

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 8 March 2023
10.00am

Place:

Council Chamber Thorpe Lodge, 1 Yarmouth Road, Thorpe St Andrew, Norwich, NR7 0DU

Contact:

Leah Arthurton tel (01508) 533610
Email: committee.snc@southnorfolkandbroadland.gov.uk
Website: www.southnorfolkandbroadland.gov.uk

PUBLIC ATTENDANCE / PUBLIC SPEAKING

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

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

If a member of the public would like to observe the meeting in person, or speak on an agenda item, please email your request to committee.snc@southnorfolkandbroadland.gov.uk, no later than **5.00pm** on **Friday 3 March 2023**

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.

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 5)
4. Minutes of the Meeting of the Development Management Committee held on Wednesday 8 February 2023;
(attached – page 7)
5. Planning Applications and Other Development Control Matters;
(attached – page 11)

To consider the items as listed below:

Item No.	Planning RefNo.	Parish	Site Address	Page No.
1	2022/0677	DISS	Land at 32 to 34 Victoria Road, Diss Norfolk	11
2	2022/2105	PULHAM ST MARY	The Pennoyers Centre, Station Road, Pulham St Mary, Norfolk, IP21 4QT	20

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 27)

GUIDELINES FOR DETERMINING THE NEED TO VISIT AN APPLICATION SITE

The following guidelines are to assist Members to assess whether a Site Panel visit is required. Site visits may be appropriate where:

- (i) The particular details of a proposal are complex and/or the intended site layout or relationships between site boundaries/existing buildings are difficult to envisage other than by site assessment;
- (ii) The impacts of new proposals on neighbour amenity e.g. shadowing, loss of light, physical impact of structure, visual amenity, adjacent land uses, wider landscape impacts can only be fully appreciated by site assessment/access to adjacent land uses/property;
- (iii) The material planning considerations raised are finely balanced and Member assessment and judgement can only be concluded by assessing the issues directly on site;
- (iv) It is expedient in the interests of local decision making to demonstrate that all aspects of a proposal have been considered on site.

Members should appreciate that site visits will not be appropriate in those cases where matters of fundamental planning policy are involved and there are no significant other material considerations to take into account. Equally, where an observer might feel that a site visit would be called for under any of the above criteria, members may decide it is unnecessary, e.g. because of their existing familiarity with the site or its environs or because, in their opinion, judgement can be adequately made on the basis of the written, visual and oral material before the Committee.

2. PUBLIC SPEAKING: PLANNING APPLICATIONS

Applications will normally be considered in the order in which they appear on the agenda. Each application will be presented in the following way:

- Initial presentation by planning officers followed by representations from:
- The **town** or **parish council** - up to 5 minutes for member(s) or clerk;
- **Objector(s)** - any number of speakers, up to 5 minutes **in total**;
- The **applicant**, or **agent** or any **supporters** - any number of speakers up to 5 minutes **in total**;
- **Local member**
- Member consideration/decision.

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

WHAT CAN I SAY AT THE MEETING? Please try to be brief and to the point. Limit your views to the planning application and relevant planning issues, for example: Planning policy, (conflict with policies in the Local Plan/Structure Plan, government guidance and planning case law), including previous decisions of the Council, design, appearance and layout, possible loss of light or overshadowing, noise disturbance and smell nuisance, impact on residential and visual amenity, highway safety and traffic issues, impact on trees/conservation area/listed buildings/environmental or nature conservation issues.

PLANNING APPLICATIONS AND OTHER DEVELOPMENT CONTROL MATTERS

Key to letters included within application reference number to identify application type – e.g. 07/96/3000/A – application for consent to display an advert

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

Key to abbreviations used in Recommendations

CNDP - Cringleford Neighbourhood Development Plan

J.C.S - Joint Core Strategy

LSAAP - Long Stratton Area Action Plan – Pre-Submission

N.P.P.F - National Planning Policy Framework

P.D. - Permitted Development – buildings and works which do not normally require planning permission. (The effect of the condition is to require planning permission for the buildings and works specified)

