 4 Foul drainage -sealed system/package
- 5 Noise mitigation measures to building
- 6 Doors and windows to remain closed
- 7 Noise mitigation verification testing
- 8 Forklift truck reversing alarms
- 9 Hours of use- use of machinery
- 10 Hours of use - deliveries
- 11 Ecological mitigation / enhancement
- 12 External lighting

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2021/0743



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7. Application No : 2021/0743/F
Parish : EAST CARLETON

Applicant's Name: Mr Ben Jourdan
Site Address Carleton House Rectory Road East Carleton NR14 8HT
Proposal Proposed alterations and extensions and 5 new self-contained flats and 4 new bedrooms in building to rear.

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 The site is in East Carleton, which is defined as a smaller rural community in the Joint Core Strategy and therefore has no development boundary. The site is used as a care home and consists of a large former dwelling that has been extended over the years. Although not listed or in a conservation area, the building can be considered a non-designated heritage asset as a representative example of rural nineteenth century ecclesiastical domestic architecture.
- 1.2 The proposal is to remove a number of modern additions, particularly to the rear of the building, and construct new extensions which will provide for five new self-contained flats which allow a greater degree of independence than for residents of the main dwelling but with care provision available. This is a reduction in the level of new accommodation originally proposed, which was for nine new flats involving more substantial extensions to the building. The proposals also includes the creation of additional car parking to the front of the site, but again this is reduced from the initial proposals as less parking is required now the level of new accommodation has been reduced.

2. Relevant planning history

2.1	2001/1630	Erection of bedroom extension	Approved
2.2	1998/0630	Extension to rear of home for the elderly	Approved
2.3	1997/0825	Erection of first floor extension to home for the elderly	Refused
2.4	1994/1443	Erection of conservatory to front of dwelling	Approved
2.5	1993/0357	Erection of extension to staff flat	Approved

3 Planning Policies

- 3.1 National Planning Policy Framework (NPPF)
NPPF 02: Achieving sustainable development
NPPF 04: Decision-making
NPPF 05: Delivering a sufficient supply of homes
NPPF 06: Building a strong, competitive economy
NPPF 09: Promoting sustainable transport
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

3.2 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 17: Small rural communities and the countryside

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

DM1.4: Environmental Quality and local distinctiveness

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

DM4.2: Sustainable drainage and water management

DM4.8: Protection of Trees and Hedgerows

DM4.10: Heritage Assets

3.4 Supplementary Planning Documents (SPD)

South Norfolk Place Making Guide 2012

4. Consultations

4.1 East Carleton and Ketteringham Parish Council

Refuse

- Concerns about both surface and foul water drainage as there has been repeated flooding in Hethersett Road where the foul water drains too once it has been processed
- The Parish Council would also like to see an arboricultural report into the effect of any development on trees so there is the potential that trees will be damaged or removed during any construction on site
- Residents have raised concerns about the proposal to increase the height of a single storey to a two storey building which would cause overlooking and an invasion of their privacy

4.2 District Councillors:

Cllr Gerald Francis

To Committee

- Local flooding potential

Cllr Nigel Legg

To Committee

- Major development
- Local concerns regarding increased traffic and arrangements for foul water disposal

- 4.3 NCC Ecologist
Conditional Support
- 4.4 NCC Highways
Conditional Support following receipt of amended plans
- 4.5 SNC Economic Development Officer
No comments received
- 4.6 SNC Heritage and Design Officer
Conditional Support following receipt of amended plans
- 4.7 SNC Water Management Officer
Conditional Support
- 4.8 SNC Conservation and Tree Officer
Conditional Support following receipt of amended plans
- 4.9 SNC Community Services - Environmental Quality Team
Conditional Support
- 4.10 Other Representations
No representations to latest amended plans
- 5 representations objecting to previously amended plans
- many of our concerns not addressed
 - further concerns raised over drainage on the site
 - the Highways Engineer has stated that unless the visibility can be improved whilst exiting onto Rectory Road, they will not support any additional development on this site. We would suggest improved sight lines should be demonstrated prior to any planning permission being granted
 - site plan does not show how HGVs can turn within the site
 - continued concern about overlooking and overbearing nature of extensions
 - comments by the Senior Heritage and Design Officer that the proposed additions will only be visible across the fields to the rear with no publicly accessible land is untrue as there is a footpath regularly used by members of the public immediately to the rear of the site
- 4 representations of objection to original plans
- concerns over drainage on site
 - there has been flooding along the road
 - soakaways may not be achievable on site, this should be confirmed either way by percolation tests before the application is approved
 - the site has extensive tree cover
 - application should be accompanied by an arboricultural survey which fully assesses the impact of soakaways and the new car parking spaces within root protection areas
 - proposed extensions should be constructed in matching materials
 - proposed mono-pitched roof in the western end is out of keeping and poorly designed
 - concern over loss of privacy to neighbouring gardens due to overlooking

- impact of two storey elements being overbearing and dominant on neighbouring properties
- outbuilding is known to contain asbestos
- East Carleton has no facilities or access to public transport and therefore residents will be totally reliant on private cars

5 Assessment

Key considerations

- 5.1 The main issues for consideration are the principle of development, the design of the scheme taking into account the building as a non-designated heritage asset, its impact on adjoining properties, access and parking, impact on trees and drainage.

Principle

- 5.2 The site lies outside a development boundary 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.
- 5.3 There is no specific policy relating to the nature of development proposed within Local Plan, however Joint Core Strategy Policy 4 (JCS) specifically requires allocations to be made for housing with care within the Norwich Policy Area, in which East Carleton falls.
- 5.4 Carleton House is an existing care home and therefore is an employment and business use. Policy DM2.1 allows for the expansion of existing businesses located in the Countryside provided that it does not have a significant adverse impact on the local and natural environment and character of the Countryside and should protect the amenities of the neighbouring occupiers.
- 5.5 There is an identified need for this form of care accommodation and it is therefore considered that the creation of accommodation that is linked to the care home is acceptable in principle, subject to the provisions of policy DM2.1 and other site specific considerations. A condition will be required to ensure that the units remain part of the care home site and are not occupied independently as open market housing which would not be acceptable either in terms of settlement policy as the site is outside of any development boundary or in terms of site layout and amenity considerations.

Design and Impact on Heritage Asset

- 5.6 As noted above, the building can be considered a non-designated heritage asset and therefore this needs to be taken into account in the design of any extensions. The scheme involves the creation of a two storey side extension on the western side of the building to replace an existing single storey extension and a new wing to the rear which is partly two storey with a clock tower feature and partly single storey. The two storey extensions have been designed to reflect the historic character of the building whilst the single storey element to the rear is more utilitarian.
- 5.7 A number of alterations to the scheme have been made over the course of the application to address concerns raised by the Council Senior Heritage and Design Officer. These concerns have now largely been addressed. The new extension to the front will replace an unsightly conservatory and make the front garden more accessible with opening windows, whilst the only element of the rear wing visible in the street scene will be the clock tower feature which will sit in a position set back from the original principle elevation of the building and will add interest to the site. Whilst the single storey wing at the rear is more utilitarian it sits low in terms of its profile and consequently won't have a significant impact in any views of the building, with any views from public rights of way being over some distance across the field to the rear.

- 5.8 The Senior Heritage and Design Officer therefore raises no objection to the revised scheme, but does recommend that conditions are included in relation to materials and external design elements such as windows to ensure quality in the detailing. With the conditions it is considered that the proposal accords with policies DM3.8, and DM4.10 in regard to the impact on the heritage asset.

