

## Agenda Item 4

# DEVELOPMENT MANAGEMENT COMMITTEE

**Minutes of a meeting of the Development Management Committee of South Norfolk District Council, held on 21 September 2022 at 10am.**

**Committee Members Present:** Councillors: V Thomson (Chairman), D Bills (Items 2-6), J Halls, T Holden (Items 2-6), C Hudson, T Laidlaw and L Neal (Items 2-6).

**Apologies:** Councillors: F Ellis (with J Easter appointed substitute for items 1,2,4,5 &6) and G Minshall.

**Officers in Attendance:** The Development Manager (T Lincoln) and the Area Team Manager (G Beaumont), the Principal Planning Officers (T Barker & P Kerrison) and the Community Enforcement Officer (M Siddall)

11 members of the public were also in attendance

## 629 DECLARATIONS OF INTEREST

Application	Parish	Councillor	Declaration
2021/2766/F (Item 1)	BAWBURGH	L Neal	Local Planning Code of Practice As a Cabinet Member, Cllr Neal left the room while this application was considered
		D Bills	Local Planning Code of Practice Chairman of the People and Communities Committee which considered a report containing details on the site, Cllr Bills left room while this

		T Holden	<p>application was considered.</p> <p>Local Planning Code of Practice A Member of the People and Communities Committee which considered a report containing details on the site, Cllr Holden left room while this application was considered</p>
<b>2020/1920/F (Item 2)</b>	<b>FLORDON</b>	J Halls & T Laidlaw	Local Planning Code of Practice Lobbied by a Supporter
<b>2022/0530/F (Item 3)</b>	<b>SHELFANGER</b>	<p>All</p> <p>J Easter</p>	<p>Local Planning Code of Practice Lobbied by an Objector</p> <p>Other Interest As Local Member, Cllr Easter chose to step down from the Committee and speak solely as Local Member on the application</p>
<b>2022/0533/H (Item 4)</b>	<b>CAISTER ST EDMUND &amp; BIXLEY</b>	L Neal	Other Interest Local Member for Caister St Edmund and Bixley
<b>2022/1166/A (Item 6)</b>	<b>MULBARTON</b>	All	Local Planning Code of Practice Lobbied by an Objector

## 630 MINUTES

The minutes of the meeting of the Development Management Committee held on 24 August 2022 were confirmed as a correct record.

## **631 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>2020/1920/F</b>	<b>FLORDON</b>	T Webster – Parish Council J Barbuk – Agent Cllr N Legg – Local Member Cllr I Spratt – Local Member
<b>2022/0530/F</b>	<b>SHELFANGER</b>	Shelfanger Parish Council – Written representation L Brewer – Agent Cllr J Easter – Local Member
<b>2022/0533/H</b>	<b>CAISTER ST EDMUND &amp; BIXLEY</b>	L Biham – Applicant
<b>2022/1166/A</b>	<b>MULBARTON</b>	D Aldous – Objector Cllr N Legg – Local Member

The Committee made the decisions indicated in Appendix B of the minutes, conditions of approval or reasons for refusal of planning permission as determined by the Committee being in summary form only and subject to the final determination of the Director of Place.

## **632 PLANNING APPEALS**

The Committee noted the planning appeals.

(The meeting concluded at 12:55pm)

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Chairman

**Updates for DEVELOPMENT MANAGEMENT COMMITTEE**  
**– 21 SEPTEMBER 2022**

<b>Item</b>	<b>Updates</b>	<b>Page No</b>
1. 2021/2766	No updates.	16
2. 2021/1920	<p>SNC Housing Enabling Officer – disappointed but accepts that it is not viable to provide affordable housing and therefore raises no objection</p> <p>Two further letters of objection</p> <ul style="list-style-type: none"> <li>- Inability to provide affordable housing is another reason for refusal</li> <li>- Need affordable houses not a village green when we have a fantastic common</li> </ul>	21
3. 2022/0530	Representation attached from Shelfanger Parish Council.	32
4. 2022/0533	<p>Recent nearby appeal decision attached – has been used to guide officer recommendation.</p> <p>Approximate Dimensions of cart lodge are confirmed as follows:  Height (Ridge):3.4m  Height (Eaves):2.4m  Width:6.6m  Depth:5.5m</p>	41
5. 2022/1098	<p>To amend recommendation to</p> <p><i>“Delegate authority to approve subject to a Unilateral undertaking in relation to a GIRAMS payment”</i></p> <p>as this has not been secured in advance of the meeting.</p>	46
6. 2022/1166	No updates	53