S.N.L.P - South Norfolk Local Plan 2015

Site Specific Allocations and Policies Document

Development Management Policies Document

WAAP - Wymondham Area Action Plan

DECLARATIONS OF INTEREST AT MEETINGS

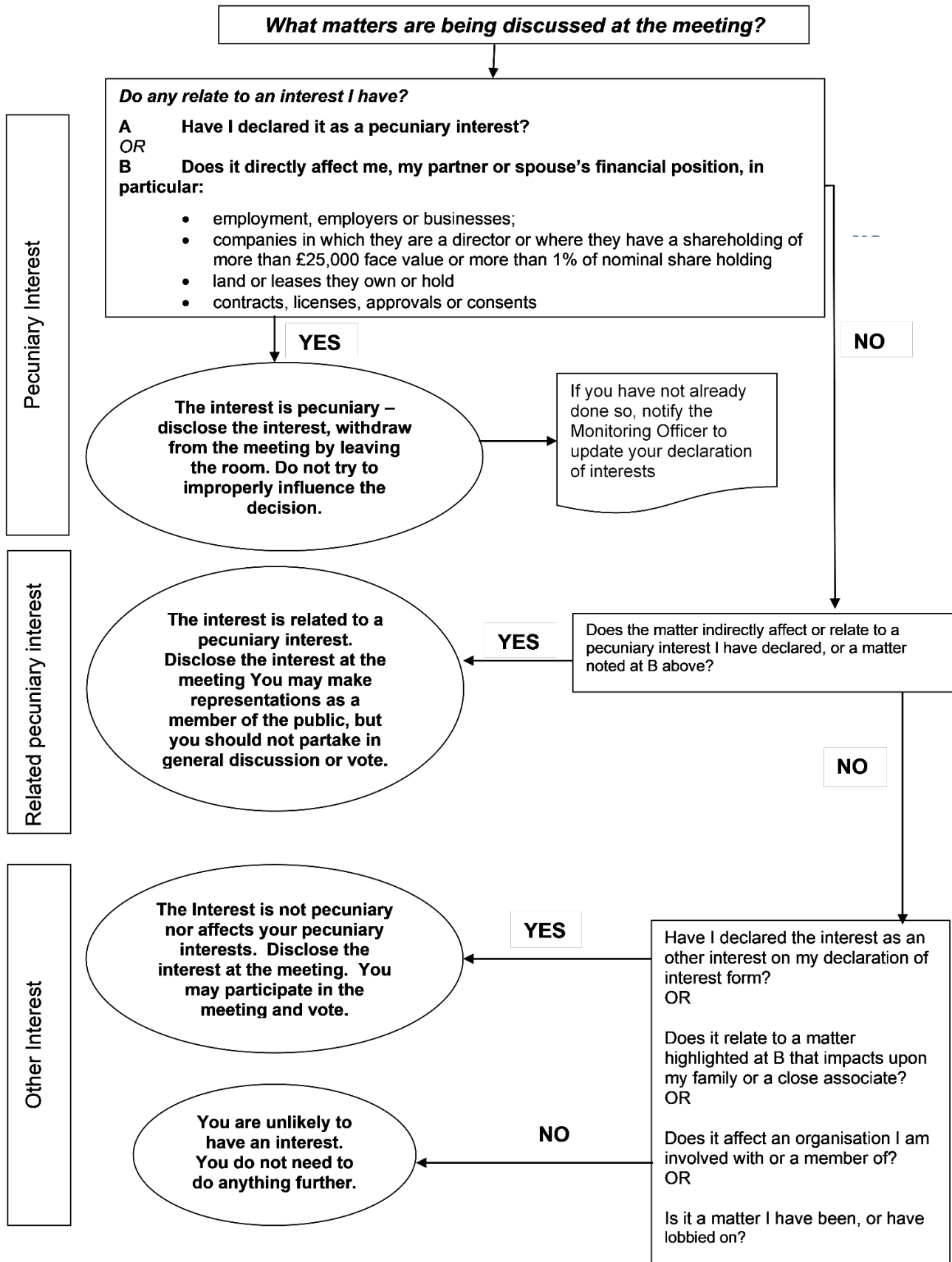
When declaring an interest at a meeting Members are asked to indicate whether their interest in the matter is pecuniary, or if the matter relates to, or affects a pecuniary interest they have, or if it is another type of interest. Members are required to identify the nature of the interest and the agenda item to which it relates. In the case of other interests, the member may speak and vote. If it is a pecuniary interest, the member must withdraw from the meeting when it is discussed. If it affects or relates to a pecuniary interest the member has, they have the right to make representations to the meeting as a member of the public but must then withdraw from the meeting. Members are also requested when appropriate to make any declarations under the Code of Practice on Planning and Judicial matters.

<p>Have you declared the interest in the register of interests as a pecuniary interest? If Yes, you will need to withdraw from the room when it is discussed.</p>
<p>Does the interest directly:</p> <ol style="list-style-type: none"> 1. affect yours, or your spouse / partner's financial position? 2. relate to the determining of any approval, consent, licence, permission or registration in relation to you or your spouse / partner? 3. Relate to a contract you, or your spouse / partner have with the Council 4. Affect land you or your spouse / partner own 5. Affect a company that you or your partner own, or have a shareholding <p>If the answer is "yes" to any of the above, it is likely to be pecuniary.</p> <p>Please refer to the guidance given on declaring pecuniary interests in the register of interest forms. If you have a pecuniary interest, you will need to inform the meeting and then withdraw from the room when it is discussed. If it has not been previously declared, you will also need to notify the Monitoring Officer within 28 days.</p>
<p>Does the interest indirectly affect or relate any pecuniary interest you have already declared, or an interest you have identified at 1-5 above?</p> <p>If yes, you need to inform the meeting. When it is discussed, you will have the right to make representations to the meeting as a member of the public, but you should not partake in general discussion or vote.</p>
<p>Is the interest not related to any of the above? If so, it is likely to be an other interest. You will need to declare the interest, but may participate in discussion and voting on the item.</p>
<p>Have you made any statements or undertaken any actions that would indicate that you have a closed mind on a matter under discussion? If so, you may be predetermined on the issue; you will need to inform the meeting, and when it is discussed, you will have the right to make representations to the meeting as a member of the public, but must then withdraw from the meeting.</p>

FOR GUIDANCE REFER TO THE FLOWCHART OVERLEAF.

PLEASE REFER ANY QUERIES TO THE MONITORING OFFICER IN THE FIRST INSTANCE

DECLARING INTERESTS FLOWCHART – QUESTIONS TO ASK YOURSELF



SOUTH NORFOLK DEVELOPMENT MANAGEMENT (PLANNING) COMMITTEE

Minutes of a meeting of the South Norfolk Development Management (Planning) Committee of South Norfolk Council, held on Wednesday, 8 February 2023 at 10.00 am.

