

Agenda Item 4

DEVELOPMENT MANAGEMENT COMMITTEE

Minutes of a meeting of the Development Management Committee of South Norfolk District Council, held on 16 November 2022 at 10am.

Committee Members Present: Councillors: V Thomson (Chairman), D Bills, F Ellis (for items 1,2,4,5 & 6), J Halls, T Holden, C Hudson, T Laidlaw, L Neal and G Minshull.

Officers in Attendance: The Assistant Director for Planning (H Mellors) and the Area Planning Managers (G Beaumont, C Curtis & S Everard), the Principal Planning Officers (H Bowman & T Barker) and the Democratic Services Officer (L Arthurton)

23 members of the public were also in attendance

637 DECLARATIONS OF INTEREST

Application	Parish	Councillor	Declaration
2021/2764/F (Item 1)	SPOONER ROW	J Halls	Other Interest Local Member
		J Halls	Local Planning Code of Practice Lobbied by the Applicant
2022/1083/F (Item 2)	HOWE	All	Local Planning Code of Practice Lobbied by the Applicant
		F Ellis	Other Interest As Local Member, Cllr Ellis chose to step down from the Committee and speak

			solely as Local Member on the application
2022/1084/O	WYMONDHAM (Item 3)	T Holden	Other interest Local Member and known to the applicant.
		J Halls	Other interest A member of Wymondham Town Council
2022/1118/CU (Item 4)	STARSTON	C Hudson	Other interest Local member
		C Hudson	Local Planning Code of Practice Lobbied by the Applicant
2022/1417/H (Item 5)	HEMPNALL	All	Local Planning Code of Practice Lobbied by an Objector

638 MINUTES

The minutes of the meeting of the Development Management Committee held on 21 September 2022 were confirmed as a correct record.

639 PLANNING APPLICATIONS AND OTHER DEVELOPMENT CONTROL MATTERS

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

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

Application	Parish	Speakers
2021/2764/F	SPOONER ROW	R Ashton – Applicant
2022/1083/F	HOWE	C Magrath – Applicant J Venning – Agent Cllr F Ellis – Local Member
2022/1084/O	WYMONDHAM	Cllr S Nuri-Nixon– Town Council M Thomson – Agent Cllr J Hornby – Local Member
2022/1118/CU	STARSTON	K O’Keeffe – Parish Council S Hendry – Applicant Cllr M Wilby – Local Member
2022/1417/H	HEMPNALL	A Driver – Parish Council (written Representation) D Hook – Objector H Rose – Objector Cllr M Edney – Local Member
2022/1548/F	CARLETON RODE	O Jones – Agent C Furness – 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.

640 PLANNING APPEALS

The Committee noted the planning appeals.

(The meeting concluded at 13:20pm)

Chairman

Updates for DEVELOPMENT MANAGEMENT COMMITTEE
– 16 November 2022

Item	Updates	Page No
1 - 2021/2764	Additional condition proposed for inclusion: Details of method of foul water disposal to be submitted for approval.	14
2 – 2022/1083	No Updates	25
3 – 2022/1084	<p>Consultee Comment – Cllr Dearnley and Cllr Hardy</p> <p>Object to the development on the following terms:</p> <ul style="list-style-type: none"> • Policy DM4.7 of the South Norfolk Development Management policies protects the openness of the strategic gap between Hethersett and Wymondham to ensure these two settlements do not converge in the face of substantial housing growth in these areas and it carries substantial planning weight against an approval. Landscape character area, itself protected under policy DM4.5. • We must ensure that the substantial planning weight of policy DM4.7 is applied in full by all decision makers - whether planning officers under delegated authority or planning committees when called in - when determining planning applications. It is one of the most important planning policies we have carrying the most planning weight, preventing as it does Hethersett merging with Wymondham which would undermine our separate identities which we must guard against at all costs. • Whilst the provision of a dental surgery would be welcome, there is a distinct lack of dentists nationally to occupy such surgeries, and the provision of just 5 homes with a dental surgery in no way offsets the substantial harm housing development would have in the strategic gap and this protected landscape area. <p>Additional information submitted by the applicant. Officer comments included below in <i>italics</i></p> <ul style="list-style-type: none"> • Strategic gap analysis – This has considered appeal decision APP/L2630/W/15/3007004. This was 	33