## **Appendix 1 Statement from Shelfanger Parish Council**

In December 2020 there was a catastrophic flood in Shelfanger, just 2 days before Christmas, 17 properties flooded, 6 cars and 50+ people's lives devastated by the flood. Their property blighted, millions of pounds lost from their property values, huge insurance claims and the real possibility of never being able to sell their property with a history and a constant threat of further flooding.

In the aftermath and after a considerable length of time, a report was produced by the Norfolk Strategic Flooding Alliance and in that report, Chair Lord Dannatt stated and I quote "But local preparedness and planning is only part of what's needed: we will also be making the case to the government that the Planning system needs to recognise the importance of ensuring that development does not exacerbate the risk of flooding, either to existing residents and businesses or new ones. Addressing flooding and flood risk is something that needs coherent action from the parish level right up to the government."

Lord Dannatt is also concerned that this site will exacerbate the already serious flooding issues in the village. The planning department, rather than working together and recognising these problems continue quoting very low flooding risk from diagrams and reports that are woefully out of date.

It is easy to understand that when flooding occurs surface water runs off the fields adjacent to this site and because there are absolutely no drainage measures in place on the site or adequate drainage on the highway, surface water runs down the road in a torrent, even the ditches surrounding the site were explained in the ecology report as shallow, where they have not been maintained properly, which is another area of concern when riparian owners fail to do essential maintenance. A neighbouring property, the Old Chapel has flooded twice in recent years due to surface flooding. The property is directly downhill from this site and further development will certainly make things worse, even though this property too is reportedly in a very low risk of surface flooding zone! This whole area sits on a layer of clay which compounds these issues.

Considering the information that has come to light in this revised planning application the Parish Council would like the original type Q application and this application to be refused. Taking into account there are 17 conditions recommended by Planning proves that this site is totally ill conceived and not viable. Why build beyond the development boundary of the village using a loophole and risk condemning our villagers to further misery!

## Appeal Decision

Site visit made on 14 July 2022

by Andrew Dale BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17TH August 2022

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Appeal Ref: APP/L2630/D/22/3300078

32 The Street, Poringland, Norwich NR14 7JT

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by Mr James Trett against the decision of South Norfolk District Council.
  - The application ref. 2022/0471, dated 2 March 2022, was refused by notice dated 11 May 2022.
  - The development proposed is "The erection of a wooden framed cart shed in the ample front garden upon the area that is currently shingled. It will be sympathetic to the **property and the surrounding views.**"
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### Decision

1. The appeal is dismissed.

### Preliminary matter

2. An unnumbered plan without a scale showing visual perspectives of a new cart shed or cart lodge was submitted **with the Council's questionnaire but this** drawing did not appear in the list of plans (drawing nos 01/01 and 01/02) submitted with the application. The hipped roof shown on the visual perspectives is wholly different to the pitched roof depicted on those 2 main scaled plans which a builder would need to follow for construction purposes. For these reasons, I have disregarded the visual perspectives drawing.

### Main issues

3. The main issues in this appeal are the effects of the proposed cart lodge upon the character and appearance of the area and upon the living conditions of the occupants of the neighbouring property at 30 The Street with particular regard to the potential for overbearing and overshadowing impacts.