Committee Members Present: Councillors: L Neal (Vice-Chair, in the Chair), F Ellis, J Halls, C Hudson, T Laidlaw and G Minshull

Apologies for Absence: Councillors: V Thomson, D Bills and T Holden

Substitute: Councillors: J Knight (In place of D Bills) and J Overton (In place of V Thomson)

Officers in Attendance: T Lincoln (Development Manager), L Arthurton (Democratic Services Officer), T Barker (Principal Planning Officer) and H Bowman (Principal Planning Officer)

Also in Attendance: 6 Members of the public were in also in attendance

655. APOLOGIES FOR ABSENCE

Apologies for absence were received from V Thomson (with J Overton appointed substitute), D Bills (with J Knight appointed substitute) and T Holden

656. DECLARATIONS OF INTEREST

Declarations of interest were received from the following members:

Application	Parish	Councillor	Declaration
2022/1306S	HEDENHAM	All	Local Planning Code of Practice Lobbied by the agent
2022/0924	WYMONDHAM	L Neal & G Minshull	Other interest Cabinet Members but have not been involved in any discussions.
		J Halls	Other Interest Town Councillor but did not take part in any discussions regarding the application.

657. MINUTES

The minutes of the meeting held on 11 January 2023 were confirmed as a correct record.

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

Application	Parish	Speakers
2022/1306S	HEDENHAM	M Thomson – Agent Cllr C Brown – Local Member
2022/0924	WYMONDHAM	N Chan – Objector (Written Statement) Cllr S Nuri Nixon – Local Member

The Committee made the decisions indicated in Appendix A 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.

659. PLANNING APPEALS

The Committee noted the planning appeals.

(The meeting concluded at 11.02 am)

Chairman

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** : **2022/1306/F**
 Parish : **HEDENHAM**
 Applicant's Name : Groundhog Property Services Ltd
 Site Address : Land east of The Old School House Norwich Road Hedenham
 Norfolk
 Proposal : Erection of detached dwelling and garage.
 Decision : Members voted unanimously for Approval (contrary to the
 officer's recommendation of refusal)

Approved with conditions

- 1 Time limit five year supply
- 2 In accordance with drawings
- 3 Materials to be agreed
- 4 Access gates
- 5 Visibility splay
- 6 Provision of parking
- 7 Surface water drainage
- 8 Foul drainage - sealed system / package treatment plant
- 9 Tree Protection
- 10 Retention of the hedge
- 11 Boundary treatments
- 12 Ecological enhancements
- 13 No PD for Classes ABCD&E
- 14 No PD for fences, walls
- 15 Water efficiency
- 16 Contaminated land during construction

Note on reflection the condition requiring obscure glazing was not necessary.

Reason for overturning officer's recommendation

Members considered that the benefits of developing a small scale, deliverable, brownfield site which would enhance the character and appearance of the conservation area outweighed the connectivity harms in terms of the unsustainable location especially given the regular bus service.

Application on land owned by South Norfolk Council

2. **Appl. No** : **2022/0924/F**
 Parish : **WYMONDHAM**
 Applicant's Name : Mr Laws
 Site Address : Land north of Cemetery Lane Wymondham Norfolk
 Proposal : Extension of riverside footpath link to rear of Cemetery Lane Car
 Park to connect to Tolls Meadow
 Decision : Members voted unanimously for refusal.
- Refused
- 1 Insufficient information - trees
2 Insufficient information - ecology

