

# Development Management Committee

## Agenda

### Members of the Development Management Committee:

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

### Date & Time:

Wednesday 27 July 2022  
10.00am

### Place:

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

### Contact:

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### 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](mailto:committee.snc@southnorfolkandbroadland.gov.uk), no later than **5.00pm** on **Friday 22 July 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](mailto: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](mailto:committee.snc@southnorfolkandbroadland.gov.uk) by 5pm on **Friday 22 July 2022**.

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

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

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

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

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

#### **THEREFORE, we will:**

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

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

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

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

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

# AGENDA

1. To report apologies for absence and to identify substitute members;
2. To deal with any items of business the Chairman decides should be considered as matters of urgency pursuant to Section 100B (4) (b) of the Local Government Act, 1972; [Urgent business may only be taken if, "by reason of special circumstances" (which will be recorded in the minutes), the Chairman of the meeting is of the opinion that the item should be considered as a matter of urgency.]
3. To receive Declarations of interest from Members;  
(Please see guidance form and flow chart attached – page 7)
4. Minutes of the Meetings of the Development Management Committee held on Wednesday 29 June 2022 and Wednesday 6 July 2022;  
(attached – page 9 and 29)
5. Planning Applications and Other Development Control Matters;  
(attached – page 40)

To consider the items as listed below:

Item No.	Planning RefNo.	Parish	Site Address	Page No.
1	2021/0743/F	EAST CARLETON	Carleton House Rectory Road East Carleton NR14 8HT	40
2	2020/0903/D	KESWICK AND INTWOOD	Land West of Ipswich Road Keswick Norfolk	55
3	2021/0740/F	COSTESSEY	Church Barn, The Street, Costessey, Norfolk NR8 5DG	80
4	2021/0741/LB	COSTESSEY	Church Barn, The Street, Costessey, Norfolk NR8 5DG	80

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 89)
8. Date of next scheduled meeting- Wednesday 24 August 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**

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

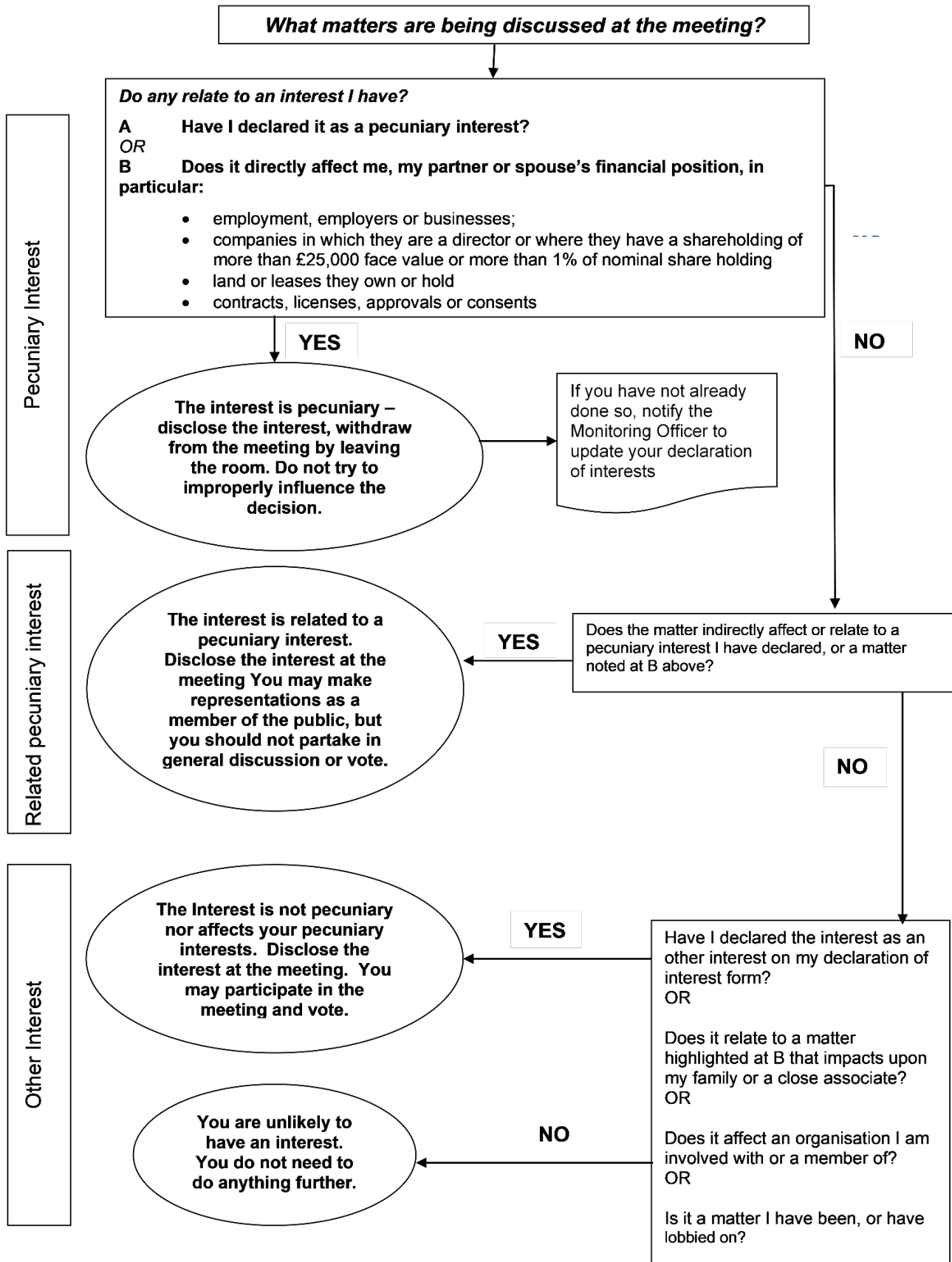
When declaring an interest at a meeting Members are asked to indicate whether their interest in the matter is pecuniary, or if the matter relates to, or affects a pecuniary interest they have, or if it is another type of interest. Members are required to identify the nature of the interest and the agenda 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"> <li>1. affect yours, or your spouse / partner's financial position?</li> <li>2. relate to the determining of any approval, consent, licence, permission or registration in relation to you or your spouse / partner?</li> <li>3. Relate to a contract you, or your spouse / partner have with the Council</li> <li>4. Affect land you or your spouse / partner own</li> <li>5. Affect a company that you or your partner own, or have a shareholding</li> </ol> <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 29 June 2022 at 10am.**

**Committee Members Present:** Councillors: V Thomson (Chairman), F Ellis, J Halls, C Hudson, T Laidlaw, G Minshull and L Neal.

**Apologies:** Councillors: D Bills and T Holden

**Substitutes:** Councillors: J Overton (for D Bills)

**Officers in Attendance:** The Development Manager (T Lincoln) and the Area Team Managers (G Beaumont & C Curtis), the Principal Planning Officers (T Barker & S Everard), the Landscape Architect (R Taylor) Business Development Manager (P Chapman) and the Planning Officer (M Clark).

4 members of the public were also in attendance

## 615 DECLARATIONS OF INTEREST

Application	Parish	Councillor	Declaration
2021/1659/RVC 2021/1660/RVC 2021/1661/RVC 2021/1662/RVC (Items 1,2,3 &4)	WYMONDHAM	All  J Halls	Local Planning Code of Practice Lobbied by Objectors  Other Interest Known to one of the Objectors
2021/2495/F (Item 5)	SWAINSTHORPE	All  F Ellis	Local Planning Code of Practice Lobbied by an Objector  Other interest Local Member

<b>2022/0509 (Item 7)</b>	<b>COLTON</b>	L Neal & F Ellis	Other interest Involved with the Food Enterprise Centre but took no part in discussions regarding the application.
<b>2021/1149/O (Item 10)</b>	<b>DISS</b>	G Minshull	Other Interest Local Member
<b>2021/2637 (Item 11)</b>	<b>HEMPNALL</b>	All	Local Planning Code of Practice Lobbied by Objectors

## 616 MINUTES

The minutes of the meeting of the Development Management Committee held on 1 June 2022 were confirmed as a correct record.

## 617 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.

<b>Application</b>	<b>Parish</b>	<b>Speakers</b>
<b>2021/1659/RVC 2021/1660/RVC 2021/1661/RVC 2021/1662/RVC</b>	<b>WYMONDHAM</b>	F & A Broom – Objectors M Howe and K Elvy – Agents Cllr T Holden – Local Member (written representation)
<b>2021/2495/F</b>	<b>SWAINSTHORPE</b>	G Frost – Parish Council M Robins – Objector D Cuming – Applicant Cllr N Legg – Local Member Cllr F Ellis – Local Member
<b>2022/0016/F</b>	<b>LODDON</b>	J Burton – Agent
<b>2022/0509</b>	<b>COLTON</b>	N Miller – Objector H Sond – Applicant I Alston – Landowner

<b>2021/1149/O</b>	<b>DISS</b>	M Langridge – on behalf of the Applicant Cllr G Minshull – Local Member
<b>2021/2637</b>	<b>HEMPNALL</b>	H Rose – Objector D Hook – Objector F Farrow – Agent Cllr M Edney – Local Member (written representation)
<b>2022/0654/F</b>	<b>GREAT MOULTON</b>	M Negm – Applicant

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.

## **618 PLANNING APPEALS**

The Committee noted the planning appeals.

(The meeting concluded at 14:18pm)

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Chairman

**Updates for DEVELOPMENT MANAGEMENT COMMITTEE**  
**– 29 JUNE 2022**

<b>Item</b>	<b>Updates</b>	<b>Page No</b>
1-2021/1659	<p>1. Cllr Holden's Committee representation is attached as Appendix A to this Update Sheet.</p> <p>2. Four objections received following publication of the Committee report raising the following issues:-</p> <ul style="list-style-type: none"> <li>• Nothing has changed since Committee deferred the application previously.</li> <li>• Have not seen any information or calculations relating to the pre-development capacity of the site.</li> <li>• Measurements provided on the pre-development situation cannot be accurate.</li> <li>• The drainage lagoon appears small and not fit for purpose. It puts properties downstream at risk from flooding. Suggest a larger lagoon is created.</li> <li>• Volume of ditches is insufficient to contain heavy rainfall from adjacent fields.</li> <li>• LLFA is not independent.</li> <li>• Lagoon is now a ludicrous shape that nature will smooth out over time.</li> <li>• Drainage strategy does not cover the footprint of the new houses, let alone what has been lost.</li> <li>• Work has started at plot 6. The Council should be taking enforcement action on this.</li> </ul>	13
2-2021/1660	See above	13
3-2021/1661	See above	13
4-2021/1662	<p>1. As above on Cllr Holden's representation and neighbour objections received.</p> <p>Officer comment on working taking place at Plot 6:</p>	14



	<p>Consideration has been given as to whether it would be expedient for the Council to take enforcement action on the works that has been taking place at Plot 6. This plot has an extant planning permission (ref. 2019/2534) for a house and garage with the trigger for the drainage strategy being that it must be implemented and completed before that development is first occupied. With that trigger in mind and the ability for the developer to carry out works at the site, it is considered that it would not be expedient for the Council to take enforcement action.</p> <p>2. Comments received from Conservation &amp; Tree Officer following the submission of details relating to the construction of the drainage lagoon:</p> <p><i>I am happy with the additional method statement details.</i></p> <p>Officer comment: Condition 7 can be amended from requiring details of the drainage lagoon to be submitted to the lagoon being constructed in accordance with the details set out in the addendum to Arboricultural Impact Assessment.</p> <p>3. Clarification on condition 3. As listed in the Committee report, it states “Implementation of SWD strategy”. This condition also contains provision for the drainage system to be maintained in accordance with the Surface Water Drainage Maintenance and Management Plan as per paragraph 2.11 of the report.</p>	
5-2021/2495	<p>One additional public representation setting out the following concerns:</p> <ul style="list-style-type: none"> <li>• Applicant has already set out that they will use vehicles heavier than the weight limit</li> <li>• Church road varies in width between 4.4m and 5.5m the proposed vehicles are 2.5m wide. The road is inadequate, as is the filter lane from the A140.</li> </ul>	30

	<ul style="list-style-type: none"> <li>• Environmental impacts upon the Church Road needs to be considered</li> <li>• Questions why Brick Kiln Lane cannot be used for both entry and exit.</li> <li>• Recent highways comments are at odds with those previously submitted which set out that Church road was not suitable for HGVs</li> </ul> <p><u>Swainsthorpe Parish Council</u></p> <p>Further detailed comments received on the application objecting to the proposal on the basis of:</p> <ul style="list-style-type: none"> <li>• No information regarding how the power will be taken to Norwich South-Substation.</li> <li>• Insufficient information regarding the access, including road widths, size of vehicles transporting materials, lack of details regarding protection for pedestrians, use of HGVs and vehicles exceeding the weight limit of Church Road. Allowing further details to be submitted via a construction management plan as a condition, does not allow for the Parish Council to comment.</li> </ul> <p><u>Network Rail – Paragraph 4.3</u></p> <p>Comments should have read: No objection subject to consideration of the following issues:</p> <ul style="list-style-type: none"> <li>• A glint and glare assessment</li> <li>• Effects on biodiversity</li> <li>• No encroachment on the boundary of the railway line</li> <li>• Protection of overhead lines, and no works within 3.5m of an overhead line.</li> </ul> <p><u>Officer Comments</u></p> <p>The additional comments raise particular concerns relating to the construction period and the impact upon Church Road. Consideration has been given to the impact of the development on the local highway network at paragraphs 5.19-5.23 of the report. A number of the conditions are proposed to be pre-commencement conditions which includes the Construction Management Plans</p>	
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	which will mean that the Council will need to review and approve these before work can commence on site. In addition to highways conditions, a pre0commencement condition is also included relating to the construction period from the Environmental Quality Team. This will require the applicant to set out details ensuring the amenity of residents are protected during the construction phase.	
6-2022/0016	<b>No Updates</b>	48
7-2022/0509	<p>1. Amendment made to condition 1. The condition will provide consent for 42 years in total to allow for one year either side of the 40 year operational period of the solar farm for its construction and decommissioning.</p> <p>2. Comments received from the Highway Authority. Re-submitted on details of the suitability of the access from Barnham Broom Road for HGVs are acceptable. No further conditions recommended.</p> <p>3. Comments received from the Council's Ecology and Biodiversity Officer. The information provided since the original comments satisfy all queries raised. Planning conditions recommended in relation to:</p> <ul style="list-style-type: none"> <li>• the submission of a Landscape and Ecological Management Plan,</li> <li>• the submission of a Construction Environmental Management Plan for Biodiversity</li> <li>• No external lighting.</li> </ul> <p>These conditions are considered to be reasonable, necessary and proportionate and in the event of the application being approved, will be added to the decision notice.</p>	59
8-2021/0740	<b>Deferred</b>	72
9-2021/0741	<b>Deferred</b>	72
10-2021/1149	<b>No updates.</b>	81
11-2021/2637	Lobbying letter sent to all members from the neighbours.	87

	<p>In this letter, it raises concerns regarding what is happening to the wall of the existing extension on the boundary. The case officer has sought clarification from the agent and will update Members accordingly.</p> <p>Cllr Michael Edney comments in full:  Firstly I wish to offer my apologies to the chairman, when I called this decision in, I had no idea it would be at the next meeting. I am disappointed I cannot be with you at the meeting, but I'm on holiday for the first time in two years.</p> <p>As I cannot react to anything put forward at the meeting I will keep my points to material planning considerations, with so many I find it hard to understand how the council could have even considered approving this application in the first place.</p> <p>NPPF Paragraph 130 says: <i>"Planning policies and decisions should ensure that developments:</i></p> <ul style="list-style-type: none"> <li><i>a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;</i></li> <li><i>b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;</i></li> <li><i>c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);</i></li> <li><i>d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit</i></li> </ul>	
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	<p>The proposed extension would not add to the overall quality of the area over the lifetime of the development because its visual impact would be to create an unattractive large dominant box like “add on” to the existing house which: A) does not sympathetically match the architecture of either number 2 or number 1 Freemasons Cottages; B) does not sympathetically match the architecture of River Cottage – the neighbouring dwelling immediately to the west and C) would be visually overpowering in the setting of the street scene when viewed from the pavement alongside the B1527 and the southern section of the Swan Meadows public footpath thereby negatively impacting the quality of the scene as viewed by pedestrians, cyclists, horse riders and motorists entering the village of Hempnall from the west - see Visualisation (1.)</p> <p>Overall it represents a negative change to the quality of the area.</p> <p>The exterior of the proposed extension is not visually attractive because it is out of scale by comparison with the existing structure and the use of contemporary windows and a variety of materials and surfaces clashes with the traditional brick and slate construction of the original building with its tall visually appealing sash windows.</p> <p>Visualisation (1) clearly reveals the potential out of scale impact which is especially apparent when viewed from the northwest. Elevation 02 (NORTH WEST ELEVATION) on the drawing identified with the Drawing Code WF999-WF-FC-ZZ-DR-A-0250 (Proposed Elevations) as published on the SNC website on 23/05/22 shows that the current flat roof extension, on the north western side of number 2 Freemasons Cottage occupies just 30% of the total length of the existing building</p>	
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	<p>(when viewed from the north west) with the pitch roofed original dwelling occupying the remaining 70%. The proposed extension would double the length of the north western side and hence account for 50% of the total length. Moreover the total length of flat roof on display (existing plus proposed) in that elevation would rise to almost 2/3 of the total length (65%) if this application was permitted with the pitched roof section diminishing to around 35%. These statistics clearly reveal the magnitude of just how much the proposed development is out of scale by comparison with the existing building.</p> <p>With reference to NPPF paragraph 130c) the proposed extension is not sympathetic to local character and history. At the moment the intrinsic character of both number 1 and number 2 Freemasons cottages is retained despite extensions. As a whole this pair of cottages stands out as an attractive recognisably Victorian building in Georgian style, quite a rarity, thereby making a substantial and distinctive contribution to local character. A huge contemporary structure attached to one of the cottages would severely compromise this contribution as this incongruous addition would detract from the integrity of the overall character of the whole building and it is crucially important to take into account, when a planning application is considered for a semidetached property, the potential impact on both of the dwellings that make up the total building.</p> <p>The NORTH EAST ELEVATION (Elevation 01) on the Proposed Elevations drawing WF999-WF-FC-ZZ-DR-A-0250 (as published on the SNC website on 23/05/22) reveals a particularly unattractive aspect of the planned extension which is the manner in which it protrudes outwards to become visible beyond the</p>	
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	<p>frontage of the original building. Currently the entire frontage of both number 1 and number 2 Freemasons Cottages is harmonious, consistent and visually attractive with the Suffolk white bricks, tall sash windows and slate roofs contributing much to the street scene and local character. This integrated, consistent wholeness would be destroyed if this protrusion was allowed. There is no way that large vertical (floor to ceiling) aluminium windows can be considered visually compatible with Victorian sash windows when seen in the same view and for this reason alone the extension contradicts the requirements of NPPF paragraph 130 subsections a) b) c) and d.</p> <p>The existing brickwork on the north western walls of the property is red brick but it looks as if these bricks are to be painted. If this is indeed the case this will further compromise local character and the character of Freemasons cottages which essentially derives from the fact that they are constructed with brick walls and slate roofs.</p> <p>Freemasons Cottages together with neighbouring properties and the surrounding rural landscape create a strong and distinctive sense of place and NPPF paragraph 130 (d) requires that <i>“Planning policies and decisions should ensure that developments establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit”</i>. Permitting this development would not maintain the existing strong sense of place which results from the current arrangement of spaces, building types, materials and rural landscape and granting permission would therefore contravene NPPF paragraph 130 (d).</p>	
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	I hope you are convinced enough by these arguments to refuse the application and as I said to the applicants architect this large ugly box does nothing to enhance the properties or the street scene. It is a carbuncle and has no place amongst these fine houses.	
12- 2022/0654	<b>No updates</b>	94