Impact on Neighbouring Properties

- 5.9 The site has two adjoining neighbouring properties to the east and west. Concern has been raised about the impact of the two storey elements on these properties. In regard to the impact of the buildings themselves, the two storey element to the rear is closest to the eastern boundary but still some distance away and therefore not considered to have an adverse impact in terms of the presence of the building. In terms of the two storey extension to the west of the existing dwelling, this would be relatively close to the western boundary but this will be adjacent to the side elevation of the neighbouring property and therefore will not overshadow or overbear on their amenity space or the rear outlook from this property.
- 5.10 Specific concern has been raised about the introduction of overlooking from these two storey elements. The first floor windows in east elevation are, as noted above, some distance to the boundary and there are also trees obscuring views to the neighbouring dwelling to the east itself. Nonetheless, there is some potential to introduce overlooking of their rear garden. As these windows serve communal areas and a secondary window to a bedroom they can be obscure glazed to prevent any overlooking. A condition is proposed to secure this. In terms of the west elevation, the scheme will actually reduce potential overlooking as there is currently a first floor window looking towards the property to the west but the creation of the extension, which doesn't have any first floor windows in its west elevation, will remove this.
- 5.11 In terms of disturbance during construction, a condition has been recommended by the Council's Environmental Protection team to secure a construction management plan to minimise any such disturbance.
- 5.12 As such it is considered that the proposed scheme will not have an unacceptable impact on the neighbouring properties and is considered to accord with policy DM3.13 of the Local Plan.

Access and Parking

- 5.13 The access into the site from Rectory Road will remain unchanged. Norfolk County Council's Highways Officer initially raised concerns about the visibility on the access. This was historically due to vegetation that has been removed but also due to the presence of a fence to the west of the access. This fence is now to be moved which will improve the visibility. As such, the Highways Officer no longer raises any objection to use of the access to serve the additional accommodation on the site.
- 5.14 In regard to parking, there are 14 parking spaces currently. Following the reduction of the scale of the scheme, it is proposed to construct eight additional spaces. The Highways Officer has no objection to the level of parking provided or the layout shown which allows for service vehicles to turn.
- 5.15 As such it is now considered that the proposed development accords with policies DM3.11 and DM3.12 of the Local Plan.

Impact on Trees

- 5.16 The site contains a number of trees on the site that contribute positively to the character of the area and as a consequence a Tree Preservation Order has been served on the site. The level of parking required for the level of development originally proposed would have resulted in the removal of some trees and the provision of parking spaces within the root protection areas of a number of other trees.

- 5.17 The revised scheme reduces the number of additional parking spaces and repositions them to minimise their impact on the trees. An Arboricultural Report has now been provided which concludes that the four small trees that are still required to be removed are of low value. It also advises that there will be very small incursions into the outer Root Protection Areas of four other trees in order to construct the car parking bays and recommends that an appointed arboriculturalist will carry out a watching brief during the excavations.
- 5.18 The Conservation and Tree Officer does not object to the removal of the trees in question, nor to the works to be carried out to the remaining trees. A condition is required that works are carried out in accordance with the tree protection plan to ensure that the trees are protected throughout the works proposed.
- 5.19 The development is therefore considered to accord with policy DM4.8 of the Local Plan.

Flood Risk and Drainage

- 5.20 The site is in Flood Risk Zone 1 and not therefore at risk from fluvial flooding, nor is the site at risk from identified surface water flooding.
- 5.21 Surface water drainage is proposed to discharge from the proposed development into swales or filter drains that convey the surface water to a soakaway, most likely to be located within the gardens to the south of the site. It is noted that there is some concern about surface water flooding in the area and that this development could exacerbate these problems. The Council's Water Management Officer raised no objections to the approach proposed but noted that this will need to be confirmed through infiltration testing. Final confirmation of this and the detail of the scheme can be secured by condition.
- 5.22 In regard to foul drainage, the existing system for the site would be removed and replaced with a new on-site foul water treatment plant that would discharge into an infiltration system. The overflow for the system will link into the existing outlet that discharges into a tributary of the Intwood Stream. There is no objection to this approach, however the Environment Agency is the regulatory authority for non-mains foul drainage and it is likely that the proposal will require an environmental permit.

Other Issues

- 5.23 Ecological information was provided confirming that the buildings had been assessed as having negligible potential for bat use. Nonetheless, it is considered that given the impact on the trees there should be appropriate mitigation and enhancement provided for biodiversity on the site. A condition is proposed to secure this.
- 5.24 Concern has been raised about asbestos in the outbuilding to be demolished. However the removal of asbestos is covered by separate legislation to secure its safe removal. An informative can be included on any consent to draw the applicant's attention to this.
- 5.25 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.
- 5.26 This application is liable for Community Infrastructure Levy (CIL).

Conclusion

- 5.27 The proposed development provides the benefit of homes with care which will help South Norfolk's identified unmet need, which can be considered ancillary to the existing care home use under policy DM2.1 of the Local Plan. The level of development proposed as amended from that originally submitted is such that it can be accommodated on the site without having an unacceptable impact on the character of the original building, or on the amenities of neighbouring properties, the local highway network, or trees on the site that contribute positively to the character of the area.

Recommendation : Approval with Conditions

- 1 Time Limit - Full Permission
- 2 In accordance with submitted drawings
- 3 Flats ancillary to care home
- 4 Visibility splays
- 5 Provision of parking area
- 6 Biodiversity mitigation and enhancement
- 7 Surface water drainage
- 8 Tree Protection
- 9 Contaminated land during construction
- 10 Construction Management Plan
- 11 Materials
- 12 Details of windows and doors
- 13 Windows to be obscure glazed

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Application 8

2021/1993



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

8. Application No : 2021/1993/F
Parish : BAWBURGH

Applicant's Name: Mr and Mrs Carl Hipperson
Site Address Kerkira, Stocks Hill, Bawburgh, NR9 3LL
Proposal Single-storey, two-bedroom, annexe accommodation ancillary to Kerkira, the existing two-storey dwelling. The removal of the existing mobile home and the removal of the existing garden access off Stocks Hill.

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 is seeking planning permission for a single storey two bedroomed residential annexe. The accommodation will comprise of two double bedrooms, open plan kitchen/dining area, separate sitting room, utility room and separate wc and entrance hall with an internal floor area of 107.85 sqm.
- 1.2 The new annexe would be constructed using red facing bricks and clay pantiles to match the existing dwelling and include painted/stained timber feature cladding.
- 1.3 The annexe would provide accommodation for the existing occupants of Kerkira. Kerkira would be occupied by the applicant's daughter and family.
- 1.4 The existing mobile home would be removed from the site.
- 1.5 The proposal has been revised during the course of the application. The original plans were for an annexe with a gable roof design with attached double bay carport linked to the existing dwelling by the roof of a covered walkway. The revised proposal has moved the annexe closer to the existing dwelling and changed the roof to a hipped design. The car port has been removed from the scheme. The footprint of the annexe has not been significantly changed and remains the same size.
- 1.6 Kerkira is located on the north-east side of Stocks Hill. The curtilage of the application site is triangular in shape and extends to approximately 0.1ha. There are residential neighbours to the immediate northwest. Opposite and behind the site is agricultural land.
- 1.7 The northeastern boundary of the site is formed by a low timber fence. The southwestern boundary of the existing garden adjacent to the road is formed with an evergreen hedge. The boundary in front of the existing dwelling is a low brick wall and with vehicular accesses to the parking at the front of the property. Existing boundary trees and hedges are to be retained apart from one purple maple located on the boundary close to the eastern corner of the proposed annexe. The existing brick wall and existing conifer trees to the southeast of Kerkira would be removed to open up the area to the front of the proposed annexe.
- 1.8 The annexe would utilize the existing vehicular accesses shared with Kerkira. A separate existing access directly into the garden will be closed up and infilled with new hedge planting.
- 1.9 The application site is located on the southern-most tip of the built-up area of Bawburgh and located outside the defined development boundary.