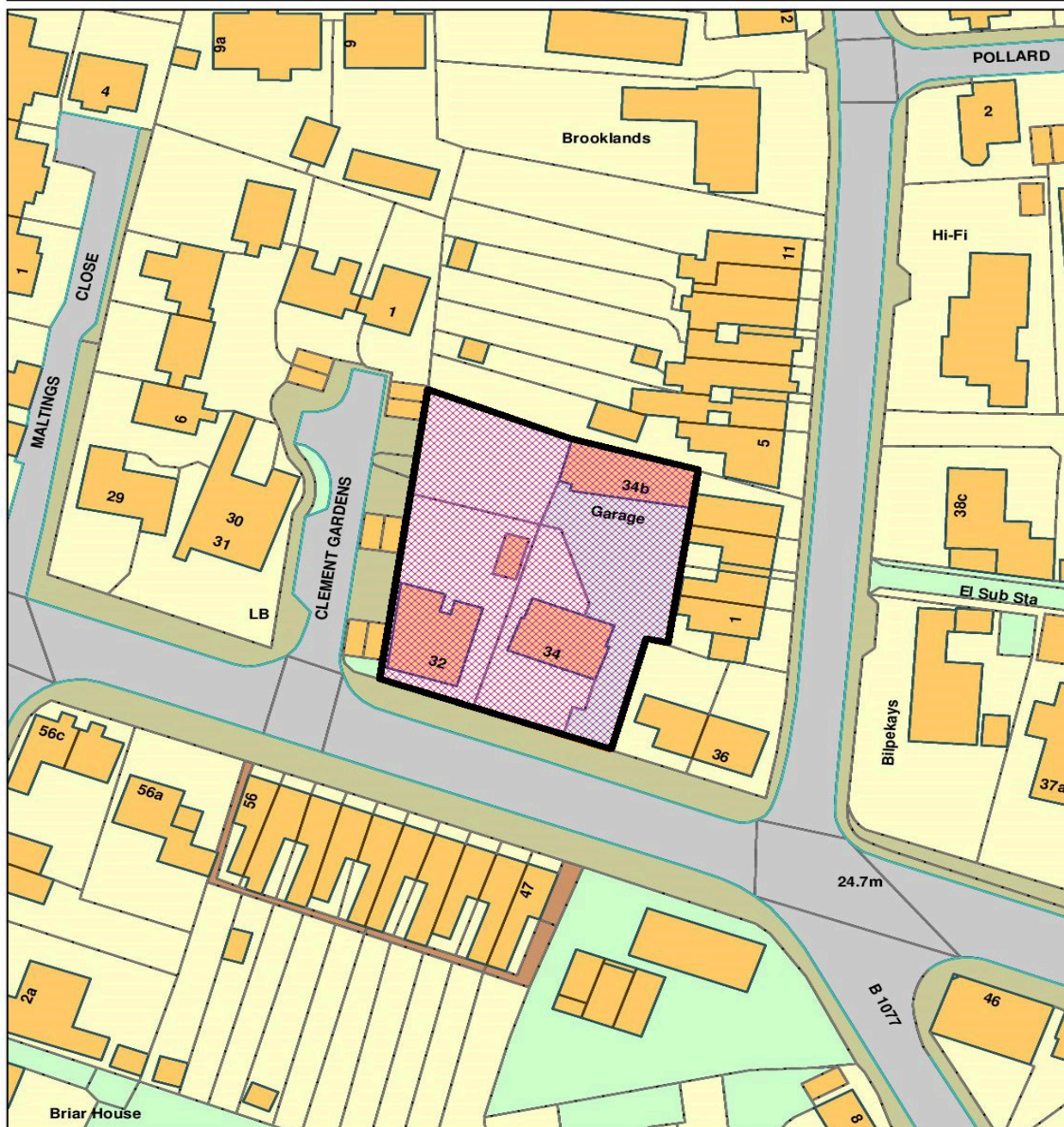
PLANNING APPLICATIONS AND OTHER DEVELOPMENT CONTROL MATTERS

Report of Director of Place

Other Applications

Application 1

2022/0677



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South Norfolk Council, Thorpe Lodge, 1 Yarmouth Road, Norwich, NR7 0DU Tel (01508) 533633

1. Application No : 2022/0677/F
Parish : DISS

Applicant's Name: Solo Housing (East Anglia)
 Site Address Land at 32 to 34 Victoria Road Diss Norfolk
 Proposal Removal of former garage and construction of 9 new affordable flats

Reason for reporting to Committee

The Local Member has requested that the application be determined by the Development Management Committee for appropriate planning reasons as set out below in section 4.

Recommendation summary :

Refusal

1 Proposal and site context

- 1.1 The site consists of two existing properties that are used as a hostel and house in multiple occupation with accommodation across the two buildings for 13 people to provide housing for people who are homeless or have other housing needs. The accommodation is provided by Solo Housing, who are a housing charity helping single people needing supported accommodation based in Diss. There are some staff from Solo Housing who are based at the site.
- 1.2 The two buildings on site are two-storey properties dating from the 19th century, one of which is a former post office. There are various single storey structures to the rear of the two main buildings. Access to the site is from Victoria Road.
- 1.3 It is proposed to demolish some of the single-storey structures to the rear of the site and to erect a new building to provide nine flats. These would be affordable units managed by Solo Housing and would allow tenants of the hostel to progress to more settled accommodation. Access for these units would also be accessed from Victoria Road, with the three current accesses rationalised to one serving all the accommodation on the wider site.

2. Relevant planning history

- | | | | |
|-----|-----------|--|----------|
| 2.1 | 2012/1921 | New air source heat pumps onto external elevations, 1no unit serving four rooms, 3no units each serving one room (two units sited inside an existing shed structure) | Approved |
| 2.2 | 2011/1226 | Proposed subdivision of existing dwelling to form 2 new residential units and bungalow to rear of the site | Approved |
| 2.3 | 2011/2038 | Proposed subdivision of existing dwelling to form 2 new residential units and 2 new dwellings to the rear of the site | Approved |

2.4	2009/0403	Extension to hostel for additional office and storage space	Approved
2.5	2008/2133	Change of use of single dwelling to residential hostel with car parking and conversion of attic to bedroom	Approved
2.6	2008/0231	Conversion of single dwelling to six individual flats / studio flats and parking area	Withdrawn
2.7	2002/1277	Change of use from retail shop and post office to residential	Approved
2.8	2002/0221	Erection of bungalow and garage	Approved
2.9	2001/2139	Change of use to sell cars from the property	Approved
2.10	2022/0677	Erection of two houses and garages behind No.34	Refused

3 Planning Policies

- 3.1 National Planning Policy Framework (NPPF)
 NPPF 02: Achieving sustainable development
 NPPF 04: Decision-making
 NPPF 05: Delivering a sufficient supply of homes
 NPPF 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
- 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 13: Main Towns
 Policy 20: Implementation
- 3.3 South Norfolk Local Plan Development Management Policies Document
 DM1.1: Ensuring Development Management contributes to achieving sustainable development in South Norfolk
 DM1.3: The sustainable location of new development
 DM1.4: Environmental Quality and local distinctiveness
 DM3.1: Meeting Housing requirements and needs
 DM3.5: Replacement dwellings and additional dwellings on sub-divided plots within Development Boundaries
 DM3.8: Design Principles applying to all development
 DM3.11: Road safety and the free flow of traffic
 DM3.12: Provision of vehicle parking

DM3.13: Amenity, noise, quality of life
DM4.2: Sustainable drainage and water management

- 3.4 Diss and District Neighbourhood Plan (emerging)
Policy 4: Housing Mix
Policy 5: Affordable Housing
Policy 6: Design
Policy 7: Surface Water Management

This emerging Neighbourhood Plan is currently being considered by the Examiner and so has the potential to be subject to modification prior to the referendum stage. In light of that, this plan is ascribed limited weight.