## **Appendix A – Tony Holden Local Member -Written submission**

I have met with the residents on a number of occasions and know how badly this has affected them, both in terms of the financial and the emotional impact it has had on them. Not only have they had the experience of their homes being flooded, along with all of the problems this inevitably caused, but in addition they feel that they have been poorly treated over the past 18 months.

It is disappointing that this matter still remains unresolved and once again has to come before this committee, I feel strongly that if the correct procedures had been followed by the developer in the first instance, a lot of time could have been saved and an enormous amount of stress and heartache would have been avoided.

I would ask the committee to bare in mind that, this issue is due to a Developer who, although he was well aware Land Drainage Consent was required, and was also aware that it might be refused (as intermated by Shirley Bishop in the early stages of this application) decided to go ahead with the development anyway. So, with apparent disregard for planning conditions, processes, this committee, and definitely with no regard to the impact this would cause to existing residents he simply went ahead with his plans in the hope that the council would effectively turn a blind eye.

Opportunities to stop works and rectify the situation were missed, and today I understand a revised drainage strategy with a minor change is in front of you. On reading the arborists report it is clear that question marks still remain on the likely final capacity of this proposed lagoon.

I am aware that residents have put forward a compromise proposal, which I hope you will consider seriously in order to bring this matter to a conclusion.

As a council we must give more consideration to the conditions set and be prepared to enforce where necessary.

I represent these residents and feel we have let them down, when they needed our help and they deserve better.

Residents should be able to have faith in a planning system, and faith in us to ensure that this is a robust and fair process. On this occasion I suggest that we appear to have fallen short of expectations.

Cllr Tony Holden  
North Wymondham Ward

**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 referred back to Committee**

- 1. Appl. No** : **2021/1659/RVC**  
**Parish** : **WYMONDHAM**  
**Applicant's Name** : Mr G Laws  
**Site Address** : Land southeast of 9 Spinks Lane, Spinks Lane, Wymondham  
**Proposal** : Variation of condition 2 of 2018/0583 - revised drainage report and management plan  
**Decision** : Members voted 6-2 to the authorise the Assistant Director (Planning) to approve the application following receipt of legal advice regarding nutrient neutrality and subject to the following conditions:

  - 1 Implementation of SWD strategy
  - 2 Surface water drainage - verification
- 2. Appl. No** : **2021/1660/RVC**  
**Parish** : **WYMONDHAM**  
**Applicant's Name** : Mr G Laws  
**Site Address** : Land southeast of 9 Spinks Lane, Spinks Lane, Wymondham  
**Proposal** : Variation of condition 4 of 2020/0275 - revised drainage report and management plan  
**Decision** : Members voted 6-2 to the authorise the Assistant Director (Planning) to approve the application following receipt of legal advice regarding nutrient neutrality and subject to the following condition:

  - 1 Surface water drainage – verification

3. **Appl. No** : **2021/1661/RVC**  
**Parish** : **WYMONDHAM**  
Applicant's Name : Mr G Laws  
Site Address : Land southeast of 9 Spinks Lane, Spinks Lane,  
Wymondham  
Proposal : Variation of condition 3 of 2020/0179 - revised drainage  
report and management plan  
Decision : Members voted 6-2 to the authorise the Assistant Director  
(Planning) to approve the application following receipt of  
legal advice regarding nutrient neutrality and subject to the  
following condition:

1 Surface water drainage - verification

4. **Appl. No** : **2021/1662/RVC**  
**Parish** : **WYMONDHAM**  
Applicant's Name : Mr G Laws  
Site Address : Land southeast of 9 Spinks Lane, Spinks Lane,  
Wymondham  
Proposal : Variation of condition 6 of 2019/2534 - revised drainage  
report and management plan (Plot 6)  
Decision : Members voted 6-2 to the authorise the Assistant Director  
(Planning) to approve the application following receipt of  
legal advice regarding nutrient neutrality and subject to the  
following conditions:

1 In accordance with submitted drawings

2 Slab levels

3 Implementation of SWD strategy and maintenance in  
accordance with SWD maintenance and management  
plan.

4 Surface water drainage - verification

5 External materials

6 Boundary treatments

7 Lagoon to be constructed in accordance with submitted  
details.

8 Tree protection

9 Provision of parking area

10 No trees or hedges to be removed

11 Water efficiency

## Major Applications

5.   **Appl. No**                         :   **2021/2495/F**  
      **Parish**                         :   **SWAINSTHORPE**  
      Applicant's Name           :   Mr Darren Cuming  
      Site Address                 :   Land North and South of Brick Kiln Lane Swainsthorpe  
  Norfolk  
      Proposal                     :   Installation of a solar farm comprising: ground mounted  
  solar panels, access tracks; inverter/transformers,  
  substation; storage, spare parts and welfare cabins,  
  underground cables and conduits, perimeter fence; CCTV  
  equipment, temporary new site entrance and access track,  
  temporary construction compounds, and associated  
  infrastructure and planting scheme. Application is  
  accompanied by an environmental statement.  
      Decision                     :   Members voted 5-3 for **Approval**

Approved with conditions

- 1 Time Limit – temporary permission with operational consent for 35 years
- 2 Submitted drawings
- 3 Decommissioning
- 4 Construction Management Plan – Noise and Dust
- 5 Glint and Glare screening
- 6 Drainage Strategy
- 7 Construction of access
- 8 Visibility splay
- 9 On-site parking for construction workers
- 10 Construction Traffic Management Plan
- 11 Compliance with the construction traffic management plan for the duration of construction
- 12 Ecology Design Strategy
- 13 Lighting Design Strategy
- 14 Construction Environment management Plan
- 15 Tree Protection Plan
- 16 Landscaping Scheme
- 17 Archaeology

6.   **Appl. No**                         :   **2022/0016/F**  
      **Parish**                         :   **LODDON**  
      Applicant's Name             :   Mr Steve Earl  
      Site Address                 :   Land North of Beccles Road Loddon Norfolk  
      Proposal                     :   Erection of a commercial building to accommodate  
  manufacturing and technology facility and community  
  facilities  
  
      Decision                     :   Members voted unanimously for **Approval**

Approved with conditions

- 1 Time Limit - Full Permission
- 2 In accordance with submitted drawings
- 3 Materials
- 4 Specific Use
- 5 Landscaping scheme - major applications
- 6 Retention of hedges, hedgerows and trees
- 7 Tree protection
- 8 Landscape management plan
- 9 Construction Traffic (Parking)
- 10 Traffic Regulation Orders
- 11 New Access
- 12 Access Gates - Configuration
- 13 Provision of parking, service
- 14 Visibility splay, approved plan
- 15 Archaeological Investigation
- 16 Ecology Mitigation - Construction
- 17 Ecology Mitigation
- 18 Surface water
- 19 Foul drainage to main sewer
- 20 Renewable Energy - Decentralised source

7. **Appl. No** : **2022/0509**  
**Parish** : **COLTON**  
Applicant's Name : Mr Harman Sond, Pathfinder Clean Energy (PACE) Ltd  
Site Address : Land east of Barnham Broom Road, Colton, Norfolk  
Proposal : Ground mounted solar photovoltaic (PV) farm with battery storage; along with continued agricultural use, ancillary infrastructure and security fencing, landscaping provision, ecological enhancements and associated works including underground cabling.
- Decision : Members voted unanimously to **Approval**

Approved with conditions

- 1 Time Limit – temporary permission with operational consent for 42 years
- 2 Submitted drawings
- 3 Decommissioning
- 4 On-site parking for construction workers
- 5 Construction Traffic Management Plan
- 6 Compliance with the construction traffic management plan for the duration of the construction period
- 7 In accordance with Arboricultural Impact Assessment
- 8 Landscaping Scheme
- 9 Archaeology
- 10 Submission of a Landscape and Ecological Management plan
- 12 Submission of a Construction Environmental Management Plan for Biodiversity
- 13 No External Lighting

### Other Applications

8. **Appl. No** : **2021/0740/F**  
**Parish** : **COSTESSEY**  
Applicant's Name : Mr & Mrs Trivedi  
Site Address : Church Barn, The Street, Costessey, Norfolk NR8 5DG  
Proposal : New boundary treatment between The Church of St Edmund & Church Barn including retention of existing timber sleeper fence/retaining wall and close boarded fence.
- Decision : **DEFERRED PRIOR TO THE MEETING**

9. **Appl. No** : **2021/0741/LB**  
**Parish** : **COSTESSEY**  
Applicant's Name : Mr & Mrs Trivedi  
Site Address : Church Barn, The Street, Costessey, Norfolk NR8 5DG  
Proposal : New boundary treatment between The Church of St Edmund & Church Barn including retention of existing timber sleeper fence/retaining wall and close boarded fence  
Decision : **DEFERRED PRIOR TO THE MEETING**

10. **Appl. No** : **2021/1149/O**  
**Parish** : **DISS**  
Applicant's Name : Ms Joni Swain  
Site Address : Land to the East of 4 Grigg Close Diss Norfolk  
Proposal : Outline planning application for a single storey dwelling with associated landscaping and parking  
Decision : Members voted 6-1 for **Approval**

Approved with Conditions

- 1 Time Limit - Outline Permission
- 2 Reserved matters
- 3 Single storey only
- 4 No PD for Classes ABC&E
- 5 Provision of parking area
- 6 Foul drainage to mains sewer
- 7 Water efficiency
- 8 Tree Protection

11. **Appl. No** : **2021/2637**  
**Parish** : **HEMPNALL**  
Applicant's Name : Mr & Mrs Joesbury  
Site Address : 2 Freemasons Cottage, Mill Road, Hempnall, NR15 2LP  
Proposal : Two storey side and rear extension with external and internal alterations.  
Decision : Members voted 7-0 for **Refusal** (contrary to officer recommendation, which was lost 8-0)

Reasons for overturning officer recommendation

Bulk, Scale, Massing and contemporary design would detract from the character and appearance of the existing dwelling, which is a non-designated heritage asset, and in doing so would adversely affect the character and appearance of the area.

12. **Appl. No** : **2022/0654/F**  
**Parish** : **GREAT MOULTON**  
Applicant's Name : Mr Mohammed Negm  
Site Address : South Norfolk Guest House Frith Way Great Moulton NR15  
Proposal : 2HE Proposal Change of use from hotel (C1) to residential dwelling (C3(a)). Removal of existing foyer and replace with entrance porch, Juliet balcony to rear, including external and internal alterations.  
  
Decision : Members voted 7-0 to for **Approval**

Approval with Conditions

1 Time Limit - Full Permission

2 In accordance with submitted drawings



## Agenda Item 4

# DEVELOPMENT MANAGEMENT COMMITTEE

**Minutes of a meeting of the Development Management Committee of South Norfolk District Council, held on 6 July 2022 at 10am.**

**Committee Members Present:** Councillors: V Thomson (Chairman), D Bills, J Halls, C Hudson (Items 1-4) , T Laidlaw, G Minshull and L Neal.

**Apologies:** Councillors: F Ellis and T Holden

**Substitutes:** Councillors: J Overton (for T Holden) and Y Bendle (for F Ellis)

**Officers in Attendance:** The Development Manager (T Lincoln) and the Area Team Manager (G Beaumont), the Principal Planning Officer (P Kerrison), Senior Planning Officer (J Jackson) and the Planning Officer (T Piggott).

12 members of the public were also in attendance

## 619 DECLARATIONS OF INTEREST

Application	Parish	Councillor	Declaration
2018/0281/F	CRINGLEFORD	D Bills	Other Interest County Councillor covering Cringleford
2019/2227/F	CRINGLEFORD	All	Local Planning Code of Practice Lobbied by an Objector
		D Bills	Other Interest County Councillor covering Cringleford
2022/0281/H	COSTESSEY	T Laidlaw	Other interest Local Member for the area and Vice Chairman of the Parish Council but did not take part in any

			discussions regarding the application.
<b>2022/0197/F (Item 5)</b>	<b>NEWTON FLOTMAN</b>	C Hudson	Other Interest Known to applicant as a close relative and stepped down from the Committee for the item.

## 620 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.

<b>Application</b>	<b>Parish</b>	<b>Speakers</b>
<b>2018/0281/F</b>	<b>CRINGLEFORD</b>	Cllr W Kemp – Local Member
<b>2019/2227/F</b>	<b>CRINGLEFORD</b>	T Wang – Parish Council C Chaplin – Objector Cllr W Kemp – Local Member
<b>2022/166/F</b>	<b>EAST CARLETON</b>	R Moorcroft – Objector J Boon – Architect Cllr N Legg – Local Member
<b>2022/0197/F</b>	<b>NEWTON FLOTMAN</b>	B Burgess – Agent

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.

(The meeting concluded at 12:52pm)

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Chairman

**Updates for DEVELOPMENT MANAGEMENT COMMITTEE**  
**– 6 July 2022**

<b>Item</b>	<b>Updates</b>	<b>Page No</b>
1 - 2018/0281	No specific updates	9
2- 2019/2227	<p>Additional Comments on the Application:  31 additional comments were received between the 21<sup>st</sup> June and 4<sup>th</sup> July. Some of the earlier ones were captured in the report but a summary is provided of those which arrived after the report was finished/published</p> <ul style="list-style-type: none"> <li>- Does not accord with master plan</li> <li>- Should be more bungalows</li> <li>- Density too high</li> <li>- Not in character with local area</li> <li>- Impacts on highways</li> <li>- Impacts on amenity (overlooking etc.)</li> <li>- Impact on environment (wastewater etc.)</li> <li>- Buffer zone not wide enough</li> </ul> <p>Officer Response:  Above items picked up in original report assessment. Re-emphasise that the outline application and masterplan have expired and that the application is a standalone full proposal assessed on its own merits.</p> <p>Additional Condition:  27 - Renewable Energy - Decentralised source  Requirement from the JCS – missed off the committee report when published.</p> <p>Appendix information for clarification:  I have attached the decision notice for 2018/0280 for reference  Neighbourhood Plan policies HOU3 and HOU4 are located below:</p> <p style="text-align: center;">HOU3</p> <p style="text-align: center;"><i>To preserve the open and green character of the village and its role in the urban/rural transition zone, net building densities should average approximately 25 dwellings per hectare (gross) across the Housing Site Allocation Area.</i></p>	22

	<p>HOU4</p> <p><i>The majority of dwellings proposed for any new development in Cringleford should be detached or semi-detached dwellings, whilst recognising the need for a mix of other property types in accordance with Policy 4 of the Joint Core Strategy. This would be in keeping with the predominant settlement pattern in the pre-2007 village.</i></p> <p>It is noted that the "Housing Site Allocation Area" referred to in HOU3 does not cover this site.</p>	
3- 2022/0281	No updates.	40
4- 2022/0166	Ecology & Biodiversity Officer has reviewed the Preliminary Ecology Appraisal (PEA) and provided verbal comments that the PEA has taken a pragmatic approach and that she does not disagree with the recommendations.	45
5- 2022/0197	<p>Landscape Response from agent submitted to address the points raised by the officers and the photographs taken to demonstrate the impact of building 3 within the landscape.</p> <p><i>The Landscape Response states that the photograph is very misleading, as it appears that the New Cranes Farmhouse has been purposefully lined up with a roadside tree, helping to mask the house from view. The image therefore creates a false impression and misrepresents the prominence of Barn 3 without providing adequate context of existing built development on the wider farm site.</i></p> <p>The report goes on to say that photographs can be taken from different viewpoints to use the existing trees on site to either reduce the prominence of the farmhouse, or the barn within the landscape.</p> <p>It also states that the farmhouse has been extended and the roof height increased by the granting of the 2020 permission which is larger and taller than the footprint of barn 3. In the landscape. A copy of the Landscape Response and the supporting photographs can be displayed if required.</p>	51

South Norfolk House, Cygnet Court, Long Stratton, Norwich,  
NR15 2XE  
Tel : 01508 533633, Text phone 01508 533622,  
Freephone 0808 168 2000, Email [planning@s-norfolk.gov.uk](mailto:planning@s-norfolk.gov.uk),  
Website [www.south-norfolk.gov.uk](http://www.south-norfolk.gov.uk)



## Applicant

Mr John Dale & Ms Hollie Howe  
The Manor House  
North Ash Road  
New Ash Green  
Longfield  
DA3 8HQ

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Application Type :Full

Ref: 2018/0280

REFUSAL OF PLANNING PERMISSION

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**Location:** Parcel R1 (South Of Colney Lane And East Of Round House Way), Phase 2 Round House Park, Round House Way, Cringleford, Norfolk,

**Proposal:** Construction of 35 dwellings (including 2 affordable dwellings), associated infrastructure, landscape, play area and public open space.