2. Relevant planning history

2.1	2009/1282	Placing of mobile home on existing mobile home concrete pad within the grounds of Kerkira	Temporary Approval Expired 31/10/14
2.2	1987/3140	Mobile home to garden site	Approved
2.3	1986/2091	Erection of two-bedroom bungalow with integral garage	Refused Appeal Dismissed
2.4	1987/1845	Erection of extension to form granny annexe	Refused
2.5	1985/0160	Erection of one dwelling	Refused

3. Planning Policies

- 3.1 National Planning Policy Framework (NPPF)
NPPF 02 : Achieving sustainable development
NPPF 04 : Decision-making
NPPF 09: Promoting sustainable transport
NPPF 12 : Achieving well-designed places
- 3.2 Joint Core Strategy (JCS)
Policy 2 : Promoting good design
Policy 4 : Housing delivery
Policy 9 : Strategy for growth in the Norwich Policy Area
Policy 16 : Other Villages
Policy 17 : Smaller rural communities and the countryside
- 3.3 South Norfolk Local Plan Development Management Policies
DM1.3 : The sustainable location of new development
DM3.7 : Residential annexes
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

4. Consultations

4.1 Parish Council

No objections.

4.2 District Councillors

Cllr Adrian Dearnley:

To be reported if appropriate

Cllr David Bills:

To be reported if appropriate

Cllr Phil Hardy:

If the officer is minded to refuse this application, I would like it called in to planning committee for the following material planning consideration:

- the site has a mobile home permitted already which is a fall-back position that warrants strong consideration as a single storey annex would have negligible harm compared to what is there approved already.

4.3 SNC Water Management Officer

No comments received.

4.4 NCC Highways

No highway objections to the proposal.

4.5 Other Representations

None received

5. Assessment

Key considerations

- Principle of development
- Scale of the proposal and connection to the existing dwelling
- Design
- Impact on residential amenities
- Highway safety

Principle

5.1 The application is seeking planning permission for a residential annexe. Policy DM3.7 of the Development Management Policies (DMP) states that 'proposals for residential annexes will be considered favourably provided that it is designed so that it can continue to be used as part of the main dwelling, without creating an independent dwelling unit, in future'.

5.2 Creating an annexe to an existing dwelling, whether it is located inside or outside the development boundary is considered a useful way to facilitate care and support for family members. Therefore, the principle of the proposal for an annexe in this case is considered acceptable and in accordance with Policy DM3.7.

Scale and connectivity

5.3 Notwithstanding that the principle of a residential annexe is considered acceptable, Policy DM3.7 of the DMP requires annexes to be designed so that the dwelling unit as a whole provides genuinely flexible accommodation that can be adapted and re-adapted to meet the changing needs of an extended family over time. This should include the option of absorbing the annexe back into the main dwelling accommodation, if necessary, by the same or future occupiers.

5.4 In addition, to meet these requirements it is essential that the main and annexe accommodation are directly connected by an internal link or otherwise have a close spatial relationship with shared facilities and space. The proposed annexe is attached to the main dwelling and would share the garden and driveway and therefore the proposed annexe has a close spatial relationship with the existing dwelling, which complies with Policy DM3.7.

- 5.5 Whilst being physically attached to the main dwelling there is no inter-connection between the existing dwelling and the proposed annexe, which comprises of a completely separate unit of living accommodation including having its own separate entrances. The applicant has advised that although it is appropriate for the annexe to be joined to the existing dwelling it is not possible to physically link the annexe and existing dwelling by means of an internal door due to the internal arrangement of the existing dwelling.
- 5.6 It is also considered that the proposal is unduly large to be considered an annexe. As set out above in paragraph 1.1 the annexe will provide extensive accommodation and the floor area of the annexe is considerably larger than an average two bedroomed bungalow would be. For this reason, it is considered that the annexe would not meet the requirements of Policy DM3.7, in that because of its size it would be unlikely to be easily absorbed into the existing dwelling in the future. It is also considered that it could prove an economic and practical liability when the annexe is no longer required or the property changes ownership.
- 5.7 Regard has been had to the role of the existing caravan within the site as a fall-back position for the creation of an annexe. Siting of mobile homes and caravans within the curtilage of an existing dwelling can provide additional incidental accommodation without the need for planning permission. The principle of the annexe is supported under Policy DM3.7 without the need for a fall-back position. The proposed annexe is significantly larger than the living accommodation provided by the caravan, tantamount to the provision of a new dwelling located outside the defined development boundary.
- 5.8 Furthermore, due to the size of the proposed annexe, the position of the annexe on the plot and the size of the site, the site could be easily subdivided by erecting a fence between the annexe and Kerkira to the front and rear to form two separate curtilages. Each plot would have an adequate amount of amenity space and parking provision to the front. There are two existing accesses, one located to the northern boundary of the site, the other to the south of Kerkira. The one to the north is ideally placed to provide Kerkira with direct access to parking and existing garaging to the north of the dwelling. The southern access is located directly to front of the proposed annexe. Neither the existing dwelling nor the annexe would be reliant on the creation of a new vehicular access into the site.
- 5.9 Bawburgh is identified as an 'Other Village' in Policy 16 of the JCS and has a defined development boundary to accommodate infill or small groups of dwellings. Although Kerkira is not in an isolated position away from other dwellings, it forms the last dwelling in the built frontage of a group of properties extending southwest along Stock's Hill and the application site is located over 300m outside the development boundary defined on the Policies Map. The site is therefore considered to be in the countryside for the purposes of this application. Policy DM1.3(2)(c) states that permission for development in the countryside will only be granted if there is a specific policy that allows for development outside the development boundary. In this case the specific policy would be Policy DM3.7 as set out above.
- 5.10 However, as set out in paragraph 5.6 above, the scale of the development is too large to be considered an annexe and is essentially creating a new separate dwelling in the countryside and only in exceptional cases will development proposals be supported by the Council. In this regard the proposal is considered to be contrary to Policy DM1.3(1)(a) which clearly states that all new development should be located on allocated sites or within the development boundaries of settlements defined on the Policies Map. Furthermore, the proposal is not considered to result in overriding benefits as would be requirement by DM1.3d.

- 5.11 Policy 2 of the JCS and Policies DM1.4(d)(i) and DM3.8(a)(b) of the DMP require new development to have a high standard of design, pay adequate regard to local character and to have a satisfactory relationship with surrounding buildings in terms of scale, height, massing, form and appearance.
- 5.12 The proposed annexe will be constructed in materials to match those used in the existing dwelling and the hipped roof design is also in keeping with Kerkira. The annexe, in combination with the existing dwelling, will create a continuous frontage elevation 26m wide (not including the car port attached to the northern elevation of Kerkira), of which 16.5m is the annexe. The scale of the annexe is not considered to be sympathetic to the scale of the existing dwelling. Notwithstanding that part of the annexe will be screened by roadside hedge, the entirety and extent of the roof will be visible above the height of the hedge when viewed from the road. The proposed design is therefore considered to be contrary to the aims of Policy 2 of the JCS and Policies DM1.4(d)(i) and DM3.8(a) and (b) of the DMP.

Access and highways

- 5.13 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.
- 5.14 The proposal looks to retain the existing in and out access to serve the main dwelling and the annexe. No objections have been raised by NCC Highways and in view of the above the proposal therefore accords with Policy DM3.11 and DM3.12 of the Development Management Policies document.

Impact on Residential Amenity

- 5.15 Policy DM3.13 directs that development should not be approved if it would have a significant adverse impact on nearby resident's amenities or the amenities of new occupiers.
- 5.16 Due to the location of the annexe to the south-eastern part of the site it would have no detrimental or adverse impacts for the amenity of the neighbours who are to the other side of Kerkira via overlooking, loss of light, overshadowing or overbearing impacts etc. and therefore accords with DM3.13 and DM3.14 of the Development Management.