4. Consultations

4.1 Diss Town Council

Supports the principle of development on this site, however feel that the application should be refused for the following reasons:

- too many flats are being squeezed onto this site giving massing and poor quality design which would have an unacceptable impact on neighbouring properties. The space at the rear and ends of the property are very narrow and may become an area where waste is discarded. We would be happy to consider a single storey extension which although it would likely reduce the number of flats would be more in keeping with the area and make efficient use of the area
- whilst the original design with pitched roof overlooked the neighbouring properties, the walls and the flat roof of the new design give the impression of an industrial building, which would be out of keeping with the character of neighbouring properties and does not substantially reduce overshadowing
- the shared amenity space is barely adequate for the existing 13 flats on this site and will be inadequate for the addition of 9 further flats (22 in total)
- the proximity to the boundaries with other properties will lead to overlooking, inadequate levels of reasonable access to light and privacy, free from unacceptable noise. The same will apply to those living in ground floor flats because of the relatively high fence and low windows at the rear of the property
- the proposed design in having the first floor one metre below ground level may impose an unnecessary flood / drainage risk. There may also be a security risk due to low rear windows (almost at ground level) and a narrow passageway at the rear masking possible intruders
- the parking provision is barely adequate for the 13 existing flats and certainly inadequate to cater for an additional 9 new flats especially as this includes parking for staff and service vehicles. There are currently 3 staff parking spaces and 4 parking spaces to cover the 22 residents plus service vehicles
- facilities for the collection of recycling and waste are inadequate for the increased numbers of apartments

4.2 District Councillor
Cllr G Minshull

To Committee if minded to recommend refusal due to the need for this type of accommodation.

4.3 SNC Water Management Officer

To be reported if appropriate.

4.4 Cadent Gas

No objection

4.5 NCC Highways

Conditional support:

- conditions required for the provision and retention of the parking area and that the flats should be solely for Solo Housing
- the proposal as submitted is for 9 new flats with one bedroom each. The parking area that is proposed is shown to accommodate four vehicles. It would be our preference to see a greater number of parking spaces provided.

4.6 SNC Community Services - Environmental Quality Team

Conditional support

- conditions requiring a noise assessment, contamination and construction management

4.7 SNC Housing Enabling & Strategy Manager

No objection

- I can confirm there is a need for follow on accommodation from Solo Housing's hostel accommodation in Diss so the nine flats would meet a proven need. They are particularly needed so that people who no longer need supported accommodation can vacate it, thereby releasing hostel accommodation for those who do require supported accommodation
- the design and internal layout are satisfactory

4.8 Other representations

Original plans

7 letters of objection to the original plans:

- windows overlook properties to north
- loss of light to properties to north
- only four parking spaces for nine flats
- this will result in extra cars parking on Victoria Road which is already very busy creating a dangerous exit from Mission Road
- Mission Road already has problems from parking on both sides of the road and on the pavement

- increased noise disturbance
- only seem to be being considered because they are from Solo Housing
- devalue neighbouring properties

Amended plans:

5 letters of objection to amended plans:

- little difference from previous scheme
- do not address previous concerns

5 Assessment

Key considerations

- 5.1 The main issues for consideration are the principle of the development, design and layout, residential amenity, access and parking, and flood risk and drainage.

Principle

- 5.2 The site falls within the development boundary for Diss. As such the principle of new residential development is acceptable in principle under policy DM1.3 of the Local Plan subject to appropriate regard being given to other material planning considerations.
- 5.3 Whilst the Diss and District Neighbourhood Plan can only be given limited weight at this stage, the proposal accords in principle with Policy 5 which seeks to promote the delivery of affordable housing including one bedroom units.

Design and layout

- 5.4 The proposed design is of a traditional pitched roof two-storey structure with detailing to match the former post office building. It has been dug into ground by one metre in order that it would sit fairly low in site and in an attempt to reduce its impact on the neighbouring residential properties to the north. In regard to the character of the site, the design is considered acceptable and in keeping with the character of the area.

Impact on neighbouring properties

- 5.5 The proposed building would be close to the rear boundary of the site, which for its entire length adjoins the garden of No.5 Mission Road. Concerns have been raised from both this property and other properties along Mission Road in relation to overlooking and overshadowing by having a two-storey building along the majority of the southern boundary with No.5.
- 5.6 In regard to overlooking, it is considered that this can be addressed to avoid any unacceptable impact. As the building has been dug into the ground the ground floor windows on the northern elevation will be behind the existing fence or whatever replacement boundary treatment is to be installed when viewed from the neighbouring properties to the north. This can be retained by condition. In regard to the first-floor windows on the northern elevation these are high level windows serving a corridor. They are shown to be obscure glazed which can be secured by condition. This can also ensure they are fixed shut. As such, it is not considered that there would be any unacceptable overlooking of the properties to the north from the proposed building.

- 5.7 Whilst the concerns regarding overlooking can be overcome, it has not been possible to find an acceptable solution that allows for the level of accommodation the applicant is seeking to provide in this location due to the need for the building to be two-storey. The digging of the building into the ground has reduced the height of the building when viewed from the neighbouring property, however the building is clearly still a two-storey building that runs the length of the boundary other than a single storey element immediately adjoining the dwelling No.5 Mission Road itself. This is considered to have an overbearing impact on the neighbour to north which conflicts with policy DM3.13 of the Local Plan. The applicant has explored other options in terms of design but it is clear that for a building to be acceptable in this location it will not be able to provide the level of accommodation that the applicant is seeking.
- 5.8 As the applicant does not wish to reduce the level of accommodation it is providing, it has therefore not been possible to find a solution that does not result in an unacceptable impact on the neighbour to the north.

Access and parking

- 5.9 Access to the site is to use existing access off Victoria Road. No objection has been raised to this element of the proposal by Norfolk County Council as the Highway Authority.
- 5.10 Four parking spaces are proposed for the flats, which has resulted in concern from local residents about the potential for increased parking pressure on roads in the vicinity where there are already issues with parked vehicles causing obstruction. The Highway Authority have expressed a preference for additional parking but has not objected to the proposal. The nature of how the units will be managed is that tenants of the flats are much less likely to own cars than would be the case with flats that are available to the open market. This can be secured by condition. Given this and the sustainable location of the development with convenience shopping and public transport, including Diss Railway Station, in relatively close proximity, it is considered that the level of parking proposed is acceptable.
- 5.11 The proposal is therefore considered to accord with policies DM3.11 and DM3.12 of the Local Plan.