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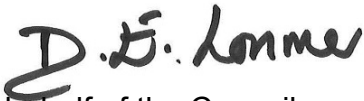
Particulars of decision: The District Council hereby gives notice in pursuance of the Town and Country Planning Act 1990 that full planning permission **has been refused** for the carrying out of development referred to above for the following reasons:

1. Colney Lane and Stratford Crescent comprise of large detached dwellings within spacious plots which collectively form a strong established pattern of development. The proposed layout, with significantly smaller dwelling and plot sizes and the resulting increased density of development, would be out of character with the established pattern and grain of development immediately adjacent to the site and would not successfully integrate with its surroundings, contrary to policy DM3.8 of the South Norfolk Local Plan 2015, policy 2 of the Joint Core Strategy for Broadland, Norwich and South Norfolk and the South Norfolk Place Making Guide.
2. The proposed development would have an adverse impact on the amenity of the occupiers of 67 Colney Lane through disturbance caused by the siting of multiple residential curtilages adjacent to its rear garden boundaries and the resulting unacceptable overlooking of private residential amenity space, contrary to policy DM3.13 of the South Norfolk Local Plan 2015.
3. Notwithstanding the economic and social benefits of the scheme in providing housing in the Norwich Policy Area, acknowledging that the Council does not have an up to date 5 year housing land supply but where the social benefits of housing are diminished by the updated evidence of the SHMA, it is considered that the scheme fails to fulfil the social dimension of sustainable development as set out in the NPPF, and the harms identified in terms of the proposed development being out of character with the established pattern and grain of surrounding development and the unacceptable impact on existing residential amenity, significantly and demonstrably outweigh the identified benefits. On this basis the proposal cannot be considered to represent a sustainable development and is therefore contrary to the aims of the NPPF, including paragraph 11.

1. NOTE : The application is not for a sustainable form of development and does not demonstrate it would improve the economic, social or environmental conditions of the area.

The authority can confirm that it does work in a positive and proactive manner, based on seeking solutions to problems arising in relation to dealing with planning applications. However due to the conflict of the this particular proposal with adopted policy it is not possible to support the proposed development and seek a solution to the planning issues.

The attached notes also form part of this decision notice.



On behalf of the Council

Date of Application: 7 February 2018

Date of Decision: 15 November 2018

**Please ensure that your expired  
Site Notice is removed**



## **Notes relating to decisions on Applications for Planning Permission or Listed Building Consent under the provisions of the Town and Country Planning Act 1990 and the Planning (Listed Buildings and Conservation Areas) Act 1990**

### **Important**

Any permission granted relates only to that required under the relevant Town and Country Planning or Listed Buildings and Conservation Areas Acts and does not include any other consent or approval required under any other enactment, bylaw, order or requisition.

**Consent under the Building Regulations may be required for the proposal and work should not proceed until any necessary consent has been obtained. Please contact CNC Building Control on (0808 1685041), or [enquiries@cncbuildingcontrol.gov.uk](mailto:enquiries@cncbuildingcontrol.gov.uk) for more information.**

### **1. Demolition of Listed Building**

Attention is drawn to Section 8(1)-(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990, the effect of which is that total or significant demolition may not be undertaken (despite the terms of any consent granted by the Council) until notice of the proposed demolition has been given to English Heritage, Architectural Investigation Section, Brooklands Avenue, Cambridge CB2 2BU. English Heritage must be given reasonable access to the building for at least one month following the grant of consent, or have stated that they have completed their record of the building or that they do not wish to record it. The relevant form is available on request from the Council.

### **2. The needs of Disabled People**

The Council must draw your attention to certain requirements for the needs of disabled people. Facilities including the means of access, parking, the provision of toilets and notices indicating such facilities, have to be provided in:

- a. any premises to which the public are to be admitted, whether or not on payment;
- b. office, shop, railway or factory premises in which people are employed;
- c. schools, universities and colleges.

Further information can be obtained by contacting the Council's Building Control section.

For detailed guidance you are also recommended to refer to:

- i) *The Chronically Sick and Disabled Persons Act 1970 (as amended by The Disabled Persons Act 1981, Sections 4, 7, 8 and 8a);*
- ii) *The British Standard Code of Practice on access for the disabled to buildings (BS 5810, 1979);*
- iii) *Design Note 18, 'Access for the Physically Disabled to Educational Buildings' published on behalf of the Secretary of State.*
- iv) *BS 5588, Part 8, 1988 Code of Practice for Means of Escape for Disabled People.*

### 3. Appeals to the Secretary of State

If you are aggrieved by the decision of the Council to refuse consent, permission or approval for the proposed development or works or to grant it subject to conditions, you can appeal to the Secretary of State under Section 78 of the Town and Country Planning Act 1990 or Section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

#### **Time periods to submit appeal**

If the application relates to minor commercial development (as defined in Article 2 of the Town and Country Planning (Development Management Procedure) (England) Order 2015) this should be submitted with **12 weeks** of the date of this notice

If the decision relates to the same or substantially the same land and development as is already the subject of an enforcement notice, any appeal must be submitted within **28 days** of the date of this notice

If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against the decision on your application, then you must do so within: **28 days** of the date of service of the enforcement notice, or within 6 months [12 weeks in the case of a householder appeal] of the date of this notice, whichever period expires earlier.

In all other cases the appeal should be submitted within **six months** of the date of this notice.

**Appeals can be made online at <http://www.gov.uk/planning-inspectorate> If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel no. 0303 444 5000**

**The Secretary of State can allow a longer period for giving notice of appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.** The Secretary of State need not consider an appeal if it seems to the Secretary of State that permission for the proposed development could not have been given by the Council or could not have been given without the conditions imposed having regard to the statutory requirements, to the provisions of the development order and to any directions given under a development order and to any directions given under a development order.

### 4. Purchase Notices

If permission or Listed Building Consent to develop land or carry out works is refused or granted subject to conditions, whether by the Council or by the Secretary of State for the Environment, the owners of the land may claim that the land has become incapable of reasonably beneficial use by the carrying out of any development which has been or would be permitted. In these circumstances, the owner may serve on the Council a purchase notice requiring the Council to purchase his interest in the land in accordance with the provisions of either Part VI of the Town and Country Planning Act 1990 or Section 32 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

### 5. Compensation

In certain circumstances, a claim may be made against the local planning authority for compensation, where permission is refused or granted subject to conditions by the Secretary of State on appeal or on a reference of the application to him. These are set out in Section 27 of the Planning (Listed Buildings and Conservation Areas) Act 1990.



**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.

**Major Applications**

- |                    |          |   |
|--------------------|----------|---|
| <b>1. Appl. No</b> | <b>:</b> | <b>2018/0281/F</b>  |
| <b>Parish</b>      | <b>:</b> | <b>CRINGLEFORD</b>  |
| Applicant's Name   | :        | Mr John Dale  |
| Site Address       | :        | Land South of Dragonfly Lane (Parcel NC2) Round House Park Cringleford Norfolk  |
| Proposal           | :        | New build construction of 16 apartments and 2 houses, associated parking and landscape  |
| Decision           | :        | Members voted unanimously for Approval subject to the completion of S106 agreement to cover provision of affordable housing and assessment of nutrient neutrality |

**Approved with Conditions**

- 1 Full Planning Permission Time Limit
- 2 In accord with submitted drawing
- 3 Materials in accordance with submitted details
- 3 Provision of parking area
- 5 Contaminated land scheme to be submitted
- 6 Implementation of remediation scheme
- 7 Unexpected contamination
- 8 Renewable energy
- 9 Water efficiency
- 10 Foul Water to mains Sewer
- 11 Surface water drainage
- 12 Construction Management & Parking

2. **Appl. No** : **2019/2227/F**  
**Parish** : **CRINGLEFORD**  
Applicant's Name : Bovis Homes Ltd & Kier Living Eastern  
Site Address : Parcel R1 (South of Colney Lane and East of Round House Way) Phase 2 Round House Park Round House Way Cringleford Norfolk  
  
Proposal : Construction of 32 dwellings, associated infrastructure, landscape, play area and public open space (Revised)  
Decision : Members voted 4-5 for **Refusal** (contrary to the officer's recommendation of approval which was lost 4-5)

Reasons for overturning officer recommendation

Over development, out of character and design with the surrounding area.

#### Other applications

3. **Appl. No** : **2022/0281/H**  
**Parish** : **COSTESSEY**  
Applicant's Name : Miss Iwona Kemp  
Site Address : 26 Silvo Road Costessey Norfolk NR8 5EL  
Proposal : Conversion of garage to residential room (retrospective)  
Decision : Members voted unanimously for **Approval**

1. Time Limit – Full Permission
2. In accordance with submitted drawings
3. Matching materials
4. Parking provision
5. Restriction of use as a bedroom

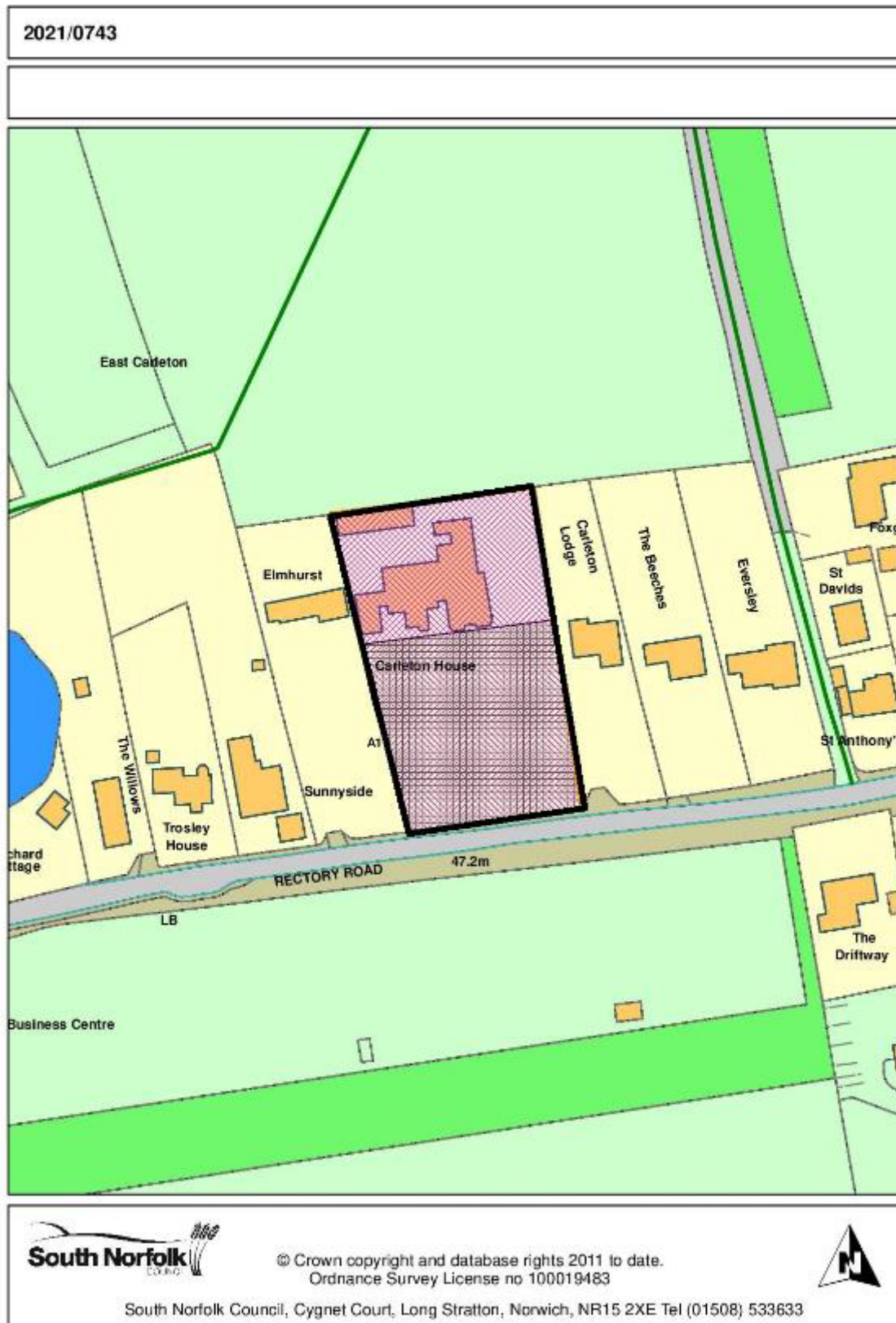
4. **Appl. No** : **2022/0166/F**  
**Parish** : **EAST CARLETON**  
Applicant's Name : Mr Graham Brown  
Site Address : Land to the west of Scotts Hill, East Carleton, Norfolk  
Proposal : Demolition of existing barns and erection of new single storey replacement dwelling with associated external works.
- Decision : Members voted unanimously to authorise the Director of Place to approve with conditions and subject to satisfactorily addressing the requirements under the Habitats Regulations regarding nutrient neutrality
1. Time Limit – Full Permission
  2. In accordance with submitted drawings
  3. External materials to be agreed
  4. Ecological mitigation
  5. Ecological enhancements
  6. Provision of parking
  7. Contaminated land during construction
  8. Water efficiency
  9. No PD for Class ABCE
  10. Removal of static caravan
5. **Appl. No** : **2022/0197/F**  
**Parish** : **NEWTON FLOTMAN**  
Applicant's Name : Mr Hudson  
Site Address : New Cranes Farm, Greenways, Newton Flotman, NR15 1QJ  
Proposal : Retrospective application for replacement agricultural buildings and hard standing.  
Decision : Members voted 8-0 for Refusal
- Refused
- 1 Unacceptable impact on appearance of surrounding area

PLANNING APPLICATIONS AND OTHER DEVELOPMENT CONTROL MATTERS

**Report of Director of Place**

**Application Referred back to Committee**

**Application 1**



**1. 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 to create 14 new bedrooms in building to rear.

Reason for reporting to committee

The application has previously been considered by the Development Management Committee but has since been significantly amended.

Recommendation summary :

Authorise Assistant Director of Planning to grant planning permission subject to full consideration by Officers of the issue of nutrient pollution and its impacts on the integrity of Special Areas of Conservation and also subject to no adverse comments from the Highway Authority.

**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 application was originally for the proposed alterations and extensions to create five new self-contained flats and four new bedrooms. Members resolved to approve this application on 9 March 2022, subject to a section 106 agreement to secure the care provision for the flats. The applicant has now decided not to proceed with the section 106 agreement as they no longer consider the scheme to be viable. Instead they wish to build the extensions largely as previous proposed but to create 14 new bedrooms as an extension to the existing care home rather than the self-contained flats.
- 1.3 The application is therefore back before Members to consider whether the changes from the scheme that they resolved to approve are acceptable. The previous report is attached as an appendix for Members' reference.

**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 & Ketteringham Parish Council

##### Refuse

- The drainage issues raised in our earlier response and have not been addressed.
- The concerns raised about the amount of parking being provided are still valid as is the issue of the impact on the neighbouring property

#### 4.2 District Councillors:

Cllr Gerald Francis

No comments received on amended scheme

Cllr Nigel Legg

No comments received on amended scheme

## 4.3 Ecologist &amp; Biodiversity Officer

Conditional support. The site does however fall within the area covered by Nutrient Neutrality and should the application remain undetermined by July 2023 the ecologist will need to re-visit the site and update the assessment.

## 4.4 NCC Highways

No comments received on amended scheme.

## 4.5 SNC Economic Development Officer

No comments received on amended scheme.

## 4.6 SNC Heritage and Design Officer

No objections to revisions.

## 4.7 SNC Water Management Officer

No comments received on amended scheme.

## 4.8 SNC Conservation and Tree Officer

No comments received on amended scheme.

## 4.9 SNC Community Services - Environmental Quality Team

No comments received on amended scheme.