	<p>allowed within the strategic Gap. Evidence has also been provided to show lack of visibility of the site within the gap.</p> <ul style="list-style-type: none"> Assessment of alternative sites for a dentist surgery -Two alternative sites were shown within the development boundary which had been dismissed as unsuitable. <p><i>Limited evidence has been provided as to the reason why the sites were discounted. The land is available within the defined development boundary for E class use and would represent a suitable alternative.</i></p> <ul style="list-style-type: none"> Bunwell appeal decision relating to Nutrient Neutrality <p><i>The appeal decision allows for nutrient neutrality mitigation to be provided through a discharge of condition application as opposed to being required in advance of the determination. It should be noted that a number of other appeal decisions have been received which have concluded that the nutrient neutrality mitigation is needed in advance of a decision being taken. At this stage the reason for refusal is considered to remain appropriate.</i></p> <p>Officer Comments – Consideration has been given to the updated information. Whilst additional information has been submitted this is not considered to overcome the reasons for refusal as set out within the report.</p>	
4 – 2022/1118	No updates	45
5 – 2022/1417	Lobbying letter has been received and circulated to all members of the committee	50
6 – 2022/1548	<p><u>Further comments from the applicant</u></p> <p>Note that they can amend the layout to address issues raised by the Highway Authority.</p> <p><u>Officer's comments</u> – noted. If these details are provided then the third reason for refusal in the report recommendation can be deleted.</p> <p><u>Comments from SNC Ecology Officer:</u></p>	56

	<p>Further information required on Nutrient Neutrality mitigation:</p> <p>The application will need to provide a shadow HRA which demonstrates how the proposal will be nutrient neutral, with what has been submitted is not detailed enough to satisfy this.</p> <p>The proposed Package Treatment Plan is unlikely to be accepted by Natural England due to the need for ongoing dosing and management of the dosing system. It is also not clear whether the reed beds will form part of the mitigation strategy and how this would be secured.</p> <p>Further Issues with the ecological survey:</p> <p>10 ponds and one drain are present within a 250m radius of the site. No pond surveys were undertaken as access was not obtained. The closest pond is 47m from the site. The desk top study revealed that one pond, P6, had great crested newts in 2014.</p> <p>Suitable terrestrial habitat (rough grassland and hibernacula) exists within the site margins. The report notes <i>'the site may be used by individuals commuting between ponds, if present in these features'</i> and <i>'The rough marginal grassland provides some connectivity but the small area of suitable habitat and regular site disturbance through mowing and grazing would suggest that great crested newts are unlikely to be using the site for foraging'</i>. Please note the activities of 'foraging' and 'commuting' are not distinct from each other i.e. GCN will feed on worms, snails and spiders when foraging or commuting between or too ponds.</p> <p>The loss of 0.39 ha of land (terrestrial habitat) within 100m from any breeding ponds (worst case scenario in the absence of surveys) would be likely to result in an offence under the Conservation of Habitats and Species Regulations 2017 and/or Wildlife and Countryside Act 1981.</p> <p>The application site is also located within an amber zone for great crested newts (<i>amber zones contain suitable habitat and GCN are likely to be present</i>).</p> <p>Additional land would be required to satisfy Highway's recommendation for a footpath between the site and Rode Lane (NCC, 22/09/22).</p>	
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	<p>For the reasons above and in the absence of pond surveys I am not satisfied that there are sufficient grounds for discounting impacts on GCN and further information is required.</p> <p><u>Officer comments</u> – additional reason for refusal proposed in regard to the potential impact on protected species:</p> <p><i>Insufficient information has been provided to demonstrate that the proposed scheme would not have an adverse impact on protected species and in particular in regard to great crested newts.</i></p> <p>Further Neighbour Comment:</p> <ul style="list-style-type: none"> • Notes that the qualification statement suggests the development would not set a precedent. However, Rosecroft adjacent to the site is wide enough for a roadway to be constructed alongside the proposal, providing access to a plot to the rear. • Questioned the validity of 'self-build' as there is a development company involved. • Dwellings are out of character • Concerned regarding access 	
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PLANNING APPLICATIONS AND OTHER DEVELOPMENT CONTROL MATTERS**NOTE:**

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

Other Applications

1. **Appl. No** : **2021/2764/F**
Parish : **SPOONER ROW**
Applicant's Name : Mr Robert Ashton
Site Address : Land opposite Turnpike Farm London Road Sutton Norfolk
Proposal : Proposed new single-storey earth-sheltered dwelling to be sited in the paddock
Decision : Members voted unanimously to authorise the Assistant Director (Place) to approve subject to Unilateral Undertaking being entered into that secures contributes to towards GIRAMS and subject to the following conditions:
1. Time Limit - Full Permission
 2. In accordance with submitted drawings
 3. Verification to be provided that dwelling achieves a minimum SAP rating of 167A prior to its first occupation
 4. Submission of a landscaping scheme
 5. Details of ecological enhancements to be submitted
 6. Development to take place in accordance with identified ecological mitigation measures
 7. Development to take place in accordance with details in Arboricultural Impact Assessment
 8. Construction of access
 9. No obstructions across access for first 5 metres
 10. Provision of parking and turning area
 11. Provision of visibility splays
 12. Water efficiency
 13. Remove permitted development rights for alterations and extensions to the dwelling and the erection of outbuildings (Classes ABCDE)
 14. Details of method for foul water disposal to be submitted for approval

2. **Appl. No** : **2022/1083/F**
Parish : **HOWE**
Applicant's Name : Mr & Mrs J Magrath
Site Address : Church Farmhouse The Green Howe Norfolk NR15 1HD
Proposal : Ground floor and first floor extensions with associated alterations of existing garage/office building to form annexe accommodation and extension with associated alterations at first floor level of existing barn.