Other Issues

- 5.13 There is an existing mobile home on the site that the applicant has advised will be removed. This is close to the front of the plot but has a low overall height and is well screened by the boundary hedge. Therefore, it does not have any significant visual impact in the street scene. Its removal would not therefore be of any significant benefit to the appearance of the site or appearance of the wider street scene.
- 5.14 Under Section 143 of the Localism Act the council is required to consider the impact on local finances. This can be a material consideration but in the instance of this application the other material planning considerations detailed above are of greater significance.
- 5.17 This application is liable for Community Infrastructure Levy (CIL).

Conclusion

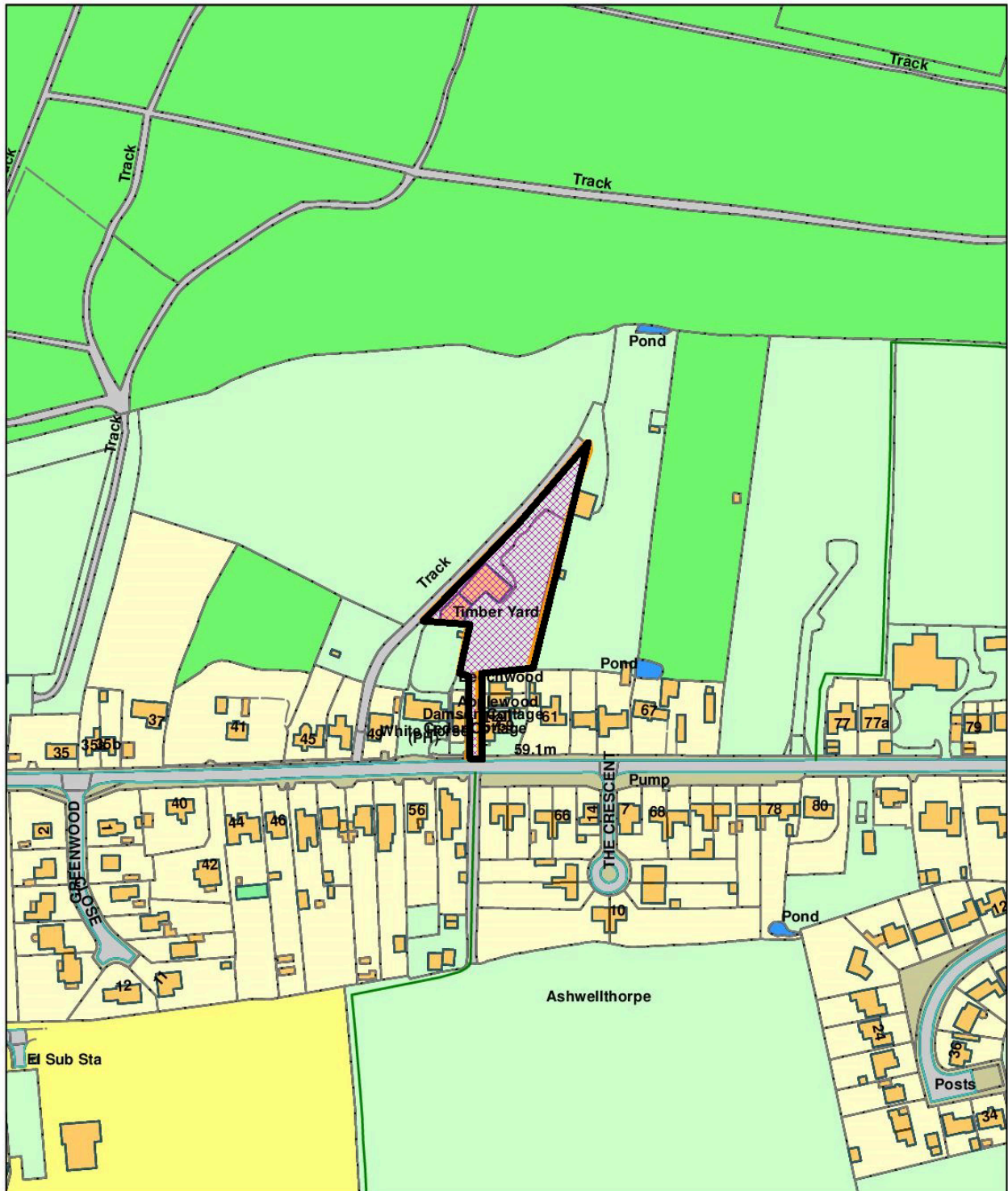
- 5.18 For the reasons set out above the application is considered to be unacceptable and contrary to Policy 2 of the Joint Core Strategy and Policies DM1.4, DM 3.7 and DM3.8 of the South Norfolk Local Plan Development Management Policies.

Recommendation : Refusal

- 1 By virtue of the size, design and relationship with the existing dwelling, the proposed annexe would not meet the aims of Policy 3.7 of the Development Management Policies DPD, in particular paragraph 3.49 which states that 'unduly large annexes can prove an economic and practical liability when vacated or when the property changes hands' which can lead to pressure for the annexe to be severed and let separately from the main dwelling and paragraph 3.50 which states that this is also inconsistent with policies seeking to restrict the unsustainable development of new dwellings in the countryside.
- 2 By virtue of the size of the proposed annexe the development would not meet the aims of Policy 2 of the Joint Core Strategy or Policies DM1.4 (d)(i) and DM3.8(4)(a) of the Development Management Policies DPD, in that the scale and form would have a significant detrimental impact on the appearance of the existing dwelling and have an adverse effect on the character and appearance of the wider street scene.

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2021/2321



9. Application No : 2021/2321/O
Parish : ASHWELLTHORPE & FUNDENHALL

Applicant's Name: Mr and Mrs Reeder
Site Address Timber Yard North of The Street Ashwellthorpe Norfolk
Proposal Demolition of existing buildings used in association with timber yard and erection of five dwellings comprising two 4-bedroom (one self-build), and three 3-bedroom (one First Home), new internal private driveway onto existing highway access, car parking spaces, gardens, and biodiversity/landscaping enhancements.

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.

The proposal would result in the loss of an employment site.

Recommendation summary :

Refusal

1 Proposal and site context

- 1.1 The proposal is for the construction of five dwellings, including one self-build and one First Home, with the change of use of the land to residential. The site is to the north of The Street and is located outside of the development boundary for Ashwellthorpe.
- 1.2 A number of previous applications have been made, most recently in 2021 (ref: 2021/0610) which were refused due to the site's location outside of the development boundary, the loss of an employment site and concerns over the impact of the form and character of the area.
- 1.3 The main concentration of development has taken place along both sides of The Street resulting in a predominantly linear settlement. A further ribbon of development extends at the western end of The Street, southwards on New Road. Some estate development on the south site of The Street has taken place historically (Knyvett Green and Greenwood Close). To the north of The Street is Lower Wood, a large wooded area (and SSSI) contributing to the rural character and setting of the village.

2. Relevant planning history

2.1	2021/0610	Demolition of existing buildings used in association with timber yard, change of use and erection of 5 dwellings	Refused
2.2	2016/2279	Outline with all matters reserved for four dwellings	Refused
2.3	2008/1488	Erection of 4 dwellings and associated access	Refused
2.4	2004/0978	Proposed erection of 7no detached dwellings & 4no flats	Refused

- 3 Planning Policies
- 3.1 National Planning Policy Framework (NPPF)
 NPPF 02: Achieving sustainable development
 NPPF 04: Decision-making
 NPPF 05: Delivering a sufficient supply of homes
 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 3: Energy and water
 Policy 4: Housing delivery
 Policy 5: The Economy
 Policy 15: Service Villages
 Policy 17: Small rural communities and the countryside
 Policy 20: Implementation
- 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
 DM1.4: Environmental Quality and local distinctiveness
 DM2.2: Protection of employment sites
 DM3.1: Meeting Housing requirements and needs
 DM3.8: Design Principles applying to all development
 DM3.11: 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
 DM4.8: Protection of Trees and Hedgerows
 DM4.9: Incorporating landscape into design
- 3.4 Supplementary Planning Documents (SPD)
 South Norfolk Place Making Guide 2012
4. Consultations
- 4.1 Ashwellthorpe Parish Council
- No objection but as noted on previous applications for this site the project is outside the development boundary of the village. However, the Council also recognise that there is a potential planning gain of an affordable unit which we would welcome should the application be approved. This should be secured through a Unilateral Undertaking or a Section 106 agreement.
- 4.2 District Councillors
 Cllr Nigel Legg
- To Committee
- there is considerable local support for the proposed development.
 - the revised provision includes provision for affordable housing
 - so although the application is outside the development boundary, exceptional circumstances could be considered

Cllr Vivienne Clifford-Jackson

I note that the local members, parish council and residents are all in support so although I see the Norfolk Wildlife Trust is concerned about the proximity to the woodland I take the point that it is better to have the area occupied and with affordable housing for local people. I trust the developers will pay due attention to the sensitivities and consult with the wildlife experts as part of their building process.