4.10 Other representations

Two representations objecting to the application:

- Overdevelopment of site
- Considerable noise and disturbance from vehicles coming and going as it is
- Overbearing and dominating impact on neighbouring properties
- Overlooking and lack of privacy
- Long history of problems with drainage in East Carleton
- At present treated sewage from Carleton House is carried by pipe to a ditch on Hethersett Road from where it flows into a tributary of the Intwood Stream and then into the River Yare. This ditch occasionally floods and this application will result in a substantial increase in the production of sewage and the increased amount of surface water to be disposed of
- No provision for refuse vehicles to turn within the site
- How is the asbestos in the structures to be removed to be disposed of?
- Some of the proposed new ground floor bedrooms appear to lack baths or showers; is this appropriate for elderly and frail residents?
- Why are 14 further bedrooms needed when they cannot find sufficient staff to care for the existing residents?

## 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 of any development boundary. Policy DM1.3 states that permission for development outside of development boundaries will only be granted where specific Development Management Policies allow for development or otherwise demonstrates overriding benefits in terms of economic, social and environmental dimensions as set out in Policy DM1.1.
- 5.3 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.

### Design and Impact on Heritage Asset

- 5.4 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.
- 5.5 In terms of how the scheme varies from that which members previously resolved to approve, the only changes to the external appearance of the proposed extension and alterations are to the fenestration on the north elevation which faces onto the agricultural land to the rear of the site.
- 5.6 The Senior Heritage and Design Officer raises no objection to the revised scheme. As before it is recommended 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 remains in accordance with policies DM3.8, and DM4.10 in regard to the impact on the heritage asset.

### Impact on Neighbouring Properties

- 5.7 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 and this was considered acceptable for the reasons set out in the previous report. There are no alterations which are considered to increase the impact in terms of the amendments to the design of the extension, whilst noise and disturbance is unlikely to be increased by the amendments and may be less than if the scheme for self-contained flats was progressed.
- 5.8 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

- 5.9 The access into the site from Rectory Road will remain unchanged, as does the proposed parking arrangements which Norfolk County Council's Highways Officer raised no objection to at the time of consideration of the previous application.



- 5.10 In regard to parking, there are 14 parking spaces currently and as before it is proposed to construct eight additional spaces. It is anticipated that this is satisfactory but the comments of the Highways Officer on the amended nature of the accommodation were not available at the time of the report and will be updated prior to the meeting.
- 5.11 Subject to no concerns being raised by the Highways Officer it is considered that the proposed development accords with policies DM3.11 and DM3.12 of the Local Plan.

#### Impact on Trees

- 5.12 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. As there are no amendments to the external layout from that which it was previously resolved to approve it is considered that the scheme continues to accord with policy DM4.8 of the Local Plan.

#### Flood Risk and Drainage

- 5.13 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.
- 5.14 As was the case with the previous scheme 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 at the time of consideration of the previous scheme 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.
- 5.15 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

- 5.16 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.
- 5.17 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.
- 5.18 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.
- 5.19 This application is liable for Community Infrastructure Levy (CIL).
- 5.20 It is requested that delegated authority is also given to Officers to refuse planning permission if a satisfactory unilateral undertaking is not received and/or if – after full consideration by Officers – they are of the opinion that due to nutrient pollution, the integrity of Special Areas of Conservation is not satisfactorily secured.

## Conclusion

- 5.21 The proposed development is considered acceptable as an extension to the existing care home use under policy DM2.1 of the Local Plan. The level of development proposed 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 : Authorise Assistant Director of Planning to grant planning permission subject to full consideration by Officers of the issue of nutrient pollution and its impacts on the integrity of Special Areas of Conservation and also subject to no adverse comments from the Highway Authority

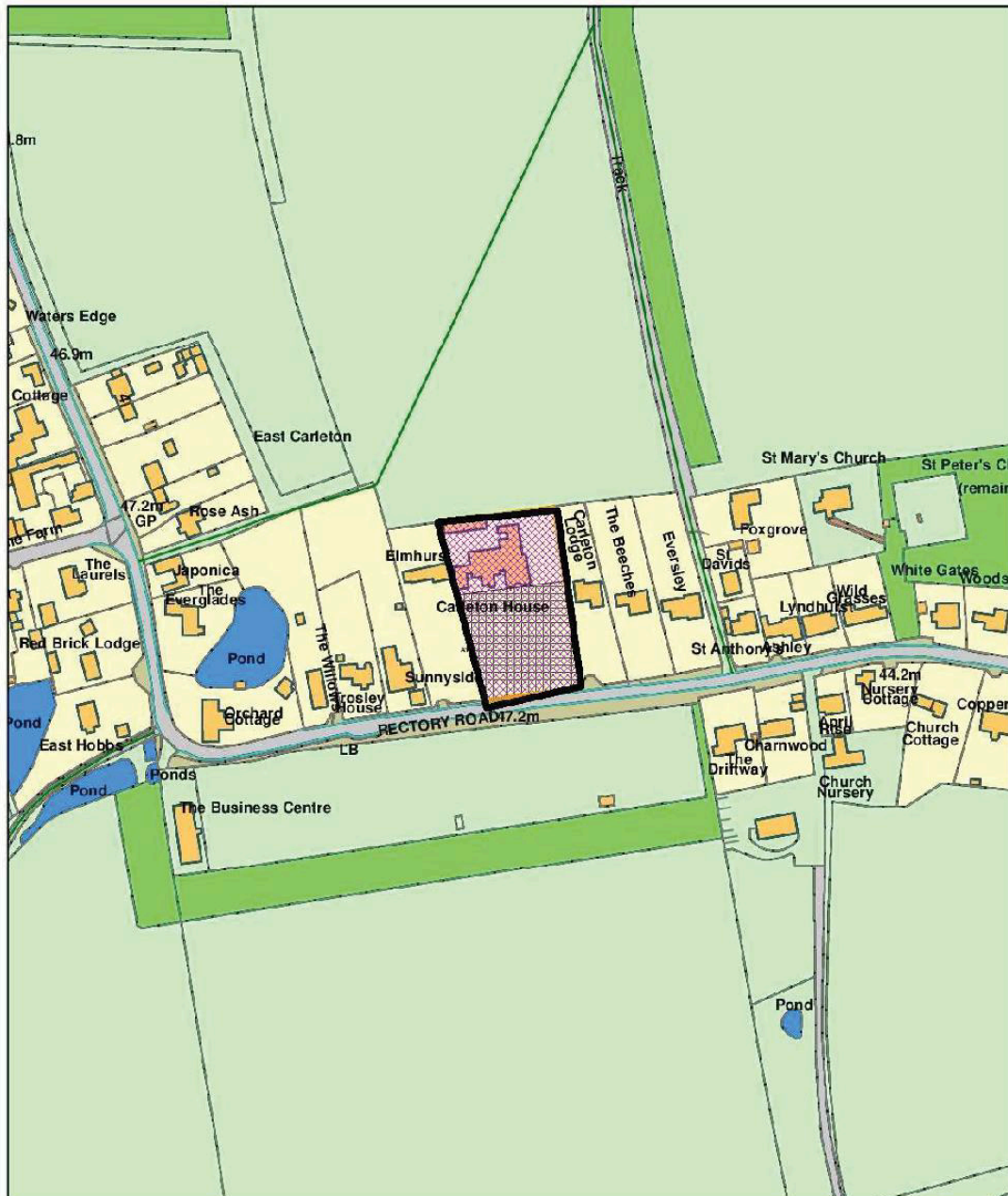
- 1 Time Limit - Full Permission
- 2 In accordance with submitted drawings
- 3 Visibility splays
- 4 Provision of parking area
- 5 Biodiversity mitigation and enhancement
- 6 Surface water drainage
- 7 Tree Protection
- 8 Contaminated land during construction
- 9 Construction Management Plan
- 10 Materials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

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## Appendix 1

## Application 7

2021/0743



Development Management Committee

9 March 2022

**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

Development Management Committee

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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



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## 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

Development Management Committee

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- 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.



## Development Management Committee

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- 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.



Development Management Committee

9 March 2022

- 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).

Development Management Committee

9 March 2022

**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

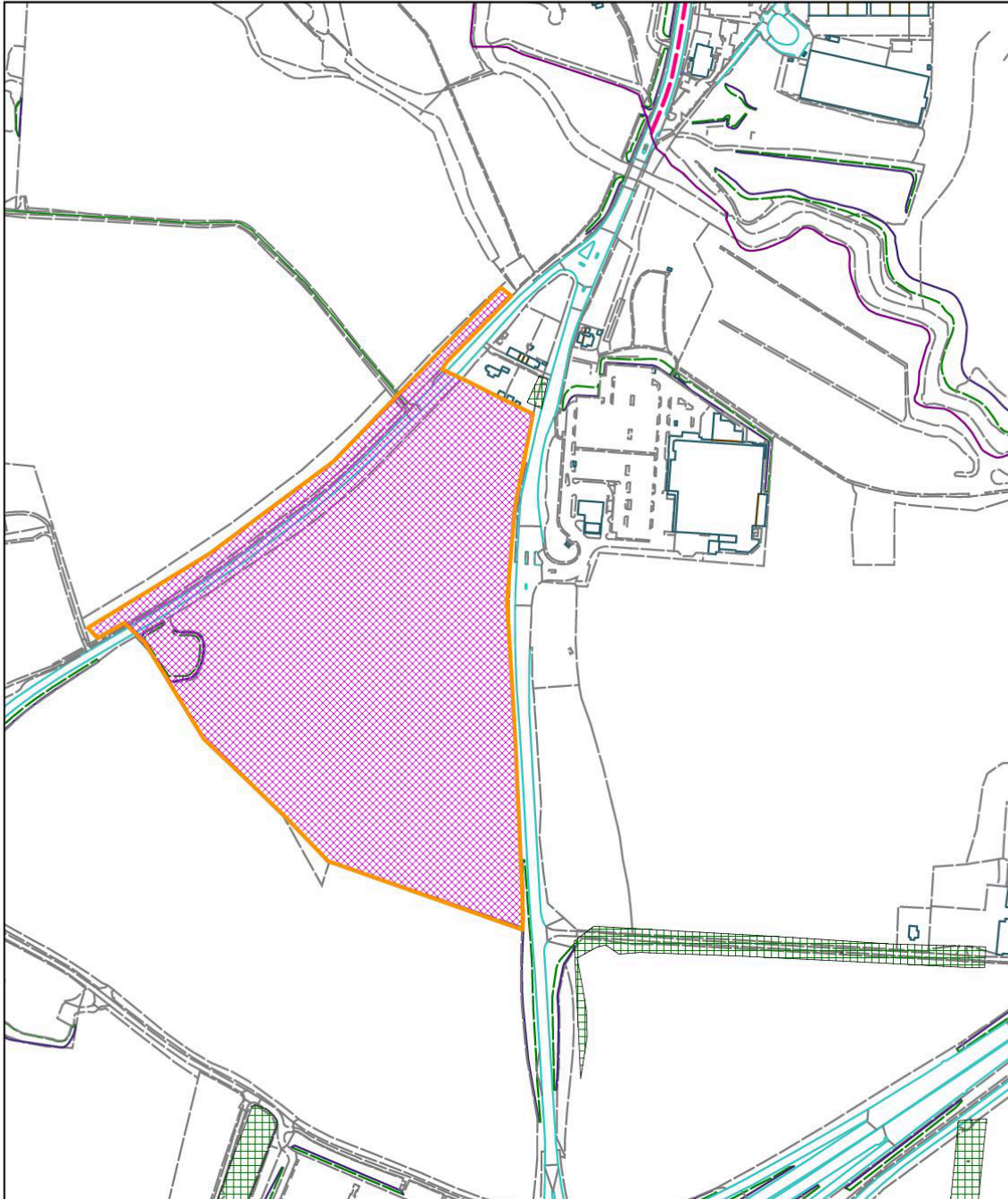
- 1 Time Limit - Full Permission
- 2 In accordance with submitted drawings
- 3 Flats ancillary to care home
- 4 Visibility splays
- 5 Provision of parking area
- 6 Biodiversity mitigation and enhancement
- 7 Surface water drainage
- 8 Tree Protection
- 9 Contaminated land during construction
- 10 Construction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

Contact Officer	Tim Barker
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Major Application

Application 2

2020 0903



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

**2. Application No : 2020/0903/D**  
**Parish : KESWICK AND INTWOOD**

Applicant's Name: Norwich Apex Limited  
 Site Address Land West of Ipswich Road Keswick Norfolk  
 Proposal Reserved matters for the details of appearance, layout, scale and landscaping of the first phase (Phase 1) of the development comprising the construction of Unit 1 (Use Class B2) and ancillary development in addition to site-wide development including road and drainage infrastructure, earthworks, strategic landscaping and associated development, of the scheme granted outline consent under application reference 2017/2794. In addition, discharge of Condition 4, Condition 8 (Unit 1 only), Condition 9 (Unit 1 only), Condition 18, Condition 22 and Condition 23 (Unit 1 only) of the outline planning permission.

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 Assistant Director of Planning to approve subject to highway clarification regarding surface water drainage; completion of a Unilateral Undertaking for offsite mitigation for skylarks plots; and confirmation of supervision of site clearance and installation of enhancements by an ecological clerk of works

**1 Proposal and site context**

- 1.1 This application seeks Reserved matters for the details of appearance, layout, scale and landscaping of the first phase (Phase 1) of the development comprising the construction of Unit 1 (Use Class B2) and ancillary development in addition to site-wide development including road and drainage infrastructure, earthworks, strategic landscaping and associated development, of the scheme granted outline consent under application reference 2017/2794. In addition, discharge of Condition 4, Condition 8 (Unit 1 only), Condition 9 (Unit 1 only), Condition 18, Condition 22 and Condition 23 (Unit 1 only) of the outline planning permission. This application follows the Outline planning consent 2017/2794 which gave consent for the employment development consisting of B1, B2 and B8 uses, associated access and landscaping; and proposed link road between the A140 and the B1113, including new roundabout at land west of Ipswich Road, Keswick.

*The application site:*

- 1.2 The site comprises a parcel of arable land of approx. 10.94Ha, triangular in nature bounded by the A140 to the east and the B1113 to the west. There is an existing field access from the B1113 on to the site.
- 1.3 In terms of topography there is a marked change in levels across the site rising from the north of the site to the south with the southern part of the application site sitting on a natural highbrow.
- 1.4 To the east of the site lies a supermarket with farmland beyond; to the west farmland; to the south arable farmland immediately adjacent to the site with the A47 and the Harford Park and Ride further south. To the north of the site are 5 residential dwellings as existing with a recent planning permission (ref 2016/1973) which would result in 8 dwellings in total here if implemented. The B1113/A140 junction is beyond.
- 1.5 The village of Keswick is located to the south-west via the B1113 with the nearest properties of Keswick village being approx. 560m away.



- 1.6 There is a Grade II Listed church approx. 180m to the west of the site served from the B1113 which sits in an elevated position.
- 1.7 The River Yare runs east-west and is located approximately 240m to the north of the site, beyond the B1113 and A140 junction. There are also a number of field drainage channels in land to the north of the B1113 approximately 100m to the north of the site which drain towards the River Yare.
- 1.8 A pit (assumed to be a former marl/borrow pit) is noted on the topographical survey in the southwestern corner of the site.
- 1.9 A County Wildlife Site is located approx. 170m to the north-east of the application site between the Tesco supermarket and the River Yare.
- 1.10 There are a number of trees on the site but limited to the field boundaries and small wooded area to the south-west corner.
- 1.11 The east and west boundaries are delineated by hedgerow with trees interspersed.