Flood risk and drainage

- 5.12 The site is in Flood Risk Zone 1 and therefore not at risk from fluvial flooding, nor is it at an identified risk from surface water flooding. The application form identifies that both surface water and foul drainage to be mains sewer. Policy DM4.2 requires that surface water drainage should be separate from foul drainage and that sustainable drainage measures including on-site infiltration should be considered first, with similar requirements in Policy 7 of the emerging Neighbourhood Plan. However, there is no reason to believe that an appropriate drainage solution cannot be found and this could be secured by condition.

Other issues

- 5.13 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 proposal will result in additional overnight accommodation, however it is located outside the catchment areas of the River Wensum Special Area of Conservation and the Broads Special Area of Conservation and Ramsar site, and does not involve foul or surface water drainage into those catchment areas. As such, it 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).
- 5.14 Under Section 143 of the Localism Act, the Council is required to consider the impact on local finances. This can be a material consideration but in the instance of this application the other material planning considerations detailed above are of greater significance.
- 5.15 South Norfolk and Broadland Councils resolved to adopt the Norfolk Green Infrastructure and Recreational impact Avoidance and Mitigation Strategy (GIRAMS) and to begin collecting contributions from development in accordance with the requirements of Policy 3 of the emerging Greater Norwich Local Plan (GNLP). These contributions will be sought from 1 April 2022 and comprise payment of the Recreational Avoidance Mitigation tariff of £185.93 per dwelling, or accommodation unit equivalent, and the provision of onsite or off-site green infrastructure equivalent to 2ha per 1000 population. The collection of these contributions will enable the Council to conclude through a HRA that a development will not have any adverse impact on the integrity of a Habitats Site as a result of increased recreational usage. To secure the payment of the mitigation contributions on commencement of the development a Unilateral Undertaking is required. The applicant has not entered into this agreement to date. Without a Unilateral Undertaking of planning obligation to secure these contributions, the applicant will not be able demonstrate that they are adequately mitigating recreational impacts on those protected sites and similar to the nutrient neutrality issues above, therefore the proposal will be contrary to Policy 1 of the JCS and Policy DM1.4 of the DM DPD and paragraphs 174, 179, 180 and 181 of the NPPF.
- 5.16 This application is liable for the Community Infrastructure Levy.

Conclusion

- 5.17 Although the principle of new residential accommodation of the nature proposed is acceptable in this location, the scale and position of the building is such that it would have an overbearing impact on the residential properties to the north and in particular on No.5 Mission Road. As such the proposal is considered contrary to policy DM3.13 of the Local Plan.

Recommendation: Refuse

- 1 Impact on neighbouring properties to north
- 2 Recreational harm to protected designated conservation site