### Reasons

4. The appeal property is a sizeable, detached two-storey house. It is set well back from the western side of The Street which is part of a relatively busy B-road which progresses north-south through the settlement of Poringland.
  5. The large, wide front garden, where the cart lodge would be erected, has an open appearance and is mainly given over to various types of hard surfacing. The new single-storey cart lodge would be 6.85 m wide by 6.32 m deep and provide 2 covered vehicle parking spaces. It would have a fairly tall pitched roof which would overhang all sides of the building.
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6. I did not observe any other detached garages, cart lodges or outbuildings in the front gardens of any of the neighbouring properties in the vicinity of the appeal site. Although many of the other properties do have garages, these tend to be integral garages or ones that are set back from or to the side of their respective dwellings. I have no details about the planning history of the **detached garage in the front garden of no. 19A, shown in one of the appellant's** photographs. It appears to be of some age, stands directly behind thick and tall roadside hedging and is a notable distance away from the appeal site on the opposite side of the road. It has little relevance to the development proposed in the subject appeal which I have assessed on its own merits.
7. There are hedges and shrubs to some of the plot boundaries nearby and groups of tall trees can be found at no. 20 some distance to the north and in front of no. 34 to the south. In some views this vegetation, when in full leaf, would go some way to screening the proposed cart lodge. However, given its location well in advance of the host dwelling and its height and size and the generous width of the open front garden, the new cart lodge would still be readily apparent in views from both sides of The Street, especially on the approach to the site from the south. Even with a building design that is not unattractive, existing vegetation retained and additional planting being undertaken, it would stand out as a prominent, dominant and somewhat isolated building in this section of the road.
8. I consider that the proposed cart lodge would be a visually incongruous addition to the front garden and the street scene by failing to have regard to the wider setting of the buildings hereabouts and by detracting from the spacious quality at the front of this dwelling, which makes a positive contribution to the distinctive character of this particular locality.
9. I find on the first main issue that the proposed cart lodge would cause material harm to the character and appearance of the area. This would run contrary to the aims of Policies DM 3.4 and DM 3.8 of the South Norfolk Local Plan Development Management Policies Document (LP) and Policy 14 of the Poringland Neighbourhood Plan, particularly where they seek to ensure that new development will protect or enhance the local character, appearance and context and will be of high quality design.
10. The proposed cart lodge would lie to the east and south-east of the house at no. 30 which has a similar building line to no. 32. It would be sufficiently close to this neighbouring property to be of concern. By virtue of the orientation some degree of overshadowing of the front garden and the nearest wide ground floor front window at no. 30 would occur in the mornings, especially during those times of the year when the sun is lower in the sky. Its roof would be clearly visible in views from this neighbouring habitable room window above the hedge growing along the common boundary. In my view, it would curtail the outlook from that window to an unreasonable extent and appear overbearing. Landscaping of equal or greater height could be planted in the same position but such natural features rarely have impacts that are comparable to a permanent and physical new building.
11. I find on the second main issue that the proposed cart lodge would cause material harm to the living conditions of the occupants of the neighbouring property at 30 The Street with particular regard to the potential for overbearing

and overshadowing impacts. This would be contrary to LP Policy DM 3.13 which explains that planning permission will be refused where proposed development would lead to an excessive or unreasonable impact on existing neighbouring occupants.

12. There is conflict with the development plan. Good design is also a cornerstone of the National Planning Policy Framework. This would not be achieved. The harm cannot be mitigated by the imposition of conditions and it is not outweighed by other considerations, including the acceptable arrangements for private amenity space, parking and access. For the reasons given above and taking into account all other matters raised and the absence of objections from the Parish Council, the Highway Authority and local residents, I conclude that this appeal should not succeed.