*The reserved matters and key requirements of the Outline planning permission:*

- 1.12 This application forms part of reserved matters for seven phases of development of the planning permission granted under outline application reference 2017/2794 for proposed employment development consisting of B1, B2 and B8 uses, associated access and landscaping; and proposed link road between the A140 and the B1113, including new roundabout with some matters reserved. The outline consent required that *the approval of reserved matters must be made before the expiration of THREE Years from the date of this permission*. All the reserved matters applications were made prior to the 17<sup>th</sup> of May 2021 and therefore complying with this part of Condition1.
- 1.13 Condition 2 required: *No development whatsoever shall take place until the plans and descriptions giving details of the reserved matters referred to above shall have been submitted to and approved in writing by the local planning authority. These plans and descriptions shall relate to: appearance, scale, landscaping and layout of any building to be erected together with the precise details of the type and colour of the materials to be used in their construction.*
- 1.14 Condition 3 required: *The development hereby permitted shall accord with the following drawings: 731\_03\_020 REVH - Proposed Highway Modification Overview - dated 7 March 2018 201 - Context Plan - dated 7 December 2017 202 - Location Plan - dated 7 December 2017 731\_03\_027 REVA - Bus Rapid Transit Land Requirements - dated 7 December 2017. Furthermore, the development shall substantially accord with the following drawings: 402 - Parameters Plan - Maximum Building Heights - dated 7 December 2017 2035\_01 - Landscape Strategy Plan 7 December 2017 0351\_00\_401 - Illustrative Masterplan - dated 7 December 2017.*
- 1.15 Condition 4 required: *The first Reserved Matters application shall provide full details of the strategic landscape works together with both hard and soft internal landscaping for the whole site, to include an phasing/implementation programme. These details shall include:*
  - *proposed finished levels or contours;*
  - *hard surfacing materials;*
  - *planting plans;*
  - *written specifications (including cultivation and other operations associated with plant and grass establishment);*
  - *schedules of plants, noting species, plant sizes and forms, and proposed numbers/densities where appropriate;*
  - *long term management plan*

- 1.16 Condition 6 required: *Notwithstanding the provisions of section 55(2)(a) of the Town and Country Planning Act 1990 or the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Act or Order revoking and re-enacting that Act or Order)(with or without modification), the development hereby approved permits a maximum of 28,329 square metres in floor space (maximum 9443sqm B1; maximum 9443sqm B2 and maximum 9443sqm B8) and this shall not be exceeded by internal or external alteration of the building without the specific grant of a further permission.*
- 1.17 Condition 8 required: *Each Reserved Matters application for the units/premises shall provide a scheme for generating a minimum of 10% of the predicted energy requirement of that development from decentralised renewable and/or low carbon sources (as defined in Annex 2: Glossary of the NPPF 2012 or any subsequent version). The development shall be implemented in accordance with the approved scheme and the approved scheme shall remain operation for the lifetime of the development.*
- 1.18 Condition 9 required: *The development hereby permitted will be required to demonstrate through the Reserved Matters application for the units/premises, that all viable and practicable steps have been taken to maximise opportunities for sustainable construction.*
- 1.19 Condition 18 required: *A) The first Reserved Matters application shall provide the results of a programme of informative archaeological investigations (trial trenching). The results of these investigations shall be used to inform the Layout of the development and any requirements for further archaeological mitigation if necessary. The trial trenching will form the first phase of a programme of archaeological mitigation work that shall be carried out in accordance with a written scheme of investigation which will need to be submitted to and approved by the local planning authority in writing prior to the submission of the first Reserved Matters application.*
- 1.20 Condition 22 required: *The first Reserved Matters application shall provide an updated Ecology Report, together with full details of the ecology mitigation and enhancement measures to be undertaken. The scheme shall include a timetable for implementation of the ecological mitigation and enhancement measures and a habitat management plan. Thereafter, the approved details shall be implemented in full in accordance with the approved timetable and retained as such thereafter unless otherwise agreed in writing by the Local Planning Authority.*
- 1.21 Condition 23 required: *Each Reserved matters application shall include an assessment of background and ambient noise levels in the area, suitable for the determination of boundary noise levels based on the principles in British Standard 4142:2014 Methods for rating and assessing industrial and commercial sound. The assessment shall set out suitable boundary noise levels based on the principles in British Standard 4142:2014 Methods for rating and assessing industrial and commercial sound. The development shall be carried out in accordance with the details as approved.*

## 2. Relevant planning history

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

2.3	2017/2794	Outline Application for Proposed employment development consisting of B1, B2 and B8 uses, associated access and landscaping; and proposed link road between the A140 and the B1113, including new roundabout with some matters reserved (resubmission)	Approved
2.4	2020/0184	Details for condition 18(A) of 2017/2794 - 18(A) Written Scheme of Investigation for Archaeological Evaluation Trenching	Approved
2.5	2020/1066	Details for conditions 11, 12, 13, 19 and 24 of 2017/2794 - (11) cycle parking (Unit 1), (12) construction workers site parking, (13) wheel cleaning facilities, (19) fire hydrants and (24) construction environmental management plan	Approved
2.6	2020/1067	Details for conditions 16, 15(A) and 32(A) of 2017/2794 - 15(A) Off site highway works, (16) Traffic management scheme and 32(A) Travel plan	under consideration
2.7	2020/1849	Discharge of condition 21 of planning permission 2017/2794 - materials management plan	Approved
2.8	2020/2351	Discharge of condition 20 of planning permission 2017/2794 - Surface water drainage scheme	under consideration
2.9	2021/1034	Reserved matters for the details of appearance, layout, scale and landscaping of the second phase (Phase 2) of the development comprising the construction of Units 5-7 (Use Classes B2/B8) and ancillary development of the scheme granted outline consent under application reference 2017/2794. In addition, discharge of Condition 8 (Units 5-7 only), Condition 9 (Units 5-7 only) and Condition 23 (Units 5-7 only) of the outline planning permission	under consideration
2.10	2021/1035	Reserved matters for the details of appearance, layout, scale and landscaping of the third phase (Phase 3) of the development comprising the construction of Unit 2 - builders merchant (Use Class B8 plus ancillary trade counter) and associated development of the scheme granted outline consent under application reference 2017/2794. In addition, discharge of Condition 8 (Unit 2 only), Condition 9 (Unit 2 only) and Condition 23 (Unit 2 only) of the outline planning permission.	under consideration

2.11	2021/1036	Reserved matters for the details of appearance, layout, scale and landscaping of the fourth phase (Phase 4) of the development comprising the construction of Units 8-10 (Use Classes B2/B8) and associated development of the scheme granted outline consent under application reference 2017/2794. In addition, discharge of Condition 8 (Units 8-10 only), Condition 9 (Units 8-10 only) and Condition 23 (Units 8-10 only) of the outline planning permission.	under consideration
2.12	2021/1037	Reserved matters for the details of appearance, layout, scale and landscaping of the fifth phase (Phase 5) of the development comprising the construction of Units 3-4 (Use Classes B2/B8) and associated development of the scheme granted outline consent under application reference 2017/2794. In addition, discharge of Condition 8 (Units 3-4 only), Condition 9 (Units 3-4 only) and Condition 23 (Units 3-4 only) of the outline planning permission.	under consideration
2.13	2021/1038	Reserved matters for the details of appearance, layout, scale and landscaping of the sixth phase (Phase 6) of the development comprising the construction of Units 9-14 (Use Class B1) and associated development of the scheme granted outline consent under application reference 2017/2794. In addition, discharge of Condition 8 (Units 9-14 only), Condition 9 (Units 9-14 only) and Condition 23 (Units 9-14 only) of the outline planning permission.	under consideration
2.14	2021/1039	Reserved matters for the details of appearance, layout, scale and landscaping of the seventh phase (Phase 7) of the development comprising the construction of Units 15-20 (Use Class B1) and associated development of the scheme granted outline consent under application reference 2017/2794. In addition, discharge of Condition 8 (Units 15-20 only), Condition 9 (Units 15-20 only) and Condition 23 (Units 15-20 only) of the outline planning permission.	under consideration



### 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 07 : Ensuring the vitality of town centres

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

NPPF 17 : Facilitating the sustainable use of minerals

#### 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 8 : Culture, leisure and entertainment

Policy 9 : Strategy for growth in the Norwich Policy Area

Policy 10 : Locations for major new or expanded communities in the Norwich Policy Area

Policy 11 : Norwich City Centre

Policy 12 : The remainder of the Norwich Urban area, including the fringe parishes

Policy 13 : Main Towns

Policy 14 : Key Service Centres

Policy 15 : Service Villages

Policy 16 : Other Villages

Policy 17 : Small rural communities and the countryside

Policy 18 : The Broads

Policy 19 : The hierarchy of centres

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

DM1.2 : Requirement for infrastructure through planning obligations

DM1.3 : The sustainable location of new development

DM1.4 : Environmental Quality and local distinctiveness

DM2.1 : Employment and business development

DM2.4 : Location of main town centre uses

DM3.8 : Design Principles applying to all development

DM3.10 : Promotion of sustainable transport

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

DM3.12 : Provision of vehicle parking

DM3.13 : Amenity, noise, quality of life

DM3.14 : Pollution, health and safety

DM4.2 : Sustainable drainage and water management

DM4.3 : Facilities for the collection of recycling and waste

DM4.4 : Natural Environmental assets - designated and locally important open space

DM4.5 : Landscape Character Areas and River Valleys

DM4.6 : Landscape Setting of Norwich

DM4.8 : Protection of Trees and Hedgerows  
 DM4.9 : Incorporating landscape into design  
 DM4.10 : Heritage Assets

### 3.4 Site Specific Allocations and Policies

KES 2 : Land west of Ipswich Road:

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

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

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

### 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 Keswick and Intwood Parish Council

Refuse:

- Object to the reserved matters application and considers that the content is a clear and significant departure from the outline permissions approved in the original application and not in keeping with proposals highlighted in the Design and Access Statement submitted in December 2017.
- Consider that several key factors such as character, design, layout, distribution of usage and scale have changed substantially, and such detrimental changes could significantly impact on the material matters which were carefully considered as part of the original application when it was only narrowly approved
- Have been advised in writing that we should consider the reserved matter applications on their own merits, that they are not comparable to the original application and should be considered as a 'fresh' or new application.
- Given that the Parish Council is being asked to consider several reserved matter applications as a 'fresh' application we object to this application and recommend that a new single planning application should be submitted allowing the multiple reserved matters applications to be managed by appropriate governance and consultative frameworks.
- The Parish Council understands that Article 6 of the Town and Country Planning (development Management Procedure) (2015) states that details of the reserved matters application must be in line with the outline approval and if proposals have changed in any way the applicant may need to reapply for outline or full planning permission

- The Parish Council is concerned that heights of the proposed development have significantly increased, which we believe exceed the parameters set out in the outline planning permission. Object to any increase in height, acknowledges that 'landscape' was a key factor in the initial application 2016/0764 being refused and that the visual impact of the development, including height was a key factor in appropriate conditions being required as part of the outline application.
- The Landscape and Visual Impact Assessment (2017) does not capture the changed design aspects of the reserved matter applications and is no longer a representation of the visual impact of the development both within the local setting of Keswick and within the Southern Bypass Landscape Protection Zone.
- As highlighted in the Design and Access Statement, the outline permissions were for the equitable provision of B1, B2 and B8, the allocation proposed in the reserved application appears to have changed. Such changes could have significant impact on the validation of other considerations such as traffic surveys and that such significant changes should warrant a new application. The Parish Council would want to understand the impact of usage would have on understanding the impact on local highways, especially the impact on Low Road.
- The Parish Council and planning committee was assured by the local developer that the development would be a development with character that would sit within its rural setting which is documented as 'tributary farmland with parkland' in the Design and Access Statement. The Parish Council objects to the design of the buildings within the reserved matter application as these are a departure from the design proposed in the Design and Assessment Statement, both in forms of materials and character and are no longer 'resonant' within the local and rural context.

4.2 District Councillors:  
Cllr William Kemp and Cllr Daniel Elmer

- We wanted to confirm that the Keswick Triangle applications should only be determined by the DMC due to the public interest in the applications, to allow the environmental and highways impact to be considered and to consider the changes between the permitted scheme and what is proposed.

4.3 Environment Agency

To Original Submission

- Holding objection pending clarification, but believe these can be adequately addressed by the applicant and via planning conditions

To additional drainage information

- Questions of clarification before we can removal our holding objection

To Amended Submission

- Will be reported to committee

## 4.4 NCC Lead Local Flood Authority

To Original Submission

- Object to reserved matters at this time, will consider removing this objection if plans are submitted to demonstrate how the drainage will be implemented within the layout

To additional information provided in respect of site wide drainage strategy

- No objection to the reserved matters, as the revisions to the proposal now covers a strategy of infiltration, as opposed to positive outfall to the River Yare as previously proposed, such that all surface water runoff is now retained on site. Note that Condition 20 relating to surface water drainage is subject to a separate discharge of condition application.

To Amended Submission

- No objection to the reserved matters

## 4.5 Natural England

No comments

## 4.6 Anglian Water Services

No objection

- Reviewed the applicants foul water drainage strategy and flood risk documentation and considers that the impacts on the public foul water sewerage network acceptable to Anglian Water at this stage.
- Note that Condition 29 requires the submission and approval of detailed foul drainage.

## 4.7 Senior Heritage &amp; Design Officer

No objections

## 4.8 Historic Environment Service

No objections

- Can confirm that an archaeological scheme has been approved by NCC Environment Service

## 4.9 SNC Community Services - Environmental Quality Team

To Original Submission

- No objections subject to the strategy proposed by Create Consulting Engineers is adhered to for the whole development

To Amended Submission

- No objections to the reserved matters or to the discharge of condition 23

#### 4.10 NCC Highways

To original submission

No comments received

To Amended Submission

A number of concerns and points needing clarification

- 1) Size 1 turning head needs to be provided
- 2) A swept path analysis should be provided
- 3) Visibility splays for each access
- 4) A shared cycleway/footpath needs to be provided
- 5) Footways on spine road do not link with units
- 6 & 7) Question the amount of parking spaces, EV provision etc. taking into account the recently agreed Parking Guidance (4 July 2022)
- 8) Cycle parking should include provision for 10 bicycles and secure and protected from weather

To additional Highway information and plan

No objection subject to clarification that Anglia Water is prepared to adopt the surface water drainage from the development, prior to the reserved matters consent being issued:

- I can confirm that 1, 2, 3, 4, 5, and 8 have been fully addressed
- With reference to additional parking and EV charging provision has been accounted for in the amended plans. The numbers specified within the comment are a best outcome and reflect our Parking Standards for Norfolk guidance
- Provision of more EV charging points throughout the development would be desirable, however taking a balanced view, the Highway Authority would not object on the quantities proposed and therefore does not object to the principle of the layout

#### 4.11 Police Architectural Liaison Officer

Would make the following observations, comments and recommendations:

- Recommend CCTV for vulnerable areas not overlooked by active office rooms
- Suggest that glazing is laminated glass
- Lighting of car park, cycle shelter, loading areas etc is recommended to be an LED white light compliant with BS 5489-1:2013
- Recommend vehicle access to development to restricted out of hours by gates/barriers Recommend that the palisade fence forms a continuous barrier and to 1.8m at the sites and vulnerable rear boundaries
- Cycle storage must facilitate the locking of both wheels and the cross bar, should be of galvanised steel with minimum foundation depth of 300mm, should be roofed, lit after dark, and any walls open to surveillance

## 4.12 SNC Ecologist

## To Original Submission

- Ecology report is fit for purpose and contains details of ecological mitigation and enhancement
- Request a breeding bird survey for skylarks is undertaken
- It is recommended that the earthwork/hole is surveyed for up to four weeks to establish if the hole is used by badgers and constitutes a sett
- Request that the plans be amended to show the location and type of bird box and bat box

## To Amended Submission

- The Habitat Management Plan, produced by Wild Frontier (January 2022) is comprehensive and provides appropriate suggestions, with the promotion of sympathetic wildlife land management practices
- No objections to the discharge of condition 22 subject to the signing of a Unilateral Undertaking for offsite mitigation for skylarks plots

Would recommend that the following is either provided prior to determination or secured via condition:

- supervision of site clearance and installation of enhancements by an ecological clerk of works – to be provided before the reserved matters is determined
- a lighting strategy (including contour lines), to ensure that sensitive areas e.g. the infiltration ponds and wet meadows, linear landscape /woodland elements, and dark corridors around the perimeter, and bird/bat boxes are not artificially illuminated. Lighting should be designed in accordance with ILE and BCT guidance- via a condition

## 4.13 Highways England

- No objection

## 4.14 SNC Landscape Architect

- No objections

## 4.15 NCC Minerals and Waste Planning Officer

- Site investigations and a Materials Management Plan-Minerals are required to enable the discharge of Condition 21 of planning permission 2017/2794, prior to any commencement of development proposed in this reserved matters application.

## 4.16 Norwich City Council

- No comments

## 4.17 Norfolk Fire Service

No comments received

## 4.18 Upper Yare and Tas IDB

No comments received

## 4.19 Norfolk Rivers IDB

## To Original Submission

- As the drainage proposes to discharge into the main river, no consent is required from Norfolk Rivers IDB in relation to Bylaw 3 of the Board's byelaw

## To additional drainage information

- Note the change strategy to dispose of surface water via infiltration onsite. Should the strategy change to include a discharge to an ordinary watercourse in Norfolk Rivers IDB consent would be required.