Cllr Gerald Francis

Delegate

4.3 Norfolk Wildlife Trust

Object

Due to the proximity to the ancient woodland, we do not consider this to be an appropriate location for housing development

4.4 NCC Highways

Conditional Support

4.5 SNC Water Management Officer

No comments received

4.6 Other Representations

14 representations supporting the application

- we need more housing in the village including family homes
- will improve the village
- preferable to existing use
- no objection from neighbouring property

5 Assessment

Key considerations

- 5.1 The main issues for consideration are the principle of development, loss of employment site, design and layout, residential amenity, access and parking, the impact on the Site of Special Scientific Interest (SSSI) to the north, and flood risk and drainage.

Principle

- 5.2 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. This point is reinforced by the presumption in favour of sustainable development as set out in paragraph 11 of the National Planning Policy Framework (NPPF), which is a material planning consideration.
- 5.3 Policy DM1.1 of the South Norfolk Local Plan (2015) states that when considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF.
- 5.4 A housing land supply in excess of five years that can be demonstrated across the District meaning that full weight can be given to the Council policies relating to the supply of housing outside of development boundaries.

- 5.5 Therefore, critical to the determination of this development is whether or not the proposal accords with the Development Plan.
- 5.6 Policy DM1.3 of the South Norfolk Local Plan Development Management Policies Document 2015 seeks the sustainable location of new development in line with the settlement hierarchy and only permits development outside of development boundaries where specific development management policies allow (criterion (c)) or where there are overriding benefits in terms of the economic, social and environmental dimensions of sustainable development (criterion (d)).
- 5.7 Given that the site is located outside of the development boundary that has been defined for Ashwellthorpe in the Local Plan and is in the countryside in Policy terms, it is not allocated and does not comply with any other Development Management Policies in the Local Plan it is therefore contrary to criterion (c).
- 5.8 The application states that the provision of one affordable unit in the form of a 'First Home' along with the provision of a self-build dwelling and other benefits from the scheme are such that they constitute overriding benefits. Whether this is sufficient to justify new dwellings outside the development boundary under criterion (d) is considered later in this assessment.
- 5.9 The site is consequently considered an unsuitable location for new development and therefore fails to comply with the NPPF, and Policies DM1.1 and DM1.3 of the South Norfolk Local Plan Development Management Policies Document regarding the principle of residential development in this location.

Loss of Employment Site

- 5.10 The site is used as a wood storage yard and benefits from a lawful commercial use albeit restricted to that of storage because of the condition imposed on the 2006/1502 permission. The condition was to ensure there was no adverse impact on the residential amenities of the new dwellings permitted at the entrance to the site.
- 5.11 Policy DM2.2 seeks to protect employment sites unless it can be demonstrated that under criteria 2) a) the possibility of re-using or redeveloping the site/premises for a range of alternative business purposes has been fully explored and it can be demonstrated that the site or premises is no longer economically viable or practical to retain for an Employment Use; or Criteria b) There would be an overriding economic, environmental or community benefit from redevelopment or change to another use which outweighs the benefits of the current lawful use continuing."
- 5.12 The supporting information states that the operator of the site will continue to be employed in fencing and tree surgery and therefore there will be no loss of employment. They also note that the current buildings are in poor state and would not be attractive to another potential operator. However no marketing has been undertaken to demonstrate this, nor is there evidence to demonstrate that use of the site is causing such disturbance that there would be overriding environmental or community benefit for the site to be redeveloped. There is potential that the site could therefore be used by a different operator or potentially for a different commercial use providing it is one that is compatible with the neighbouring residential properties. For this reason, the scheme fails to accord with the criteria of DM2.2 2) a) and b) of the Local Plan.

Design and Layout

- 5.13 In general terms the overall character of Ashwellthorpe is of linear form along both sides of The Street. This is set out in the Site Specific Assessment in the Local Plan and can be seen on plan no 024 in the Development Plan. On the south side of The Street there are some examples of residential development of small estates, however, on the north side of The Street, the development tends to be more tightly limited to immediate street frontage which gives a long established pattern of development and forms the character of the village. Should the

development be permitted, this would erode the established form and character of the village as a result of residential development breaking out into the open countryside. Such harm to the character of the area would be contrary to the provisions of policy DM3.8 of the Local Plan.

Residential Amenity

- 5.14 The access into the site is adjacent to four dwellings. However given the existing potential for traffic generation from commercial use of the site it is not considered that use of the access for residential use would result in unacceptable harm to their amenities.
- 5.15 An indicative layout has been provided that demonstrates that the scheme could be designed to ensure there is no loss of privacy to the existing dwellings along The Street, and the layout and dwellings could be designed to ensure there is no loss of amenity from overlooking windows. Therefore, it would be possible to ensure any such development could accord with policy DM3.13 of the Local Plan.

Access and Parking

- 5.16 Access to the site is off The Street, which is already in place and serves the existing dwellings, and the woodyard to the rear of the site. The site has adequate space to provide turning and parking. The Highway Authority have been consulted, and subject to a condition requiring the provision of a visibility splay raise no objections to the scheme. As such the scheme is considered to accord with policies DM3.11 and DM3.12 of the Local Plan.

Impact on Lower Wood SSSI

- 5.17 Norfolk Wildlife Trust have raised concerns that use of the site for residential use would potentially have adverse impacts on the woodland, such as from external lighting on dwellings on the scheme. Mitigation has been proposed in the form of planting on the boundary that faces towards the SSSI. Advice has been sought from the Council's Ecologist as to whether this mitigation is sufficient to overcome the concern raised and whether the impact will be acceptable. Their response was not available at the time of writing this report but will be updated if appropriate.

Flood Risk and Drainage

- 5.18 The site is in Flood Risk Zone 1 and therefore not risk from fluvial flooding, nor is it at an identified risk from surface water flooding.
- 5.19 As submitted the disposal of foul drainage has not been agreed, however, mains drainage is available within The Street and therefore there would be an expectation for any development to connect to the main sewer for the disposal of foul drainage unless it can be demonstrated this is not an option.
- 5.20 Surface water disposal is proposed through a sustainable drainage system which could be secured through condition or form part of the reserved matters application. It is therefore considered that the development could accord with policy DM4.2 of the Local Plan.

Other Issues

- 5.21 It is not considered that development of the site would be unacceptable in terms of accessibility to services. Ashwellthorpe is identified as a service village in the Joint Core Strategy and the site is well located to access the services within the village from the footway that passes across the access to the site.