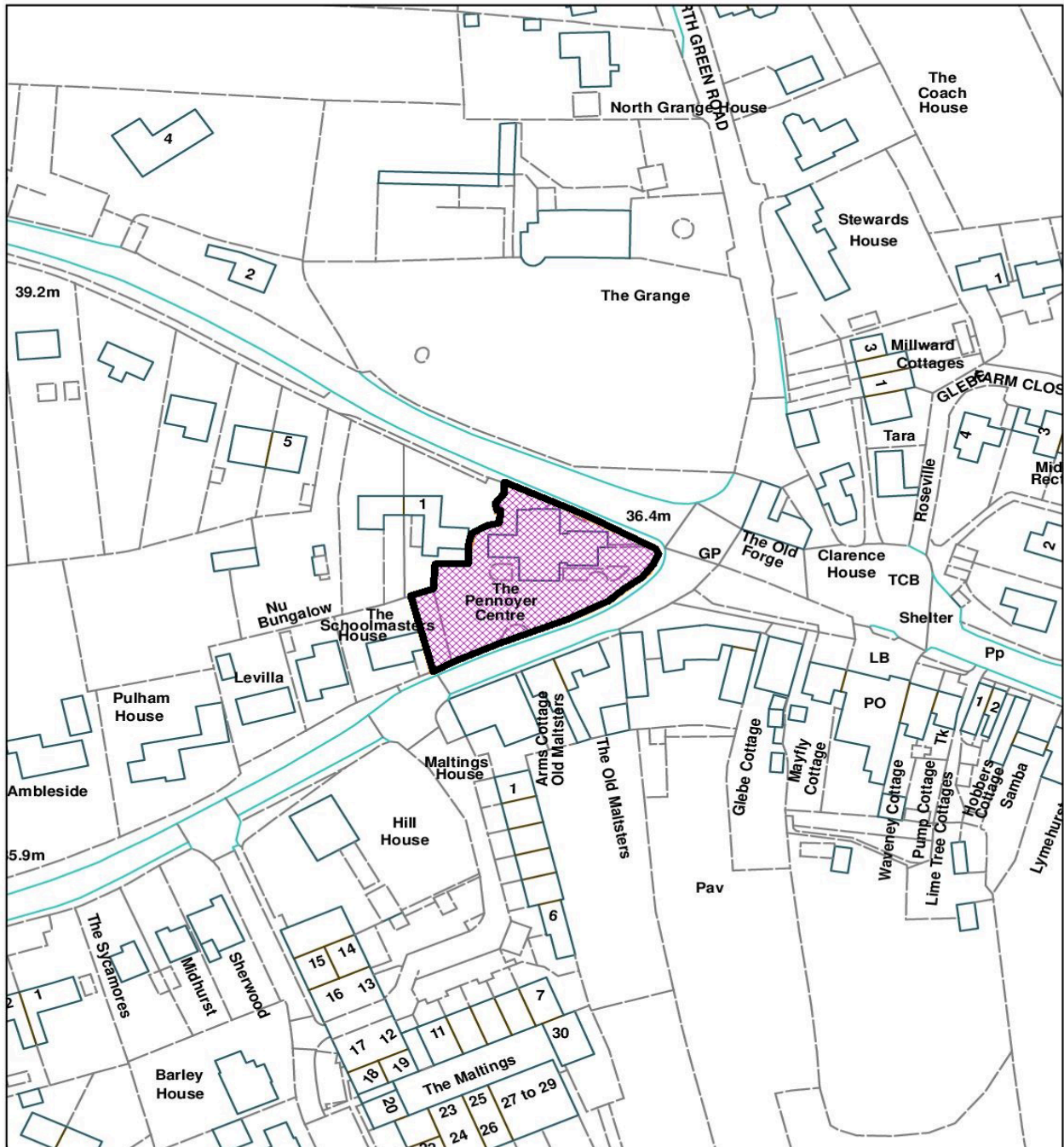
Reasons for Refusal

- 1 By nature of its scale and position on the site, the proposed new two storey building would have an unacceptable impact on the amenities of the properties to the north of the site and in particular No.5 Mission Road to which the building will have an overbearing presence. As such the proposal is considered to contrary to the aims of policy DM3.13 of the South Norfolk Local Plan Development Management Policies Document 2015.
- 2 No measures have been provided to adequately mitigate the recreational impacts of the proposal on the protected sites within The Broads, Valley Fens and East Coast zones of influence which the site is within the catchment areas of. As such, the proposal fails to meet the requirements of the Conservation of Species and Habitats Regulations 2017 (as amended) and the aims of Policy 1 of the Joint Core Strategy and Policy DM1.4 of the South Norfolk Local Plan and paragraphs 174, 179, 180 and 181 of the NPPF.

Contact Officer Tim Barker
Telephone Number 01508 533848
E-mail tim.barker@southnorfolkandbroadland.gov.uk

Application 2

2022/2105



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

2. Application No : 2022/2105/LB
Parish : PULHAM ST MARY

Applicant's Name: Mrs Anne Cleveland
 Site Address The Pennoyer Centre, Station Road, Pulham St. Mary, Norfolk, IP21 4QT
 Proposal 35 solar panels to the roof

Reason for reporting to Committee

The Local Member has requested that the application be determined by the Development Management Committee for appropriate planning reasons as set out below in section 4.

Recommendation summary :

Refusal

1 Proposal and site context

- 1.1 The application site is The Pennoyer Centre which is located within the development boundary of Pulham St. Mary. The centre is a community asset and is used as a business, heritage, education and community venue in the centre of the village. The centre is grade II listed and contains a medieval guild chapel.
- 1.2 The application seeks listed building consent for the installation of 35 solar photovoltaic (PV) panels to the roof of The Pennoyer Centre. These will be located on both the contemporary section of the roof which has modern black pantiles and the Victorian section with older pantiles.

2. Relevant planning history

2.1	2016/2762	New building for storage	Approved
2.2	2010/0486	Non-material Amendment 2007/1741/F (Change of use from disused school to village centre with alterations and extensions) - Change to boundary treatment on west side.	Approved
2.3	2007/1742	Change of use from disused school to village centre with alterations and extensions and small areas to be demolished	Approved
2.4	2007/1741	Change of use from disused school to village centre with alterations and extensions	Approved
2.5	2006/2684	Retrospective application for demolition of wall	Approved

2.6	2001/1993	Demolition of Victorian elements of building, restoration of guild chapel, enhancement of school grounds & change of use to museum & community usage	Refused
2.7	2001/1992	Demolition of Victorian elements of building, restoration of guild chapel, enhancement of school grounds & change of use to museum & community usage	Refused
2.8	2001/1108	Conversion of School building to dwelling and demolition of store at rear of building	Approved
2.9	2001/1107	Conversion of School building to dwelling	Approved
2.10	1995/1017	Conversion of former school to community, educational and business centre	Approved

3 Planning Policies

- 3.1 National Planning Policy Framework (NPPF)
 NPPF 02 : Achieving sustainable development
 NPPF 04 : Decision-making
 NPPF 12 : Achieving well-designed places
 NPPF 14 : Meeting the challenge of climate change, flooding and coastal change
 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

- 3.3 South Norfolk Local Plan Development Management Policies
 DM3.8 : Design Principles
 DM3.13 : Amenity, Noise, Quality of Life
 DM4.1 : Renewable Energy
 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 Listed Buildings Act 1990 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

4.1 Pulham St. Mary Parish Council

Unable to support the application as the building is classified as grade II listed and is in the conservation area.

4.2 District Councillor Cllr Clayton Hudson

Requested that the application be determined by Committee with the material considerations to include the effect on the listed building, the street scene and the wider conservation area.

4.3 SNC Senior Heritage & Design Officer

Objects to the proposal for the following reasons:

- Being a listed building and very visible in views within the conservation area, I consider that the Solar PV to the Victorian section result in more harm, and therefore consider that these should be removed.
- The number of Solar PV proposed is considered excessive for the size of the building.

4.4 Other Representations

None received.

5 Assessment

5.1 The Pennoyer Centre is a listed building at the centre of the village and is situated in the Pulham St. Mary Conservation Area. The centre is grade II listed with three different phases of development including medieval, Victorian and contemporary. This includes a medieval guild chapel. The centre is used for business, heritage, education and community uses.

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

- Principle
- Impact upon Heritage Asset

Principle

5.3 The principle of carrying out alterations to a listed building is acceptable under national and Local Plan policies regarding heritage assets subject to an assessment of the impact of proposals on the setting of the listed building.