## To Amended Submission

- No further comments

## 4.20 Norwich Rivers Heritage Group

No comments received

## 4.21 Other Representations

## To Original Submission

## 7 letters of objection:

- Increase in traffic
- Low Road is very narrow road and the current traffic already jeopardising safety of residents of the village
- Narrow footpaths along first half of Low Road from railway to Reading Room but after that no space for walkers or cyclists
- Promises to slow traffic with specific structures such as speed bumps of similar from the Council so far have not materialised
- Road totally unsuitable for heavy traffic
- Building height condition not being met
- Parking provision doesn't meet the requirement
- Building design appears to be standard industrial design with no sympathy being shown to blending into the landscape
- Will be an eyesore to the environment
- Detrimental light impact/pollution
- Air pollution
- Beautiful site full of red poppies
- Detrimental impact on ecology and will destroy habitat of wildflowers
- Developer is trying to relax the condition which requested details of landscaping and choice of materials
- Essential and important for the environment that sustainable materials are used and colour and type blend and fit in with the current landscape
- Clarification of how the site is drained
- Massive impact on the visual impact to Norwich's 'Fine City' and will have a significant impact on the surrounding area
- Drainage - draining into the River Yare and will cause flooding, pollution. Run off rate will be more than green run off rates
- Addition of roundabouts is poor design choice in an area where walking and cycling are to be encouraged. They speed up traffic flows and are therefore more dangerous

- Access to the bus stop on B1113, close to junction with Low Road, is currently hazardous
- Impact of strategic landscaping on bats, Skylarks and Badgers
- Concerns that the outline planning permission was only passed by a single vote at development management committee

#### To Amended Submission

#### 18 letters of objection:

- The proposals submitted here clearly do not meet this threshold in many areas including the design parameters, landscape, original drawings, lay out in relation to buildings and spaces outside the development, and height width length and use of proposed buildings
- The original application was approved some time ago, being approved by ONE vote and interestingly two people who were on the board and were clearly going to object were conveniently put on a training course on the day of the vote, I feel this has not been a fair vote as they should have been allowed to be present and cast their vote
- These Applications for Approval of Reserved Matters are a material departure from the original Approval. As such they cannot be considered under Reserved matters and require a new and comprehensive full application
- The original planning application were controversially passed having attracted nearly all negative comments from local residents
- Since the application was approved there have been numerous village meetings, one of which Apex attended
- We as villagers were assured there would be a mixture of use of the site, building heights would be low and would aesthetically fit the area and Keswick is under government legislation is a "designated rural area"
- Now Apex seem to of got initial planning through by that one vote then passed it mostly to another firm to run away with and do whatever they like as suddenly the amended plans have completely changed
- I sense the developers, by putting in multiple smaller applications, are trying to bend the rules to get permission for a scheme that would never have been granted permission initially It's important to maintain public confidence in the planning system.
- There is insufficient evidence in the reserved matters application to demonstrate that the Landscape has not been adversely affected by these applications
- Given that 'landscape ' was a key factor in the 2016/0764 application refusal it would seem the reserved matters application is no longer a representation of the visual impact this development would have should it be significantly higher than agreed on the original applications
- The heights of the buildings have been significantly increased and platforms have been introduced to site the buildings on
- The building usages have been moved round the site bringing industrial usage closer to surrounding open spaces and buildings
- This submission appears to have buildings which are much larger, more industrial, and standard (and cheaper?) design
- Are now proposing large, ugly, industrial B8 units that will irreversibly damage a beautiful, ancient gateway to our fine city
- The design of the site is completely different to that approved
- The original approval had an equal mix of B1,B2, and B8 floor space in buildings sized to minimise impact on Landscape
- There are now fewer but much larger buildings
- There is mention of mezzanine floors made possible by the increased building height which were not in the original approval
- It seems that since then, the original developer has sold on the site, and the new developers appear to be an outfit from far afield that look to have disregarded all local feeling, and the original desires of SNDC
- How can the Council compromise its avowed policy of not allowing any major development to overwhelm a small rural village, by granting consent, not to mention it's contravention of visual impact along the corridors of the A140 and B1113



- One villager was urged by SNDC to consider this 'a totally new application' and we would all ask SNDC to do the same.
- In an era of serious environmental concern, please ask the planning officer if we need to build this new site, when only a mile away the Hall Road Industrial Estate has huge empty areas, with infrastructure already in place
- If this proposal isn't rejected as an unacceptable change to the agreed plans, we will be forced to raise this damaging development in the press and would ask for serious scrutiny of South Norfolk Council, and how it came to the decision to allow this desecration of our county and city
- Concerned about the impact this would have in a predominantly farmland area
- Increase traffic through Keswick.
- In respect of the link road taking traffic not heading for Norwich over to the Tesco junction on the A140 easing congestion at the Harford Bridge intersection with the A140, only time will tell how long it will be before the said link road becomes even more congested than what we have now
- Over the 25 years I have been turning from Low Road onto the B1113 heading for Harford Bridge the longest I have been held up is 5 minutes. Reason in itself why this development should never have got off the ground
- The developer should submit a fresh application supported by a robust and acceptable traffic scheme covering the undoubted impact the development will have on Low Road, which is already an overpopulated rat run
- Low Road remains an important recreational area both for the residents of Keswick, and also the wider community and, as yet, neither the existing approved planning, nor the significant alterations proposed have satisfactorily solved the problem of how Low Road can be made safe given the likely significant increase in traffic (including light good vehicles) associated with this development
- Concerned re the increase and type of traffic flow on Low Road
- Even with the current speed limit, it is dangerous for pedestrians who are following the public walk route crossing over into Mill Lane from the Keswick Hall walk. Currently pedestrians need to physically step out of the junction to see what traffic is coming down the road
- During a few road closures, there have been many incidents of large HGV's clogging up the road resulting in a complete standstill of traffic. It has been manic and scary for families with small children wanting to walk through the narrows of Low Road - there is no path and it is not safe. Having more commercial vehicles using this road as a 'rat-run' to the A11 will be a danger to life
- The usage change threatens large transporting vehicles down Low Road in Keswick Currently this road is a school transport bus route for those attending their catchment high school and children board and unboard the bus on this road, the roads are unpaved at long stretches, unlit at long stretches, narrow at points (the 16th Century wall of Keswick Old Hall) and there is nothing to stop larger vehicles coming down the road as a school coach has to come down here
- Road signs about weight restrictions on the bridge near the stream are ignored and there is never in reality going to be a way to police this so the best thing to do is not build large industrial units that entice vehicles of such magnitude down here in the first place
- There is a playground right on the edge of low road with picket fencing that the largest of adults can easily get through, let alone small children
- Low Road is too narrow in places for two cars to pass each other
- There are historic walls along Low Road which will be impacted by additional heavy traffic
- Keswick borders nature reserves and is a wonderful source of country walks and leisure for the people of Eaton, Cringleford and Keswick. This will be negatively impacted by increased heavy traffic
- Keswick is a wonderful tight knit community, we look after each other in ways that are now very rare and often save the public purse (clearing roads and verges, checking in on elderly neighbours), by increasing traffic along Low Road you will make it difficult for us to live as a community

- The outline permission was granted for one site, which is now being split into two sites. It seems the LLFA were not aware of this on 5 January 2021 which is the latest on the planning portal.
- The proposal provides an attenuation scheme within the lower site but run off from the upper site has to flow over the roads, including the B1113 which already suffers a high degree of surface water flooding
- It seems impractical for the owners of the lower site to have to provide a drainage scheme for the upper site in perpetuity and for the LLFA to be able to enforce that. At the very least, there need to be culverts under the new road that divides the sites, but planning should require that each site deal independently with their own run off and a drainage scheme is provided in the upper site that will avoid flooding roads
- It also appears that the site has been split into two, with an upper and lower site. The upper site relying on the drainage provided by the lower site and flooding the road between the two with run off. (The proposed drainage scheme appears to show no gulleys to drain water from the upper site onto the B1113.) Are these drawings incomplete? In which case the developer should be sent away to complete them. This does not seem a sustainable solution and it is hard to see why the owner of the lower site would feel obligated to indefinitely provide drainage for a neighbour
- A cut and fill process is being used on site, what mechanism will be in place to deal with the runoff from this slope that does not place an increased burden on the existing infrastructure?
- Has there been a guarantee that no water will be draining into the River Yare?
- Given that Anglia Water are currently unable to operate their foul water system without regularly releasing raw sewage into our rivers, it should be unacceptable to connect more sewage into an already overloaded system. Any development should process its own foul water on site.
- Maintenance relies on the use of glyphosate, a carcinogen soon to be banned by the EU, and a chemical Norfolk County Council is also considering banning. It is one thing to use a chemical like this on roadside verges or open fields. It is quite another to use it on a site which hopes to employ a thousand staff.
- If used on this site it will inevitably find its way into the Yare which has a very delicate eco system and is also likely to harm the bats on the site. There are ways to kill weeds without chemical herbicides
- A designated rural area should be able to keep its character, its wildlife and nature aspects especially in a time of a global warming crisis when our wildlife and environment is under huge threat
- If this were to go ahead it would deprive wildlife of much needed, diminishing habitat, and rob our community here at Keswick of yet another green space, and one of breath-taking beauty in late Spring when the poppies burst into flower. This will mean nothing to the developers and is probably laughable to them. But why make survival even harder for our wildlife, and steal moments of peace and calmness from stressed humans as they toil to and from work each day?
- There is no justification for losing a valuable green field site when nearby units of a similar nature sit unused, and the Ukraine crisis has made food security a priority. There is no planning gain from the loss of this green field site.
- We have no local traffic problems now, but a new employment site intended to move a thousand jobs from elsewhere will create severe traffic problems, always assuming the jobs can be filled given the current labour shortages

1 letter of comment:

- Irrespective of whether the Hartford Bridge Development creates more traffic along Low Road, Keswick, or not, the existing volume and speed of traffic is too high. Furthermore, this traffic poses a severe danger both to local residents and the increasing number of walkers along Low Road. I fully support the proposed traffic calming measures along Low Road and urge their early implementation

## Norwich Cycling Campaign:

- Like to see a dedicated cycle route parallel to Ipswich Road, connecting to the Yellow pedal way on Old Hall Road and ideally also the cycle route via Marston Lane. Like to see this provision extended to also service the Tesco Store

5 Assessment

## Key considerations

- 5.1 The key considerations are the appearance/design, scale, landscaping, layout, and ecology.

## Principle

- 5.2 The principle of the development on the site has been accepted by the grant of the outline consent. As such the principle is established for commercial development. It is therefore only the details reserved of that outline that are now for consideration. With this in mind the following assessment focuses on the site-specific planning issues and how the scheme complies with the requirements of the outline consent.

## Scale, Layout and Design

- 5.3 Both JCS Policy 2 and Section 12 of the NPPF require high quality design with importance being attached to the design of the built environment, which is seen as a key aspect of sustainable development.
- 5.4 This proposal seeks consent for the first stage of the development. It comprises of unit 1, in response to a specific need and an identified end user. The layout and design has been informed by the individual business needs. Comprising of a single unit approximately 9.9m high with a gross internal floorspace of approximately 17,836ft sq (1657.02 sqm), across the ground floor and the mezzanine levels. It will be set in a compound, to include space for parking and servicing.
- 5.5 The development will portray a familiar design across the proposed buildings, utilising a consistent palette of materials. Unit 1 is a rectangular building with a shallow pitch roof. The east elevation fronts the main spine road. The façade and portion on the return façade to the North are clad with built up profile steel cladding. On the east façade is set the main glazed entrance doors and canopy. The side elevation (north) has two large roller shutter doors for loading. The external compound is formed with 2.4m high green palisade fencing and gates.
- 5.6 This reserved matters has been accompanied by a unit specific Energy Statement which demonstrates a scheme for generating a minimum of 10% of predicted energy requirement, and that all viable and practical steps have been taken to maximise opportunities for sustainable construction in accordance with Conditions 8 and 9 of the outline planning permission. The approach incorporates suitable passive design measures to provide a highly efficient building fabric and efficient space heating system; and the use of Air Source Heat Pumps.
- 5.7 The Senior Conservation and design officer has commented as follows:

In terms of the layout and design of the buildings, the development now represents quite a change from the original indicative drawings and plans and those submitted earlier with these applications.

A fundamental aspect of the original plan was to ensure the preservation of landscape views around the site and to some extent the setting of Keswick church which is situated in an isolated position quite close by to the east. The planting to the northwest of the site on both sides of the road should ensure the setting of the church within its surrounding landscape is adequately preserved.

Within the site, additional planting and walks have been provided around and between buildings, which are now larger in scale than the original plans. The walks to the south are not that secure and not well overlooked by active frontage, however being commercial and not residential and most likely used during the daytime for lunchtime and break recreation these will serve a purpose. The whole site will also be within a compound area with a 2.4 high metre palisade fence.

The design of units is fairly standard and utilitarian. However, with buildings of this size it is better to keep the architecture relatively simple and not 'overly fussy'. Although the panelling will be grey, the bulk will be broken down with areas of different coloured grey panels associated with office/window areas which will help to reduce the impression of overall bulk. The height is also broken with two different type of grey colour cladding horizontally. The overall height and massing is reduced by having a shallower pitched roof. The entrances will be marked out with double height glazed feature and canopy to the entrance which will aid legibility. These colours and design characteristics are reproduced across the site to create an homogenous group of buildings and identity for this part of the site.

- 5.8 In view of the above, in respect of the design of the building, the use requires an element of functionality, especially in relation to its scale, loading and parking/turning requirements, however, it is considered significant effort has been made via colours and design characteristics which will be reproduced across the site to create a homogenous group of buildings and identity for this part of the site. Given the potential and often used approach to large commercial sites to be purely functional in form and design detail, the design approach used here is considered to create a well-rounded and good design and therefore accords with policy DM3.8 of SNLP and the new emphasis on 'beautiful' buildings (acknowledging the subjectivity of the word) contained within section 12 of the NPPF, when considering the nature and use of the proposed building.
- 5.9 Concerns have been raised as set out above from the Parish Council and Local residents in respect of the changes in key factors such as character, design, layout, distribution of usage and scale etc. have changed substantially from the outline. Thereby bringing into question if this reserved matters should be considered at all or whether a new application should be submitted, when giving regards to the wording of condition 3: Furthermore, the development shall substantially accord with the following drawings: 402 - Parameters Plan - Maximum Building Heights - dated 7 December 2017 2035\_01 - Landscape Strategy Plan 7 December 2017 0351\_00\_401 - Illustrative Masterplan - dated 7 December 2017.
- 5.10 This Illustrative Masterplan was provided under the outline to demonstrate how 28,329sqm of floorspace across the three use classes could be accommodated within the site whilst respecting the approved access arrangements and maintaining the principles of landscape buffers around the site. Equally, the parameters plan which suggested that 9m and 10m buildings in the more elevated part of the site and 10.5m in the lower lying areas. The heights were relative to the existing levels. However, it is important to note that this plan was illustrative and why the decision notice reflects this by using the words shall substantially accord with.
- 5.11 There were two main reasons for the imposition of the condition, firstly to protect the amenity of the existing residential properties to the north of the site, hence B2/B8 uses needed to be located away from these properties; and secondly, the principle of the development on the landscape, it is evident that the landscape visual impact assessment submitted with the outline, was based on the principles set out in the masterplan/parameter plans in respect of general scale of buildings across the site. However, it was intended that there was an element of flexibility to ensure that the site could come forward for developments, depending on the needs and requirements of future occupiers.

- 5.12 The applicants have provided a compliance document setting out how they have met the conditions of the outline planning permission. It concludes that the reserved matters does comply with the Illustrative Master Plan in terms of the link road, roundabout and secondary access; land to north retained for drainage and a buffer for adjacent residential properties; landscape buffers around the main site and existing woodland retained; less than the maximum 28,329sqm of employment floorspace; and RM1-5 located within the identified 'Operational Development Area'. It is acknowledged however, that the internal road layout is not as shown, other than the main spine road; the layout and distribution of the buildings differs (the overall floorspace is reduced from the illustrative master Plan of 28,239sqm to 22,956sqm). It is considered therefore, that whilst the internal roads and building locations are not as exactly shown, the principle of the locations for infrastructure and development have been adhered to in full and therefore the reserved matters remains in substantial accordance with the illustrative Master Plan.
- 5.13 In respect of the Parameters Plan, it was the appearance of building height, in landscape impact terms, that was fundamental in setting the overall maximum scale of buildings within the Parameters Plan. In this regard, it is the overall building height as viewed in the landscape which is the core driver behind the requirement to substantially approve a Parameters Plan, as opposed to the actual height of any individual building. This is an important definition to make as the building parameters must then be considered in the context of the existing and proposed ground levels, as well as the overall landscape impact when compared to the LVIA benchmarks. The Proposed Cut and Fill Site Section document, which accompanies each reserved matters application, show the proposed earthworks, the actual building height of each unit as well as sections demonstrating how the proposed buildings sit within the context of the site and the respective cut and/or fill. The site plan shown in this document, overlays the Parameters Plan building height boundaries with the pink dashed line denoting a maximum height area of 10.5m, the yellow dashed line denoting a maximum height area of 10m and the blue dashed line denoting a maximum height area of 9m. Unit 1 is shown within the zone for 10.5m maximum heights and the building has a maximum ridge height of 9.9m. There are minimal amounts of both cut and fill to the existing ground level at this part of the site and so the ridge height remains well under the 10.5m maximum when taken from existing ground levels. In view of the above, whilst it is accepted that without the cut and fill works Unit 1 would be taller than the Parameters Plan, in light of the works proposed, it is considered that the proposed sustainably accords with the Parameters Plan.
- 5.14 In respect of the officers advice referred to by both the Parish Council and Local residents, the following comments were made by the officer: *Following the initial submission for the above reserved matters the developer has decided to change the layout and designs of the proposed buildings. There is no change to the outline redline, off-site highway works and connection (link Road) from the new roundabout on the B1113 to the A140. This revision is being treated like a new submission, so it is not a comparison regarding what was originally submitted as that reserved matters scheme for unit 1 was not granted planning permission.* Clearly this was not referring to the original outline planning permission but the scheme submitted under the reserved matters originally.

#### Access and parking considerations

- 5.15 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. DM3.12 looks for appropriate parking, turning etc. to serve the needs of the development.

- 5.16 Whilst I fully appreciate the concerns raised by local residents in respect of traffic generation, highway safety issues, etc, as set out above, all these were considered under the outline consent, there are off-site highway works to include:
- The removal of signals at the B1113/A140 junction with the prohibition of right turn movements and allows left turn only onto the A140
  - The provision of a new roundabout on the B1113 to provide a junction for the new link road
  - Changes to the signalised Tesco's junction where the new link road joins the A140 and the provision of two ahead lanes into Norwich from the Tesco's junction to the Hall Road junction
  - Land is also being dedicated as highway along the A140/site boundary in order to facilitate the future delivery of a Bus Rapid Transit scheme
  - A footway link along Low Road. This will be designed to ensure that there is an appropriate 'landing pad' at both ends to ensure that pedestrian safety is not compromised.
  - In addition, a traffic management scheme will be delivered along Low Road, Keswick.
  - Improved cycle links from the Yellow Pedal way at the Marsh Harrier to the B1113 and an off-carriageway cycleway along the B1113 to Low Road

The key consideration under the reserved matters is the appropriate amount of parking for vehicles and bicycles within the site along with turning and loading for larger vehicle, internal roads and footpaths.

- 5.17 The application has been assessed by NCC Highway Authority who raised some initial concerns, which have now been resolved following the submission of an amended plan, they offer no objection subject to clarification that Anglian Water will be adopting the surface water drainage.
- 5.18 The proposal is therefore considered to accord with policy DM3.11 and DM3.12.