- 5.22 Paragraph 69 of the NPPF states that small and medium sized sites can made an important contribution to meeting the housing requirement of an area. The Council has taken a proactive approach to this through the allocation of a range small and medium sized sites and through defining Development Boundaries for over 80 settlements to facilitate suitable windfall development. Point (c) of NPPF para 69 states that local planning authorities should '*support the development of windfall sites through their policies and decisions – giving great weight to the benefits of using suitable sites within existing settlements for homes*'. This is a material planning consideration. However, this site is not considered suitable for the reasons already set out and therefore is considered contrary to paragraph 69, which is not overriding in this instance. The Council is already delivering a number of windfall sites/small sites to align with paragraph 69 and therefore the need for additional small sites is not considered overriding in terms determining this application and would not outweigh the harm previously identified.
- 5.23 The application can be considered to be previously developed land (brownfield land). In line with the NPPF, I have considered the benefits of the efficient use of land, but consider that in this case, this does not outweigh the other material considerations.
- 5.24 The need to support the economy as part of the recovery from the COVID-19 pandemic is a material consideration. This application will likely provide employment during the construction phase of the project. This weighs in favour of the proposal.
- 5.25 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.
- 5.26 This application is liable for Community Infrastructure Levy (CIL). This would be calculated at the reserved matters stage.

Conclusion

- 5.27 The provision of an affordable unit would be welcome, however given that it is only one dwelling to be provided as a First Home the weight given to it is limited. The Local Plan provides a policy in policy DM3.2 for the delivery of affordable homes outside of development boundaries but it is clear that this scheme as a majority market housing scheme would not meet the criteria (nor is the applicant advocating that it could). In regard to self-build dwellings, the Council is currently meeting its requirements in regard to plots available for self-build dwellings as set out in the Self-Build and Custom Housebuilding Act 2015. As such it is not considered that either of the provision of the First Home or self-build plot could be considered an overriding benefit. Nor does the limited amount of planting and ecological enhancement, which in any event is necessary to mitigate against any impact on Lower Wood SSSI.
- 5.28 In view of the limited benefits arising from five dwellings, even including a First Home and self-build plot along with some benefits, when seen in the context of the plan-led approach to planning and the Council being able to demonstrate a housing land supply of more than five years, it is not considered that the "overriding benefits" specifically required by Policy DM1.3 of the Local Plan are provided by this scheme. When also taking into account the harm to the form and character of the village by introducing development that does not respect the linear character of the northern side of The Street it is considered that the proposed development is not acceptable as contrary to policies DM1.3 and DM3.8 of the Local Plan.

- 5.29 The development would also result in the loss of a commercial site without evidence to demonstrate that this site is no longer viable as a commercial site, or that it would result in overriding benefits to the locality thereby conflicting with policy DM2.2 of the Local Plan.

Recommendation : Refusal

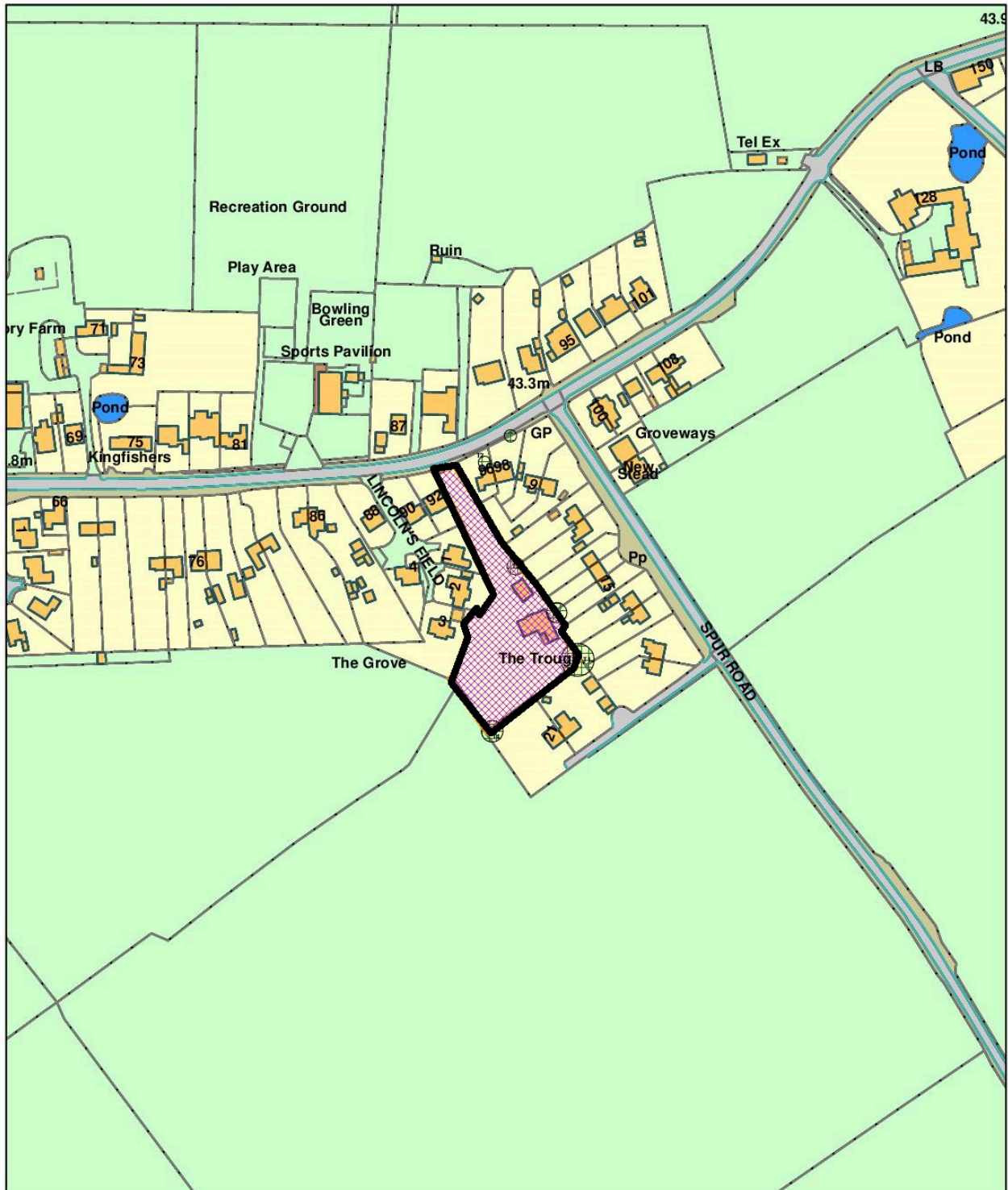
- 1 No overriding benefits
- 2 Impact on character
- 3 Loss of employment

Reasons for Refusal

- 1 The proposed development is not supported by any specific Development Management policy which allows for development outside of the development boundary and nor does it represent overriding benefits when having regard to the harm identified. As such, the application does not satisfy the requirements of either items 2 (c) or (d) of Policy DM1.3 of the South Norfolk Local Plan Development Management Policies Document 2015.
- 2 The main development is along both sides of The Street which results in an established form and character of the village. The scheme as proposed will significantly change the character of the established development by creating development to the north of The Street and impacting on the undeveloped rural character of the Village. The scheme therefore conflicts with the requirements of policy DM3.8 (1) of the SNLP 2015.
- 3 Policy DM2.2 safeguards all other land and buildings currently in or last used for an employment use (both inside and outside development boundaries). No evidence or adequate justification has been provided to demonstrate the existing use has been marketed/offered or a range of alternative business purposes has been fully explored and it can be demonstrated that the site or premises is no longer economically viable or practical or practical to retain for an employment use; or there would be an overriding economic, environmental or community benefit from redevelopment or change the use, which outweighs the benefit of the current lawful use continuing. The proposal would therefore be contrary to Local Plan Policy DM2.2.