Decision : Members voted 5-2 for refusal

Refused

1. Contrary to DM3.7 due to size and scale
2. Not high-quality design and would harm the character and appearance of the Conservation Area

3. **Appl. No** : **2022/1084/O**
Parish : **WYMONDHAM**
Applicant's Name : Elm Farm Properties limited
Site Address : Land North of Elm Farm Norwich Common Wymondham Norfolk

Proposal : Outline application for five detached dwellings, with gardens and garages, and a dental practice with parking area (planning use class E(e)) with access.

Decision : Members voted 7-1 for refusal

Refused

1. Harm to the landscape character and Strategic Gap
2. Failure to demonstrate that other sites could not accommodate a new dentists surgery
3. Failure to comply with DM1.3 including no overriding benefits
4. Insufficient information nutrient neutrality.

4. **Appl. No** : **2022/1118/CU**
 Parish : **STARSTON**
 Applicant's Name : Mr Stuart Hendry
 Site Address : Thurlings Farmhouse Hardwick Road Starston Norfolk IP20
 9PH
 Proposal : Change of use of field to recreational use for siting of
 shepherds hut to be used as holiday let

 Decision : Members voted unanimously for approval (contrary to the
 officer's recommendation of refusal)

Approved

1. In accordance with submitted drawings
2. Holiday let only
3. Parking and turning area to be provided and retained.

Reason for overturning Officer recommendation

Members felt that the small scale of the proposal did not impact the surrounding area. The site also had good connectivity via footpath access and would promote tourism in the area.

5. **Appl. No** : **2022/1417/H**
Parish : **HEMPNALL**
Applicant's Name : Joesbury
Site Address : 2 Freemasons Cottages Mill Road Hempnall Norfolk NR15 2LP
Proposal : New door opening within side (north west) elevation and new single storey rear extension including internal alterations (Revised)
Decision : Members voted 7-1 with one abstention for refusal (contrary to Officer's recommendation of approval)

Refused

1 design, scale and mass of single storey
2 use of contemporary material

Reasons for overturning recommendation:

Taking into consideration the reduction of the height of the extension from the previous application the scale, bulk and mass of the extension which protrudes to the side of the dwelling along with the contemporary design of the proposed extension would create a dominant extension which would detract from the character and appearance of existing dwelling which is a non-designated heritage asset and in doing so adversely affect the character and appearance of the area. The proposal is therefore contrary to policies DM3.6 and DM3.8 of the South Norfolk Local Plan, Policy 2 of the Joint Core Strategy and Paragraphs 130, 134 and 203 of the NPPF.

The appearance and architectural characteristics of the extension as described in the first reason for refusal will detract from and result in harm to the character and appearance of the existing dwelling, 2 Freemasons Cottage, and its significance as a non-designated heritage asset. The existing dwelling is considered to be a non-designated heritage asset by virtue of it being historically a good representative example of well-designed local mid C19 domestic style architecture with a balanced and proportioned Georgian style front elevation, original multi-pane sash windows, detailed flat gauged brick arches and white gault brick to the front elevation, which represents locally distinctive design and materials found in the area at the time, but which is not of sufficient enough significance to warrant heritage listing based on national importance.

6. **Appl. No** : **2022/1548/F**
 Parish : **CARLETON RODE**
 Applicant's Name : Mr. Tim Davidge
 Site Address : Land North of The Turnpike, Carleton Rode, Norfolk
 Proposal : Erection of 3 dwellings.
 Decision : Members voted unanimously for refusal

Refused

1. The principle of the proposal is unacceptable by virtue of the proposed location and relation to development boundaries and thus potential impact upon sustainable transport and access to key services due to the distance to the nearest settlement with a range of services, public transport access and the lack of pedestrian facilities on the local highway network. The proposal would therefore result in a high reliance on the private car and therefore is not considered to accord with policies DM1.1, DM1.3 and DM3.10 of the Development Management Policies and Policies 1 and 6 of the Joint Core Strategy or accord with the NPPF's definition of sustainable development outlined in NPPF 02.

2. The proposal conflicts with Policies DM1.4 and DM3.8 of the Local Plan and Policy 2 of the Joint Core Strategy as the scale, height, and massing of the proposed dwellings do not respect the local character of the area as they are considerably larger in scale than the existing dwellings fronting onto Rode Lane.

3. The width of the access and turning provision within the site is inadequate therefore potentially leading to conflict between vehicles entering and leaving the site as well as large vehicles having to either unload or reverse onto the public highway thus endangering highway safety contrary to Policy DM3.11 of the Local Plan.

4. Whilst acknowledging the benefits of the scheme, these are significantly and demonstrably outweighed by the harms identified above and therefore the development is contrary to the NPPF even if the tilted balance in paragraph 11 of the NPPF is applied.

5. If required, any further reason(s) following receipt of comments from Natural England.