#### Landscape and visual impact

- 5.19 Policy DM4.5 requires all development to respect, conserve and where possible enhance the landscape character of its immediate and wider environment. It advises that development that would cause significant adverse impact on the distinct landscape characteristics of an area will be refused. Particular regard will be had to protecting the distinctive characteristics, special qualities and geographical extents of the identified Rural River Valleys and Valley Urban Fringe landscape character types.
- 5.20 Policy 4.6 has regard to the landscape setting of Norwich which includes the sites location within the Norwich Southern bypass protection zone and on two undeveloped approaches to Norwich (A140 and B1113).
- 5.21 The specific aims of policy DM4.5 are the protection of the landscape character at a wider level. DM4.6 specifically seeks protection of the setting of Norwich and maintaining the rural approach to Norwich.
- 5.22 In respect of Policy DM4.5 the site sits in the C1 Yare Tributary Farmland with Parkland landscape character area It is adjacent to the F1 Yare Valley Urban Fringe Landscape Character Area and near to the B1 Tas Tributary Farmland. The site is not directly within a River Valley Policy Area although it is near.
- 5.23 Policy DM4.5 requires all development to respect, conserve and where possible, enhance the landscape character surrounding the development. Policy DM4.9 advises that the Council will promote the retention and conservation of significant trees, woodlands and traditional orchards.

- 5.24 Under the Outline planning application a key consideration was the Impact on the landscape. As part of the first reserved matters, full details of the strategic landscaping for the whole site was required to be submitted. The Landscape Strategy Plan that formed part of the outline planning application was listed under the 'substantially accord with' plans on the planning permission in order to establish the principles of the structural landscaping for the site for future reserved matters proposals.
- 5.25 In respect of the principles of the Landscape strategy, in terms of the existing vegetation at the southern boundary and in the south-western corner of the site is retained in full; the northern section of the site comprises the attenuation basins with grassland planting; the planted landscaping belt along the B1113 is retained along with a conservation strip to the field margin; structural hedgerow interlinked with belts of woodland planting are shown throughout the site including around both the site perimeter and around development/building parcels; woodland buffers are particularly prevalent around the south-eastern southern and western boundaries of the site; and the main roads within the site are tree lined in accordance with a hierarchy.
- 5.26 The updated layout and reduction in overall amount of floorspace has enabled more landscaping to be proposed throughout the site and a much more cohesive landscape strategy to be designed.
- 5.27 The Landscape Architect has commented as follows:  
*The outline consent has established the principal of the development and its acceptability of its landscape and visual effects. Condition 3 of the decision notice requires that "the development shall substantially accord with the following drawings:  
 2035\_01 - Landscape Strategy Plan 7 December 2017*

*Considering the Landscape Strategy Plan and the Illustrative Masterplan against the proposals submitted with this application, there are some main variations, and these are:*

- *Fewer, larger buildings with consequently less incidental gaps for planting between*
- *Revised re-profiling of landform to accommodate the revised scale of buildings*
- *Landscaped area to immediate south of new roundabout instead of two building units*
- *Change from orbital access road with associated planted to a single main axis road, running approximately southwards from link road (with avenue planting)*
- *Increase planting areas to southeast corner (adjacent to A140 Ipswich Road and southern site boundary)*
- *Increased planting margins along southern site boundary*
- *Increased planted/landscaped margin alongside B1113, providing increased separation from road to building line*
- *Earth mounding underlying the new tree belt on field margin to west of B1113.*

*In many respects the changes to the scheme will be advantageous, offering greater opportunities for planting around the periphery of the site especially on the west and southern boundaries.. Within the site the planting opportunities are slightly less and the vein running east/west across it is perhaps not as wide as would be ideal. At its narrowest this will be 3.5m and will effectively be a wide hedgerow if planted as detailed. Key will be the understanding that the trees within this margin must have the scope to achieve their natural height and spread if they are to contribute to the visual mitigation of the proposed buildings. Discussions with the agent and applicant have confirmed that, with the exception of standard highway clearance from the ground (around 5.5m) this will be possible and will be written into the long-term landscape management.*

*The proposed building heights appear to fit within the height parameters of the outline, albeit with a need to excavate and remodel the landform in order to achieve this. Whilst it is often desirable to limit new topography, this scheme's approach appears to be sensitive to the location and offers a balanced cut and fill solution. The new proposed mounding to the west is the most significant addition in this respect but, in time, will be absorbed by the planting associated with it. The B1113 has the effect of being slightly 'sunken' in places, so the mounding is arguably compatible with this. As the success of the planting on the new earth formations will be critical for the visual mitigation, a soil management condition might be prudent to ensure that the mounding is formed in the correct manner.*

*The 'LVIA' information provided is based on part of the submission for the outline permission and is not in itself an LVIA. I understand that the imager was originally submitted in response to the Parish Council, but I had noted to the agent that the images did not illustrate all the anticipated changes, including the mound and planting to the west of the B1113. This has now been addressed, though I question the optimism of the anticipated maturity of the planting at 10 years; whilst the visual effect of the planting is realistic for some point in the future, my experience is that it will take longer than 10 years to achieve it.*

- 5.28 In view of the above, it is considered that the strategic landscaping proposal are acceptable and that the proposed reserved matters development would not have an adverse impact on the surrounding landscape to a material degree. The proposal is considered to accord with policies DM4.5 and DM4.6 of the SNLP.
- 5.29 Policy DM 4.9 advises that the Council will promote the retention and conservation of significant trees, woodlands and traditional orchards.
- 5.30 Tree protection is proposed during construction for the remaining trees on site via a condition imposed on the outline planning permission. Therefore, the proposal is considered to comply with Policy DM4.9.

#### Ecology

- 5.31 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.
- 5.32 Due to the date of the original survey (2014/2015) the Ecologist requested that a re-visit to the site/ site walkover will be required by the applicant's ecologist to ensure the habitats/ conditions on the site have not changed, and that no signs of protected species using the site are evident. Condition 22 required as part of the first reserved matters that details of the Ecology Report including details of mitigation and enhancement measures were submitted.
- 5.33 The requisite details have been provided as part of this reserved matters and following additional information being provided the Council's Ecologist has raised no objections subject to the signing of a Unilateral Undertaking for offsite mitigation for skylarks plots and confirmation of the supervision of site clearance and installation of enhancements by an ecological clerk of works, to be provided before the reserved matters is determined, which is reflected in the recommendation.
- 5.34 Therefore, in respect of ecology and biodiversity, subject to the proposal would accord with Policy 1 and DM4.4.

#### Impact on Residential Amenity

- 5.35 Policy DM3.13 requires development to have regard to the impacts on residential amenity. Furthermore, Policy DM3.14 has regard to pollution and emissions in respect of air quality, water quality, land quality and condition and the health and safety of the public.



- 5.36 In respect of mitigating impacts of construction, the impacts from the operation of the proposed development from noise, lighting, dust, air quality, conditions were placed on the outline planning consent to ensure the development did not give rise to a situation detrimental to the amenities of nearby residential properties.
- 5.37 As part of each reserved matters, the application shall include an assessment of background and ambient noise levels in the area, is required to be submitted and agreed. The Environment Quality Team has assessed the report submitted and have raise no objections. The adjoining neighbours are located to the north of the site and this reserved matters is separated by intervening uses, which will be B1 office uses, in light of this, it is not considered that the proposed development would give rise to a situation detrimental to the amenities of the local residents. It is considered that the proposal accords with Policy DM3.13 and DM3.14 of the SNLP.

#### Drainage

- 5.38 JCS Policy 1 requires development to be located to minimise flood risk, mitigating any such risk through design and implementing sustainable drainage. Policy DM4.2 requires sustainable drainage measures to be fully integrated within the development to manage any surface water arising from the development proposals and to minimise the risk of flooding on the site and surrounding area. It advises that development must not cause any deterioration in water quality and measures to treat surface water runoff are to be included in the design of the drainage system.
- 5.39 Both the foul water and surface water drainage strategy for the whole site will be subject to discharge of conditions applications and therefore are not under consideration for the reserved matter application (the surface water drainage discharge of conditions application, however, has been submitted to run alongside the reserved matters applications to enable clarity and understanding to what has been proposed). The Lead Local Flood Authority initial asked for clarification, following the submission of these details they have raised no objections to the reserved matters application. As such the proposal is considered to accord with JCS Policy 1 and DM4.2.

#### Archaeology

- 5.40 Condition 18 required, the first Reserved Matters application to provide the results of a programme of informative archaeological investigations (trial trenching). The results of these investigations should then be used to inform the Layout of the development and any requirements for further archaeological mitigation if necessary. I can confirm that the results of the programme of informative archaeological investigations (trial trenching) have been submitted with this reserved matters application and prior to this, the trial trenching was carried out in accordance with the written scheme of investigation that was approved on 9th March 2020 via application reference 2020/0184. Part A of this condition has therefore been complied with. Therefore, the proposal accords with policy DM4.10 of the SNLP

#### Heritage assets

- 5.41 The setting of listed buildings requires consideration under policy DM4.10 and S66 of the Listed Buildings Act 1990.
- 5.42 There are no designated heritage assets including Listed Buildings, Conservation Areas, Scheduled monuments within the site. There are a number of Grade II Listed buildings in the vicinity of the site the majority of these are not deemed to be sensitive to the proposed development due to the distance, topography and intervening features (vegetation and buildings). There are two heritage assets namely the Church of All Saints and the remains of Church of All Saints (Grade II) which lie approximately 160m to the west of the site on the opposite side of the B1113.

- 5.43 The key issue for consideration in respect of heritage assets is therefore the impact of the proposal on the setting of the remains of Keswick Church and the new church, and the extent to which the site and proposals impact on their significance. Although the original church dates from the C12th, and parts of the round tower dates from C12, the church was heavily rebuilt and the tower restored in the C19 by the Gurney family; the chancel of the earlier church having been pulled down in 1597 is now in ruins. Hence, the heritage assets are grade II listed. Historic England defines setting as “the surroundings in which a heritage asset is experienced”. The asset sits in a wooded landscaped area surrounded by fields and this contributes to its significance. There is very limited intervisibility between the assets and the site. There would be a low degree of impact on the setting due to the distance between the church and the site, and the church would still be viewed within an isolated rural context. The B1113 lies between the site and has quite an impact, to the degree that from within the proposed site, any views, which may be only glimpsed at best, do not make a significant contribution to the setting of the asset. In light of the strategic landscaping proposed between the Church and the development under consideration, it is considered that the proposal would lead to a ‘less than substantial harm to the significance of the heritage asset’ and this harm has been weighed against the public benefits of the proposal. In this case there are significant public benefits in respect of the creation of employment and highway improvements that are considered to outweigh the identified level of harm. The proposal is therefore on balance considered to comply with Policy DM4.10 and fulfils the Council's duties in respect of S66 of the Listed Buildings Act 1990 having due regard to the desirability of preserving the building or its setting.

#### Other matters

#### Nutrient Neutrality Non-Overnight Accommodation Inside catchment

- 5.44 This application has been assessed against the conservation objectives for the protected habitats of the River Wensum Special Area of Conservation and the Broads Special Area of Conservation and Ramsar site concerning nutrient pollution in accordance with the Conservation of Species and Habitats Regulations 2017 (as amended) (Habitats Regulations). The Habitat Regulations require Local Planning Authorities to ensure that new development does not cause adverse impacts to the integrity of protected habitats such as the River Wensum or the Broads prior to granting planning permission. This site is located within the catchment area of one or more of these sites as identified by Natural England and as such the impact of the of the development must be assessed. The development proposed is commercial (B1, B2 and B8 use) and will not provide overnight accommodation and as such it is not likely to lead to a significant effect as it would not involve a net increase in population in the catchment and is not considered a high water use development. This application has been screened, using a precautionary approach, as is not likely to have a significant effect on the conservation objectives either alone or in combination with other projects and there is no requirement for additional information to be submitted to further assess the effects. The application can, with regards nutrient neutrality, be safely determined with regards the Conservation of Species Habitats Regulations 2017 (as amended).
- 5.45 Under Section 143 of the Localism Act the council is required to consider the impact on local finances. This can be a material consideration but in the instance of this application the other material planning considerations detailed above are of greater significance.
- 5.46 This application is liable for Community Infrastructure Levy (CIL).

**Conclusion**

- 5.47 The principle of the development has already been established by the grant of outline planning permission 2017/2794. The proposed reserved matters is 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; ecology; nor adversely affect the amenities of nearby residential properties. In view of the above, the proposal is considered to accord with policy, and I recommend that the application be approved.

Recommendation : Authorise the Assistant Director of Planning to approve subject to highway clarification regarding surface water drainage; completion of a Unilateral Undertaking for offsite mitigation for skylarks plots; and confirmation of supervision of site clearance and installation of enhancements by an ecological clerk of works

- 1 In accordance with outline consent
- 2 In accordance with submitted plans
- 3 Materials to accord with submitted details
- 4 Lighting design strategy for biodiversity

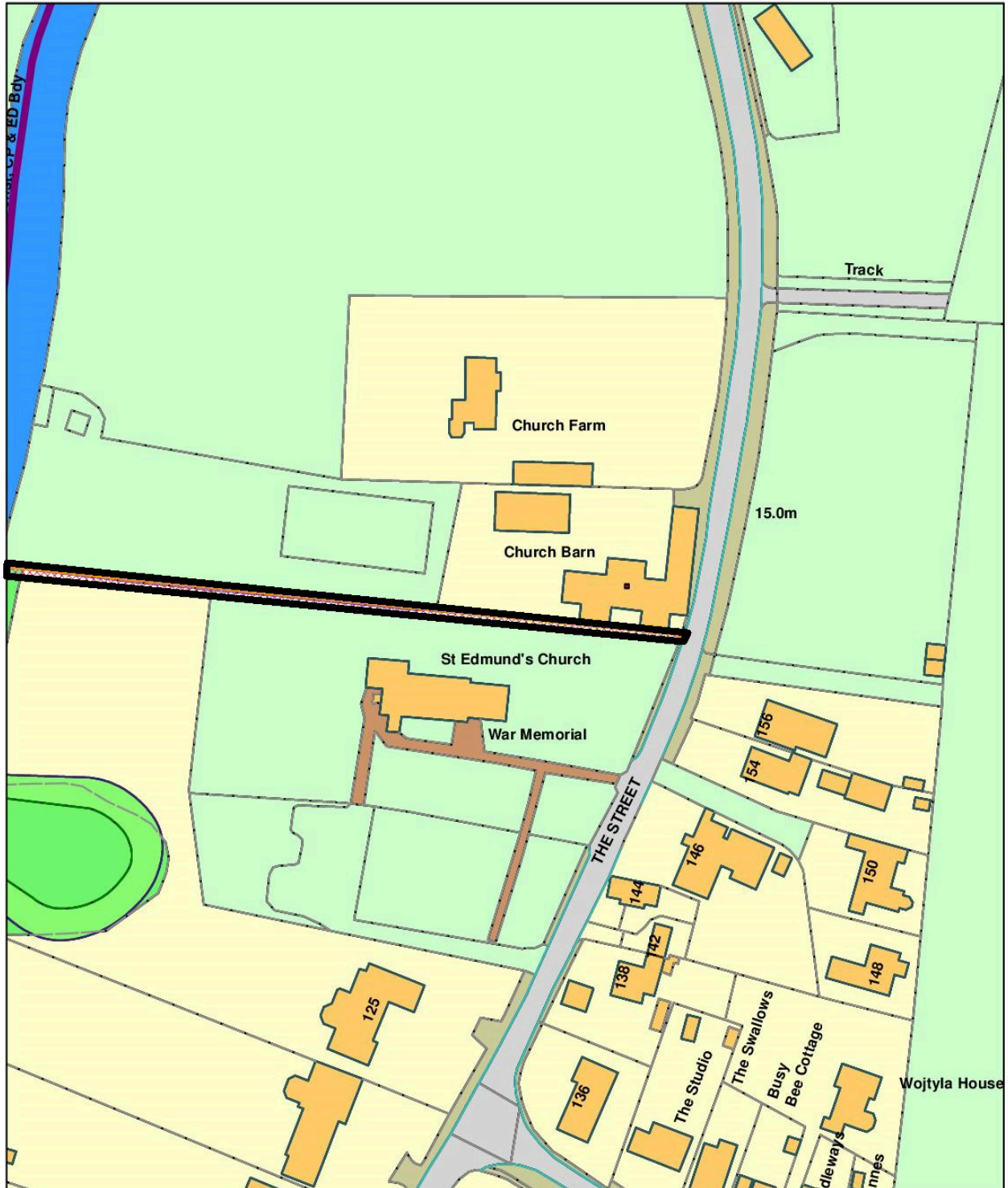
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## Applications 3 and 4

## Other Applications

2021/0740 and 2021/0741

Print Date: 20/06/2022



Scale 1:1,250

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

**3. Application No : 2021/0740/F**  
**Parish : COSTESSEY**

Applicant's Name: Mr & Mrs Trivedi  
Site Address Church Barn, The Street, Costessey, Norfolk NR8 5DG  
Proposal New boundary treatment between Church Barn and the Church of St Edmund comprising proposed Cedar horizontal boarding attached to existing red brick wall and retention of railway sleeper retaining wall and boarded fence at rear of barn.

Recommendation summary:

Approval with Conditions

**4. Application No : 2021/0741/LB**  
**Parish : COSTESSEY**

Applicant's Name: Mr & Mrs Trivedi  
Site Address Church Barn, The Street, Costessey, Norfolk NR8 5DG  
Proposal New boundary treatment between Church Barn and the Church of St Edmund comprising proposed Cedar horizontal boarding attached to existing red brick wall and retention of railway sleeper retaining wall and boarded fence at rear of barn

Recommendation summary:

Approval with Conditions

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.