- 5.4 The principle of renewable energy generating development is also supported through Policy DM4.1 and the NPPF. Policy DM4.1 sets out that when assessing proposals for renewable energy generating development particular regard must also be had to any impacts on heritage assets, particularly listed buildings and conservation areas. This assessment is considered below.

Impact Heritage Assets

- 5.5 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, 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. Paragraph 202 of the NPPF states that *"any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification"*. Also, Paragraph 202 of the NPPF requires that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, as is the case here, this harm should be weighed against the public benefits of the proposal.
- 5.6 The impact on Conservation Areas requires consideration under the development management policies and section 72 of the Planning (Listed Buildings and Conservation Areas) Act requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of Conservation Areas.
- 5.7 Policy DM4.10 of the South Norfolk Local Plan requires considerable importance and weight to be given to the desirability of preserving listed buildings, their settings and the character and appearance of conservation areas. Development should avoid causing any loss to a heritage asset, or harm to it. Less than substantial harm will only be justified where there are public benefits that outweigh the harm. The policy goes on to set out that in carrying out the planning balance, less than substantial harm will be afforded considerable importance and weight.
- 5.8 The solar panels are proposed to be located on both the contemporary roof and also the Victorian section of roof. The Council's Senior Heritage and Design Officer has reviewed the proposal and objected to the proposal. The solar PV panels on the contemporary section of the roof are considered acceptable and lends itself well to having PV panels on the south side. However, the PV panels on the Victorian section of the roof are considered to be harmful to the listed building and to views within the conservation area.
- 5.9 Taking into consideration the significance of the listed building and its setting, the proposal is considered to detract from the historic character and appearance of the building by virtue of being a modern addition. The building is prominent in the wider street scene as it is located on the main road through Pulham St. Mary and has listed buildings opposite. Whilst in some cases solar PV may be an acceptable addition to a listed building, in this instance it is considered that there are suitable alternatives for providing sustainable energy, such as air source heat pumps, which would provide more consistent energy over the year. These alternatives have been discussed with the agent, however no revisions have been proposed. In this case, there are alternative solutions to providing sustainable energy as opposed to the installation of solar PV panels on the roof of the historic section of the building. In the sensitive setting of listed buildings, the possibility of other locations for the proposals, which may be considered to be less harmful, should be considered.

- 5.10 The proposal results in less than substantial harm to the significance of the listed building, and the setting of the conservation area. Where a proposal results in less than substantial harm to a heritage asset, this needs to be considered against the public benefit of the proposal. The benefit of the renewable energy generation is not considered to outweigh the harm to the listed building and the conservation area, having regard to other potential solutions. The proposal is therefore considered to be contrary to sections 16 and 72 of the Act and policy guidance within section 16 of the NPPF, Policies DM3.8 and DM4.10 of the South Norfolk Local Plan and Policy 2 of the Joint Core Strategy regarding heritage assets.

Other considerations

- 5.11 The proposal is not considered to result in an adverse impact upon amenity of neighbouring properties and is considered to accord with DM3.13.
- 5.12 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 outside of the catchment area of the sites identified by Natural England. 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).
- 5.13 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.
- 5.14 This application is not liable for the Community Infrastructure Levy.

Conclusion

- 5.15 It is considered that the proposal results in less than substantial harm to the character and appearance of the grade II listed building and its wider setting within the Pulham St. Mary Conservation Area. The benefits of the proposal are not considered to outweigh the level of harm identified. Alternative solutions have been identified as suitable options but these have not been pursued by the applicant. The proposal is therefore considered to be contrary to sections 16 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and the objectives of section 16 of the NPPF, Policies DM3.8, DM4.1 and DM4.10 of the South Norfolk Local Plan Development Management Policies Document and Policy 2 of the Joint Core Strategy.

Recommendation : Refusal

1 Harm to setting of listed building and character of conservation area

Reasons for Refusal

- 1 The installation of the solar photovoltaic panels is considered to be an inappropriate and unsympathetic addition to the listed building and will result in harm to the special architectural and historic interest of the building that contribute towards its setting. In addition, the prominence of the building within the conservation area is such that installation of the solar panels on its Victorian section and their visibility will detract from the character and appearance of the conservation area rather than preserving it. The public benefits of the proposal do not outweigh the less than substantial harm identified and in the round, the proposals are considered to be contrary to sections 16 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and the objectives of NPPF, Policy 2 of the Joint Core Strategy (March 2011) and Policies DM3.8, DM4.1 and DM4.10 of the South Norfolk Local Plan.

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Planning Appeals**Appeals received from 27 January 2023 to 23 February 2023**

Ref	Parish / Site	Appellant	Proposal	Decision Maker	Final Decision
2022/0607	Diss 100 Willbye Avenue Diss Norfolk IP22 4NP	Mr Alexandru Chizil	Conversion of two caravan 'shepherd hut' units to a single holiday let	Delegated	Refusal
2022/1571	Furze Green Meadow Harleston Road Rushall Norfolk IP21 4RT	Mrs Lisa Buck	Certificate of lawfulness for existing use of mobile home for residential use	Delegated	Refusal

Planning Appeals**Appeals decisions from 27 January 2023 to 23 February 2023**

Ref	Parish / Site	Appellant	Proposal	Decision Maker	Final Decision	Appeal Decision
2022/0244	5 Bee Orchid Way Tharston Norfolk NR15 2ZS	Mrs Georgina Wellstead	Poplar (T6 & T7) - fell	Delegated	Refusal	Appeal Dismissed
2022/0044	7 Bee Orchid Way Tharston Norfolk NR15 2ZS	Mr Bell	Poplar T1 & T2 - fell	Delegated	Refusal	Appeal Dismissed