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2021/2523



10. Application No : 2021/2523/O
Parish : BARNHAM BROOM

Applicant's Name: GTC Landholdings Limited
Site Address Land south of Norwich Road Barnham Broom Norfolk
Proposal Outline application for demolition of existing bungalow and garage, erection of five new dwellings with garages and associated works, with all matters reserved except for access

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 The site is on the southern side of Norwich Road and is accessed by an approximately 70m long driveway. It is occupied by an L-shaped bungalow on the eastern side of the property with a detached garage to the north of it, the remainder of the site being garden. Neighbouring properties include semi-detached houses and bungalows to the east on Spur Road, semi-detached houses to the south on The Grove, detached houses to the northwest on Lincoln's Field and agricultural land to the west.
- 1.2 Planning permission (2020/1321) has previously been granted for the erection of two new dwellings and garages and a replacement garage for the existing bungalow which was to remain. This permission remains extant.
- 1.3 Planning permission is now sought for the demolition of the existing bungalow and the erection of five dwellings, two in similar positions to those approved under the previous permission with three on the side of the site where the existing bungalow and its garage are located. The application is outline with all matters reserved other than access.

2. Relevant planning history

- | | | | |
|-----|-----------|---|----------|
| 2.1 | 2020/1321 | Erection of two dwellings with garages and erection of replacement garage to existing dwelling. | Approved |
|-----|-----------|---|----------|

3 Planning Policies

- 3.1 National Planning Policy Framework (NPPF)
NPPF 02: Achieving sustainable development
NPPF 04: Decision-making
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

- 3.2 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
 Policy 20: Implementation
- 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
 DM1.4: Environmental Quality and local distinctiveness
 DM3.5: Replacement dwellings and additional dwellings on sub-divided plots within Development Boundaries
 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
 DM4.2: Sustainable drainage and water management
 DM4.8: Protection of Trees and Hedgerows
 DM4.9: Incorporating landscape into design
- 3.4 Supplementary Planning Documents (SPD)
 South Norfolk Place Making Guide 2012

4. Consultations

4.1 Barnham Broom Parish Council

Refuse

- there are a number of positives to this application namely that it offers an opportunity to fulfil some of our housing allocation as infill on an established residential site which negates the need to use a greenfield site or agricultural land. It would also be on a "hidden" site and therefore would not impact on the overall appearance of the village
- however these are outweighed by the negatives
- the proposal is unpopular with our residents and therefore are so far 8 letters of objection only 1 supporting
- the proposed development is quite dense (overdeveloped) given the size of the site and therefore is not in keeping with other developments within the village
- the proposed development exceeds the development boundary
- the proposed development would result in overlooking and overshadowing existing developments resulting in loss of privacy and light
- whilst it is claimed that at present there is no evidence of surface water flood risk it is anticipated that the increase in impermeable and semi-permeable surfaces will give rise to surface water run off and consequently flooding to neighbouring properties
- as highlighted by Highways, visibility at the entrance to the site is inadequate due to the neighbouring hedge
- the claim that the development would have no negative environmental impact and would result in a net gain in biodiversity is questionable as is the ecological report which is based on one visit to the site at the beginning of August
- there are concerns about the capacity for the additional sewage

4.2 District Councillor Richard Elliott

To Committee

Given the concerns voiced by the immediate local community and the comments by the Parish Council predominantly about the scale, development outside the development boundary and the potential negative environmental impact I feel it would be beneficial for this application to be determined by the Development Management Committee

4.3 Norfolk Fire Service

Conditional Support

4.4 SNC Landscape Architect

Conditional Support

- corner plot 3 is dominated by the shade cast of the oak tree at the south east corner of the site, there may be an opportunity to amend the layout to give this plot more useable garden space by moving the dwelling further away from the tree

4.5 SNC Water Management Officer

No comments received

4.6 NCC Highways

Conditional Support

- concern with visibility to the east from the entrance but this can be addressed within the highway

4.7 Other Representations

1 representation supporting the application

- will not cause no harm whatsoever as the site is part of the village
- the proposal offers much needed housing for local people and employment for a small local builder

11 representations objecting to the application

- part of site is outside of development boundary
- application states that is only the gardens that breach the development boundary, however the plan clearly shows that part of two homes and a garage go beyond the boundary
- concern about precedent this sets
- development of 24 dwellings off Bell Road has fulfilled the allocation in the JCS for Barnham Broom
- concern regarding the number of dwellings
- site is overdeveloped compared to previous scheme for two bungalows
- do not want Barnham Broom to be another estate village ruined by overcrowding
- access drive very close to neighbouring properties resulting in considerable fume and noise from vehicles and delivery drivers
- replacing single storey dwelling with two storey dwellings will infringe on privacy of neighbouring properties
- building houses overlooking the bedrooms of bungalows is unacceptable
- overbearing impact

- concern of water run-off from access drive as neighbouring garden is lower
- visibility on site access is poor
- property opposite access which has been granted change of use to respite home often results in cars being parked on the road very close to the bend. Increased use of the access road will greatly increase the risk of accidents
- removal of the existing bungalow is not environmentally friendly
- will require the removal of 11 trees including Yew and three ash trees which will have a detrimental effect on our wildlife
- little evidence of root protection area for category A tree on site
- states that 11 of the 12 trees on the plot will be removed and replaced. The replanted trees will take many years to grow and provide screening
- two of the proposed trees will block out light to conservatory of property
- drains serving the surrounding houses are already under considerable strain and with the addition of more large houses will be further exacerbated
- no details of refuse storage at the Norwich Road entrance, whilst private road will not enable a 32 tonne vehicle to collect from properties
- will fire engines be able to turn within the site?
- no affordable housing
- would prefer retirement homes or starter homes if this site is to be developed
- disturbance from construction

5 Assessment

Key considerations

- 5.1 The main issues are the principle of development, the impact on the character and appearance of the area, the impact on residential amenity, access and parking, the impact on trees on the site, and flood risk and drainage.

Principle

- 5.2 The site is largely within the development boundary for Barnham Broom. Some comments have pointed out that parts of plots 4 and 5 are outside the development boundary, including the garage for plot 4. However, the dwellings themselves will be almost entirely within the development boundary and as such can be considered to accord with policy DM1.3. It should also be noted that the garage block and gardens will be visually contained by the existing boundary treatment of the curtilage of the bungalow and therefore there will be no intrusion by the development into the wider rural landscape.
- 5.3 Policy DM3.5 allows additional dwellings on sub-divided plots within development boundaries where they incorporate good quality design which maintains or enhances the character and appearance of existing buildings, street scene and surroundings, and does not have an unacceptable impact on the amenities of neighbouring occupiers. Proposals must also provide and maintain adequate private amenity and utility space, adequate access and parking and adequate levels of amenity.

Impact on the character and appearance of the area

- 5.4 Concerns have been raised about overdevelopment of site. The previous scheme established that additional dwellings on the site are acceptable, but retained the bungalow on the eastern side of the site which meant that part of the site was still relatively spacious. By replacing the bungalow and its garage with three dwellings, the site's character will become clearly more densely developed. However the plot sizes are not too dissimilar to the adjacent Lincoln's Field development. Given the requirements of section 11 of the NPPF to make effective use of land it

is considered on balance that the level of development on the site is acceptable, albeit at the maximum end of what the site can accommodate. The layout proposed shows how this can be achieved, with further consideration of other issues such as residential amenity and the relationship with trees considered below.

- 5.5 As such it is considered that the development can be achieved on the site without harming the character and appearance of the area, whilst the detailed design of the scheme will be considered at the reserved matters stage.