**1 Proposal and site context**

- 1.1 The proposal is for new boundary treatment between the dwelling at Church Barn and the churchyard of St. Edmund's Church immediately to the south. This is to provide a greater degree of privacy for both Church Barn and those using the churchyard.
- 1.2 The applications were submitted following the erection of a close boarded timber fence within the churchyard.
- 1.3 Church Barn is a late 17<sup>th</sup> century timber frame grade II listed building with a timber boarded finish and clay pantile roof and has recently been converted to a dwelling. It is approximately 85m to the north of the development boundary that has been defined for Costessey and is within the Costessey conservation area. The southern boundary of the property extends down to the River Wensum where it touches on to the boundary of an SSSI centred around the river. There is a dwelling to the north of the property.
- 1.4 St. Edmund's Church is Grade I listed and within a traditional churchyard setting, the earliest parts of the building dating from the 13<sup>th</sup> century.

- 1.5 There is an existing 19<sup>th</sup> century or later red brick wall at the boundary between the church and Church Barn. Viewed from within the churchyard this comprises a higher section of wall around 1.3m which is attached to the barn and then a lower section approximately 0.9m which runs towards the rear of the churchyard. As the wall formed the boundary of the churchyard when the church was listed, it is covered by this same listing although is not of sufficient quality and age to be listed in its own right. Part of the lower section has been damaged and needs some minor rebuilding. The taller section of wall originally formed part of an outbuilding demolished many years ago.
- 1.6 There is no evidence currently on the site of any earlier flint/brick retaining wall between the two sites. It is understood from discussions with the Church Warden that there was a surviving part of a wall amongst the overgrown vegetation towards the rear part of the north boundary within the main church yard prior to works commencing to install the new retaining wall. It seems the wall structure was not complete. It is understood that the surviving wall structure only went as far as the rear boundary of the main church yard and did not extend further down to the lower church yard area. There was originally some estate metal fencing beyond the wall at the boundary of the lower church yard area.
- 1.7 Prior to submission of the application ground works were carried out by the applicant to allow for a new retaining wall which has been constructed using railway sleepers and metal posts.
- 1.8 The original application proposal was to replace the unauthorised close-boarded fence erected within the churchyard in 2019, with a revised scheme that removed the fence boarding but retained the timber fence posts at 1.8m intervals, joining them with metal wire in front of which a Yew hedge would be planted. A small section of boarded fence was to be retained where it is fixed directly behind Church Barn. This proposal was not considered acceptable due to legal issues regarding access on to the church land for maintenance of the new hedge, considered necessary to limit the impact of the post and wire fence on the setting of the church.
- 1.9 The proposal was then amended for new timber boarding that would be visible above the existing red brick wall from the church yard and for retention of the railway sleeper retaining wall (not included in the original submission). Horizontal Cedar fencing was also included to be fixed to the existing wall at the Church Barn side only. The proposal has been further amended to the current proposal omitting the timber boarding above the wall that would have been visible from the churchyard.

## 2. Relevant planning history

2.1	2018/1945	Conversion of Barn to Residential C3	Approved
2.2	2018/1946	Conversion of Barn to Residential C3	Approved
2.3	2018/2552	Discharge of condition 4 - repairs to the timber frame of the barn of permission 2018/1945	Approved
2.4	2019/0382	Conversion of outbuilding and erection of attached open garage.	Approved
2.5	2019/0966	Discharge of conditions 3 following 2018/1945 - external materials	Approved

2.6	2019/1955	Variation of condition 2 of 2019/0382 - to make provision for photo voltaic roof panels and air-source heating	Approved
2.7	2020/0450	Discharge of condition 5 from 2018/1945 - Hard surfacing materials and means of enclosure.	Approved
2.8	2020/1180	Outside Swimming Pool and Air-source Heat Pump	Approved
2.9	2020/1181	Outside Swimming Pool and Air-source Heat Pump	Approved

### 3 Planning Policies

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

NPPF 12 : Achieving well-designed places

NPPF 16 : Conserving and enhancing the historic environment

#### 3.2 Joint Core Strategy (JCS)

Policy 2 : Promoting good design

#### 3.3 South Norfolk Local Plan Development Management Policies Document

DM3.8 : Design Principles applying to all development

DM3.13 : Amenity, noise, quality of life

DM3.14 : Pollution, health & safety

DM4.10 : Heritage Assets

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

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

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

### 4. Consultations

#### First Consultation

#### 4.1 Costessey Town Council

It was noted that St Edmund's Church is a Grade I listed building and that English Heritage and the Conservation Officer have been involved. The proposed Yew hedge would end up being placed within the churchyard, rather than on the boundary.

#### 4.2 District Councillor

No comments received

#### 4.3 Historic England

If the boarded fence is proposed for the majority of the churchyard boundary (as under the previous application), we would maintain our objection due to the harmful impact on the significance of the listed building. However, we would be content to defer to the Council to determine the application if a hedge is proposed as on the submitted plan.

#### 4.4 Historic Environment Service

No known archaeological implications

#### 4.5 Other representations

Objections received:

The new hedging in front of the existing brick boundary wall would take up more area in the churchyard and is unnecessary as the height and condition of most of the wall is satisfactory and meets all the requirements listed in the planning application for the new fence. The exception is a few feet of wall to the West of the boundary which has been lowered as a result of tree damage and needs repair. Once repaired to the standard of the bulk of the wall the issues raised regarding security and privacy would be resolved. The need for new fencing/hedging would not be necessary. We have also had advice from the Diocesan Registrar - that any new boundary structure replacing the fence should be erected either on the existing boundary line or on Mr Trivedi's side of the boundary NOT on the church side of the boundary wall.

Immediate neighbour response - The purpose of the Norfolk red brick boundary wall was to retain the consecrated ground of the church yard. 57m of Grade I listed wall has been replaced with sub-standard wall using potentially toxic, railway sleepers; over time the timber sleepers would collapse, allowing the grave yard to wash out and spill out soil and including possibly the remains of the deceased onto the significantly lower level of the neighbouring property; the proposed treatment of the remaining sections would structurally weaken the existing wall as the wind loading on a timber fence could result in the remaining listed wall being pulled over; planting a live hedge beside the wall would eventually undermine the integrity of the wall, leading it to collapse; that the correct decision would be to repair the existing grade I listed wall to its original height 900mm above church graveyard's ground level, with old red brick. However, this should be the decision of the Heritage Officer, who is better placed to make and enforce any decision

Timber fence spoils intrinsic value of the area and erected on land that belongs to St Edmunds Church and on the wrong side of the existing wall. Wall is grade I listed and therefore should be repaired/replace with fence removed.

#### Second Consultation – Amended Proposal

#### 4.6 Costessey Town Council

Councillors expressed concerns that the integrity of the graveyard and the dignity of those buried there had been compromised, as it appeared that the developer had removed the existing Grade I churchyard curtilage brick wall, replacing it with old sleepers on the boundary and also with a close board fence, which was unacceptable to the Heritage Officer, and with a hedge - both actually within the curtilage of the churchyard. Old sleepers would contain toxic chemicals, which could leach out and possibly poison the hedge.

Town Council broadly supports reasons for objection as put forward by the immediate neighbour in response to the first consultation (see their comment above).



4.7 District Councillor  
Cllr S Blundell

Applications to be put before Development Management Committee on the grounds of materials used in this application. The modern-day sleepers are not appropriate and are totally out of character for a conservation area and therefore a new wall should be built. St Edmunds Church is a grade I listed building, which included the wall.

4.8 Historic England

The proposal to repair and rebuild the boundary wall is welcome as this is by far the most suitable form of boundary treatment for the churchyard. The use of boarded panels and railway sleepers as the retaining structure on the north side (facing the converted barn) is not ideal, but providing it is not prominent in views from the churchyard I would agree this is an acceptable alternative to the original proposal. I am very much of the view that the best outcome would be to have the brick wall stand to the full height all along the boundary but would not wish to object to this amendment and am content for the Council to determine the applications.

4.9 Parochial Church Council

Boarded fence fixed to barn is on church land; sleepers could be more evenly stepped; complete brick wall rather than using boarding would last longer.

4.10 Norfolk Wildlife Trust

No comments received.

4.11 NCC Ecologist

No comments received

4.12 Natural England

No comments received

4.13 Other representations

Local resident and neighbour objections – Drawings perhaps not accurate with regard to height of existing wall and proposed finished wall with vertical boarding. Grade I listed wall has been demolished to build wall with railway sleepers; application should be resubmitted with accurate drawings; proposal is still on church land; some works have already been carried out to the existing wall to a poor standard.

5 Assessment

Key considerations

5.1 Design, heritage assets and pollution, health & safety

Principle

5.2 The principle of carrying out alterations to a listed building or curtilage listed building or structure is acceptable under policies in the National Planning Policy Framework (NPPF) and Development Management Local Plan Policies regarding design and heritage assets subject to an assessment of the impact of proposals on the special interest of the listed building and/or its setting.

## Design &amp; Heritage Assets

- 5.3 The key considerations here are the removal of historic fabric to make way for the new railway sleeper retaining wall; the impact of the sleeper retaining wall and horizontal Cedar boarding on the setting of designated heritage assets.
- 5.4 There is no surviving evidence on the site or in any historic photographs or documentation indicating exactly what survived of an earlier wall and estate fencing where the railway sleeper retaining wall now stands. Whatever remained of a wall seems not to have been a complete structure and was also hidden by heavily overgrown vegetation/trees. Therefore, to what degree any surviving section of wall contributed to the significance of the churchyard cannot be quantified. With this being the case and taking into consideration the more important views of the church are from the east and south sides, it is considered reasonable to give consideration to an alternative boundary treatment against current heritage and design policies.
- 5.5 Certainly, the railway sleeper retaining wall is not characteristic feature of historic churchyards. However, from the church side it is visible more towards the rear of the main churchyard where the land slopes downward and being at a relatively low height and constructed in timber with a dark colour finish, it is considered not so noticeable that it detracts from the historic character of the churchyard setting. The tops of the steel posts do however need to be cut so that they sit just below the top of the railway sleepers, as is indicated on the proposed drawing details. The low height of the retaining wall still retains the more distant attractive views of the countryside beyond the churchyard. With the barn converted to a dwelling, the important public views of the church site are from the road and south side and not from the north.
- 5.6 The existing red brick wall, although curtilage listed, does not represent important historic fabric on the church site and has a soldier course coping that is a 20<sup>th</sup> century detail. A brick wall extending along the whole length of the boundary between the church and Church Barn would be a more characteristic feature and the preferred option, as has been pointed out by Historic England. However, taking into consideration what may or may not have existed of an earlier wall together with the contribution the existing later red brick wall makes to the significance of the church site, it is considered that the completed sleeper wall overall has a neutral appearance that is not out of keeping with the rural setting and which does not result in harm to the setting of both St Edmunds Church and Church Barn or result in harm to the character of the conservation area.
- 5.7 From the Church Barn side, the proposed horizontal Cedar boarding in some ways has a less traditional appearance with perhaps a more contemporary feel compared with the traditional brick finish of the existing wall. When viewed in the context of the existing barn conversion, its traditional timber finish should allow it to sit comfortably on the Church Barn site without impacting on the more important views of the St. Edmund's Church.
- 5.8 For the reasons explained above, in light of the requirements of sections 16, 66 and 72 of the Act it is considered that, with some minor alterations controlled by condition, the proposal is considered sufficiently sympathetic in its appearance so as not to harm heritage assets. It therefore it accords with national and local plan policies regarding design and heritage assets

## Neighbour Amenity

- 5.9 No objections have been received on the grounds of negative impact on neighbour amenity. Due to the location, scale and nature of the works, it is considered that the proposal will not result in any unacceptable level of harm to neighbour amenity and therefore it accords with policy DM3.13 of the Local Plan 2015.

## Ecology

- 5.10 No comments have been received from Natural England or the County Council's Ecologist from the formal consultations. Both the completed and proposed works are some distance away from the boundary of the SSSI and due to the nature and scale of the proposal, it is considered that there is no significant risk to important and protected wildlife/ecology.
- 5.11 This application has been assessed against the conservation objectives for the protected habitats of the River Wensum Special Area of Conservation and the Broads Special Area of Conservation and Ramsar site concerning nutrient pollution in accordance with the Conservation of Species and Habitats Regulations 2017 (as amended) (Habitats Regulations). The Habitat Regulations require Local Planning Authorities to ensure that new development does not cause adverse impacts to the integrity of protected habitats such as the River Wensum or the Broads prior to granting planning permission. This site is located within the catchment area of one or more of these sites as identified by Natural England and as such the impact of the of the development must be assessed. The development proposed does not involve the creation of additional overnight accommodation and as such it is not likely to lead to a significant effect as it would not involve a net increase in population in the catchment and is not considered a high water use development. This application has been screened, using a precautionary approach, as is not likely to have a significant effect on the conservation objectives either alone or in combination with other projects and there is no requirement for additional information to be submitted to further assess the effects. The application can, with regards nutrient neutrality, be safely determined with regards the Conservation of Species Habitats Regulations 2017 (as amended).

## Responses to Objections

- 5.12 The use of railways sleepers has been discussed with the Environmental Protection Officer. They have advised that due to the low-level amount of any harmful toxins that might be in the railways sleepers and time it would take for these to be passed into the surrounding ground, there is no unacceptable level of risk to anyone using the churchyard or Church Barn site. Railway sleepers are used as boundaries/walls in many domestic gardens. It is therefore considered that the proposal accords with policy DM3.14 of the Local Plan 2015.
- 5.13 The digging up of some isolated pieces of human remains has been mentioned in objections to the proposal. In planning terms, no formal permission was required for the removal soil from the applicant's side, and this may have included some human remains due to the close proximity of the churchyard. However, the removal of human remains is covered under legislation separate to planning. It is understood that the police have been informed about this and that the matter has not been taken any further.
- 5.14 It has been mentioned that some work has been carried out to the existing wall to a poor standard. The completed works have been inspected and provide an acceptable appearance.
- 5.15 As the existing brick wall is no longer to be extended in height with timber boarding there are no issues with regard to additional wind loading on the structure.
- 5.16 Issues relating to hedge planting are no longer relevant as this no longer forms part of the proposal.
- 5.17 The drawings are considered sufficiently accurate to represent what is proposed
- 5.18 The railway sleeper retaining wall steps down along the slope of the land in an irregular way but it is not considered that this has a detrimental impact on its appearance to make it necessary to provide a more uniform appearance.

- 5.19 The Parochial Church Council have not objected to the proposal but have commented that the boarded fencing installed directly to the rear of the main barn is on church land. Whilst this may or may not be the case the location of the exact boundary between two properties on such a small area of land is not a material consideration for these applications, the church having been made aware of the applications. Should the proposal be approved, there may be other legislation separate to planning that prevent the fencing from being retained at its current location. The same applies to two small pieces of land the boarded fencing encloses at the rear of the barn, which an objector has commented are not in the ownership of the applicant. It is understood these are not owned by the church and that there is no record of anyone else having an interest in this land.

#### Other Issues

- 5.20 Under Section 143 of the Localism Act the council is required to consider the impact on local finances. This can be a material consideration but in the instance of this application the other material planning considerations detailed above are of greater significance.
- 5.21 This application is not liable for Community Infrastructure Levy.

#### Conclusion

- 5.22 Whilst this proposal creates a boundary structure that provides a different appearance to that which was previously in place, for the reasons explained above it is considered that it will not result in harm heritage assets or result in any significant harm to wildlife and the ecology of the area, residential amenity or the character and appearance of the surrounding area. The applications accord with the policy guidance in the NPPF regarding heritage assets together with the relevant policies of the development plan and are therefore recommended for approval.

Recommendation  
2021/0740:

Approval with Conditions

- 1 Full Planning permission time limit
- 2 In accordance with submitted details
- 3 Sleeper wall metal posts

Recommendation  
2021/0741:

Approval with Conditions

- 1 Listed building time limit
- 2 In accordance with submitted details
- 3 Cedar boarded finish

Contact Officer  
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**Item 7: Planning Appeals****Appeals received from 18 June 2022 to 14 July 2022**

<b>Ref</b>	<b>Parish / Site</b>	<b>Appellant</b>	<b>Proposal</b>	<b>Decision Maker</b>	<b>Final Decision</b>
2021/1525	Tharston & Hapton 11 Bee Orchid Way Tharston NR15 2ZS	Mr Dan Jillings	Poplar T4 and Poplar T5 - fell trees	Delegated	Refusal
2021/0516	Aslacton Western Farm Plantation Road Aslacton NR15 2ER	Mr Tom Pearson	Provision of 10 tied caravans to provide workers accommodation ancillary to specialist poultry transport depot	Delegated	Refusal
2021/0489	Surlingham Builders Store Beerlicks Loke Surlingham Norfolk NR14 7AJ	Mr S Hall	Outline planning application for demolition of existing buildings and erection of three dwellings with associated access.	Delegated	Refusal
2022/0244	5 Bee Orchid Way Tharston Norfolk NR15 2ZS	Mrs G Wellstead	Poplar (T6 & T7) - fell	Delegated	Refusal

**Planning Appeals****Appeals decisions from 18 June 2022 to 14 July 2022**

<b>Ref</b>	<b>Parish / Site</b>	<b>Appellant</b>	<b>Proposal</b>	<b>Decision Maker</b>	<b>Final Decision</b>	<b>Appeal Decision</b>
2021/1892	Little Melton Land north of Westside Burnthouse Lane Little Melton Norfolk	Mr Patrick Nappin	Erection of 2 no. detached single storey dwellings, garaging and all associated works (resubmission of 2021/0342)	Delegated	Refusal	Appeal dismissed