*Andrew Dale*

INSPECTOR



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

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

**Applications submitted by South Norfolk Council**

1. **Appl. No** : **2021/2766/F**  
**Parish** : **BAWBURGH**  
Applicant's Name : Ms Gina Hopkinson, South Norfolk Council  
Site Address : Land off Long Lane Bawburgh Norfolk  
Proposal : Alterations to the existing site to create a safe and appropriate short-term tenancy for the travelling community.  
Decision : Members voted 5-0 for approval

Approved with Conditions

- 1 Time Limit
- 2 Submitted drawings
- 3 Highways Gating Order

**Other applications**

2. **Appl. No** : **2020/1920/F**  
**Parish** : **FLORDON**  
Applicant's Name : Mrs Pat London  
Site Address : Land North of The Street Flordon Norfolk  
Proposal : Erection of 9 houses and bungalows to include public green and toddler play park with nature trail  
Decision : Members voted 5-3 (contrary to Officer's recommendation for refusal which was lost 3-5) to Authorise Assistant Director of Planning to grant planning permission subject to nutrient neutrality and GIRAMS.

Reasons for overturning officer recommendation

Local housing benefit, open space, and improved access to the church.

3. **Appl. No** : **2022/0530/F**  
**Parish** : **SHELFANGER**  
Applicant's Name : Mr and Mrs Peacock  
Site Address : Agricultural building west of Diss Road Shelfanger Norfolk  
Proposal : Demolition of existing poultry unit and erection of five new dwellings, associated car ports and hardstanding.  
Decision : Members voted 7-0 for Approval subject to the submission of a satisfactory Unilateral Undertaking relating to payment of GIRAMS

Approval with Conditions

- 1 Time Limit - Full Permission
- 2 In accordance with submitted drawings
- 3 External materials to be agreed
- 4 Contaminated land - investigation
- 5 Implementation of remediation scheme
- 6 Contaminated land during construction
- 7 Details of surface water drainage to be submitted
- 8 Details of foul water drainage to be submitted
- 9 Landscaping scheme
- 10 Tree protection
- 11 Submission of biodiversity method statement
- 12 Details of external lighting
- 13 Visibility splays
- 14 Access Gates - Configuration
- 15 Provision of parking
- 16 Water efficiency
- 17 Any necessary conditions recommended by Natural England if appropriate

4. **Appl. No** : **2022/0533/H**  
**Parish** : **CAISTER ST EDMUND & BIXLEY**  
Applicant's Name : Mr Lewis Bilham  
Site Address : 55 Caistor Lane Caistor St Edmund Norfolk NR14 8RB  
Proposal : Erection of cart lodge to front of dwelling  
Decision : Members voted 5-3 for Approval (contrary to Officer's recommendation for refusal which was lost 3-5)

Approved with Conditions

- 1 Limited height
- 2 Materials
- 3 Tree Protection works- recommencement

Reason for overturning officer recommendation

Members felt the cart lodge did not impact on the local street scene.

5. **Appl. No** : **2022/1098/F**  
**Parish** : **BROOKE**  
Applicant's Name : Mrs Emma Joyce  
Site Address : 11 The Street Brooke Norfolk NR15 1JW  
Proposal : Change of use from use Class E (commercial hair salon) to use class C3 (residential dwelling) with single storey side extension  
  
Decision : Members voted unanimously to Authorise Assistant Director of Planning to grant planning permission subject to the submission of a satisfactory Unilateral Undertaking relating to payment of GIRAMS.

1 Time Limit - Full Permission  
2 In accordance with submitted drawings  
3 Materials  
4 Tree protection  
5 Provision of parking  
6 New Water efficiency  
7 Foul drainage to main sewer  
8 No PD for Classes ABCDE & G

6. **Appl. No** : **2022/1166/A**  
**Parish** : **MULBARTON**  
Applicant's Name : Ms Sophie Mead  
Site Address : Co-Op Supermarket, Cuckoofield Lane, Mulbarton, Norfolk, NR14 8BA  
Proposal : 2 x halo illuminated signs, 1 x non-illuminated fascia sign and 2 x nonilluminated totem panels (retrospective permission)  
Decision : Members voted unanimously for approval

Approved with Conditions

1 1-5 Standard Advertisement Conditions  
2 In accordance with submitted drawings  
3 Hours of use  
4 Illumination limits