Residential Amenity

- 5.6 The precise relationship of the new dwellings on the site and existing neighbouring properties would be considered at the reserved matters stage, however it is important to be satisfied that acceptable relationships can be achieved in principle at this outline stage. Concerns have been raised by neighbouring properties that there will be overlooking from two storey dwellings where there was only a single storey dwelling with a particular concern about the overlooking of neighbouring bungalows. There was also concern that two storey properties would be overbearing a specific concern from No2 Lincolns field concerned about overshadowing from the proposed bungalow in plot 5.
- 5.7 In terms these issues the only dwellings which have elevations facing existing dwellings are plots 1 to 3. However there are adequate separation distances given the large gardens to the rear of those properties. As a consequence there is no reason to believe that design couldn't be achieved that does not result in unacceptable overlooking of existing properties. In terms of the relationship with plot 5 and properties on Lincoln's Field it is considered that the distance from the proposed siting shown and the dwellings is acceptable for it not to be overbearing or result in overshadowing. The garage block could have more impact but there is no reason why it needs to be sited as shown and this issue can be resolved at reserved matters stage. It should also be noted more generally that this application does seek approval for scale and therefore it is not establishing at this stage whether any of the dwellings would be single or two storey.
- 5.8 Concern has also been raised about disturbance from the access drive. Clearly the drive is existing and was also considered acceptable to serve two more dwellings in addition to the existing dwelling on the previous consent. It is not thought that the use by a further two dwellings above the three previously considered acceptable would result in such harm to warrant refusal of the scheme.
- 5.9 Concerns have also been raised about some of the proposed trees on the proposed site layout plan blocking out light to neighbouring properties. However the landscaping of the site is purely indicative at this stage so this could be addressed at the reserved matters stage or through condition.
- 5.10 As such it is considered that development of five dwellings on the site can be achieved without having an unacceptable impact on neighbouring properties and therefore the proposal is considered to accord with policy DM3.13 of the Local Plan.

Access and Parking

- 5.11 As noted above, the site is to be accessed using the existing access onto Norwich Road. Some concerns have been raised about visibility on the access and also the safety of vehicles emerging onto Norwich Road due to parked cars associated with the respite home on the opposite side of Norwich Road.
- 5.12 Norfolk County Council's Highways Officer has been consulted on the application. They have no objection to the use of the access to serve five dwellings, nor have they raised any safety concerns in regard to parked cars along Norwich Road. They do note that there is poor visibility

available to the east from the entrance onto Norwich Road due to where the hedge along the front of No96 Norwich Road has grown out over the years. However the land on which the hedge has grown out onto is highway land so the appropriate visibility splays can be achieved once the hedge has been cut back.

- 5.13 A condition is therefore proposed to secure this and as a consequence it is considered that the proposal will not result in an unacceptable impact on highway safety. It has also been demonstrated that adequate parking can be achieved for each of the dwellings on the site and as such the proposal is considered to accord with policies DM3.11 and DM3.12 of the Local Plan.

Impact on Trees

- 5.14 The site contains a number of trees on the site boundary which contribute to the amenity of the area and as a consequence some of these have been served with a Tree Preservation Order and therefore need to be retained a part of the scheme.
- 5.15 The scheme has generally been designed to have satisfactory relationships with the trees to be retained. An Arboricultural Impact Assessment has been submitted and the Council's Conservation and Tree Officer is largely satisfied with its findings. The main remaining concern was with an oak tree in the south-east corner of the site and the relationship it has with plot 3 with particular concern that it could dominate this property resulting in shading and potential pressure to remove the tree in the future. As a result the plot has been amended to move the indicative location of the dwelling away from the tree and by creating a larger garden space. The plot is now well outside the root protection area of the tree and the garden space is sufficient that the plot is no longer dominated by the tree.
- 5.16 As a consequence it is now considered that the proposed scheme accords with policy DM4.8 of the Local Plan.

Flood Risk and Drainage

- 5.17 The site is Flood Risk Zone 1 and therefore not at risk from fluvial flooding. The site is largely free of any identified area of surface water flood risk other than a small area on the fringe of plot 5. There have been some concerns raised about flooding on Spur Road where there is some identified surface water flood risk, however this is an existing issue which it will be important to ensure is not exacerbated by this development. Surface water drainage is detailed to be via a sustainable drainage system, the details of which can be secured by condition. There has also been concern raised by a dwelling on Lincoln's Field raises that their garden is at a lower than access drive. This is an existing situation which the development would not affect, but there may be some opportunity to reduce any risk of flooding through the agreed surface water drainage scheme.
- 5.18 Foul drainage is to be the mains sewer. Some concern has been raised about the capacity of the sewer however Anglian Water are obliged to ensure there is adequate capacity in the system to accommodate new development of this nature.

Other Issues

- 5.19 A concern was raised that the scheme includes no provision for affordable housing. However there is no requirement for affordable housing to be provided as the scheme is for less than ten dwellings and the site area is less than 0.5 hectares. Comments have also been made that if this site is to be developed then it should be for retirement homes or starter homes. Whilst the need for these forms of accommodation is noted, the site is not allocated for any such specific type of development and therefore the application should be considered on the merits of what is proposed.

- 5.20 Another concern raised is over refuse storage and disposal. The road has been designed to be adoptable standard with bin storage shown at each property. The applicant has however noted that if refuse vehicles do not use the roadway, there is room for storage space to be provided near the end of the driveway.
- 5.21 Concerns have been raised about the environmental costs of demolishing the existing bungalow. Whilst this is appreciated as the building does not benefit from protection such as from listing, there is no reason under current policy for the Council to resist its demolition. It should be noted that the erection of new dwellings will be built to higher building regulations standards in regards to energy efficiency whilst under Policy 3 of the Joint Core Strategy a condition will be imposed relating to water efficiency so in these respects improvements should be secured over the existing building.
- 5.22 The need to support the economy as part of the recovery from the COVID-19 pandemic is a material consideration. This application will likely provide employment during the construction phase of the project. This weighs in favour of the proposal.
- 5.23 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 outlined above are of greater importance.
- 5.24 This application is liable for Community Infrastructure Levy (CIL) however the amount would be calculated and the liability notice issued at the reserved matters stage.

Conclusion

- 5.25 The indicative plan has demonstrated that five dwellings can be accommodated on the site with adequate parking and amenity space and without having an adverse impact on the character of the area or neighbouring properties.

Recommendation : Approval with Conditions

- 1 Time Limit - Outline Permission
- 2 Reserved matters
- 3 Access improvement
- 4 Visibility splays
- 5 Tree protection
- 6 Retention of hedges, hedgerows and trees
- 7 Fire hydrant
- 8 Water efficiency
- 9 Surface water details

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Item 7: Planning Appeals

Appeals received from 28 January 2022 to 24 February 2022

Ref	Parish / Site	Appellant	Proposal	Decision Maker	Final Decision
2021/0009	Cringleford 1 Cringleford Chase Cringleford Norfolk NR4 7RS	Mr Piers Ranger	T1 Cedrus Atlantica - reduce canopy height to 14m and reduce spread to shape as indicated in report	Delegated	Approval with Conditions
2020/2335	Yelverton Land east of The Bungalow Loddon Road Yelverton Norfolk	Mr Alex Mcallister	Change of use of amenity land to residential Romany Gypsy site. Erection of dayroom, store/workshop building and hard standing for mobile home and touring caravan	Development Management Committee	Refusal
2021/0533	Hethersett Land between 8 & 10 Meadow Close Hethersett Norfolk	Mr Spencer Lawrence	Outline application for the erection of a new single dwelling.	Delegated	Refusal
2021/2133	Little Melton 1 Church Farm Barns Rectory Lane Little Melton NR9 3PF	Professor Mondal	Erection of two storey rear extension	Delegated	Refusal

Planning Appeals**Appeals decisions from 28 January 2022 to 24 February 2022**

Ref	Parish / Site	Appellant	Proposal	Decision Maker	Final Decision	Appeal Decision
2021/0978	Hethersett 1 Beaulah House 36 Mill Road Hethersett NR9 3DP	Mr John Bakwell	Change of use of shepherds hut from personal / family use to use as holiday rental / short term letting (Resubmission)	Delegated	Refusal	Appeal dismissed
2021/0258	Hingham 8 Pitts Square Hingham NR9 4LD	Mrs Santa-Ana	Two-storey side extension, single-storey rear extension, and new entrance porch	Delegated	Refusal	Appeal dismissed
2021/0344	1A & 1B The Street Trowse Norfolk NR14 8SX	Mr M Manimaran	Rise roof height to match neighbouring property	Delegated	Refusal	Appeal dismissed