

# **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 5 April 2023  
10.00am

### **Place:**

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

### **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 31 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 Meetings of the Development Management Committee held on Wednesday 8 March 2023 and Wednesday 15 March 2023**;  
(attached – pages 7 & 10)
5. **Planning Applications and Other Development Control Matters**;  
(attached – page 18)

To consider the items as listed below:

Item No.	Planning RefNo.	Parish	Site Address	Page No.
1	2022/1803/F	HEMPNALL	Spring Farm, Spring Lane, Hempnall, Norfolk, NR15 2NY	18
2	2022/0835/O	WRENINGHAM	Spratts Garage, Wymondham Road, Wreningham, Norfolk, NR16 1AZ	43
3	2022/1890/F	DISS	Grasmere, Denmark Street, Diss, Norfolk	51
4	2022/1995/F	LODDON	2 Church Plain, Loddon, Norfolk, NR14 6EX	61
5	2022/2388/F	CARLETON RODE	Land North of The Turnpike, Carleton Rode	77

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 90)

## 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

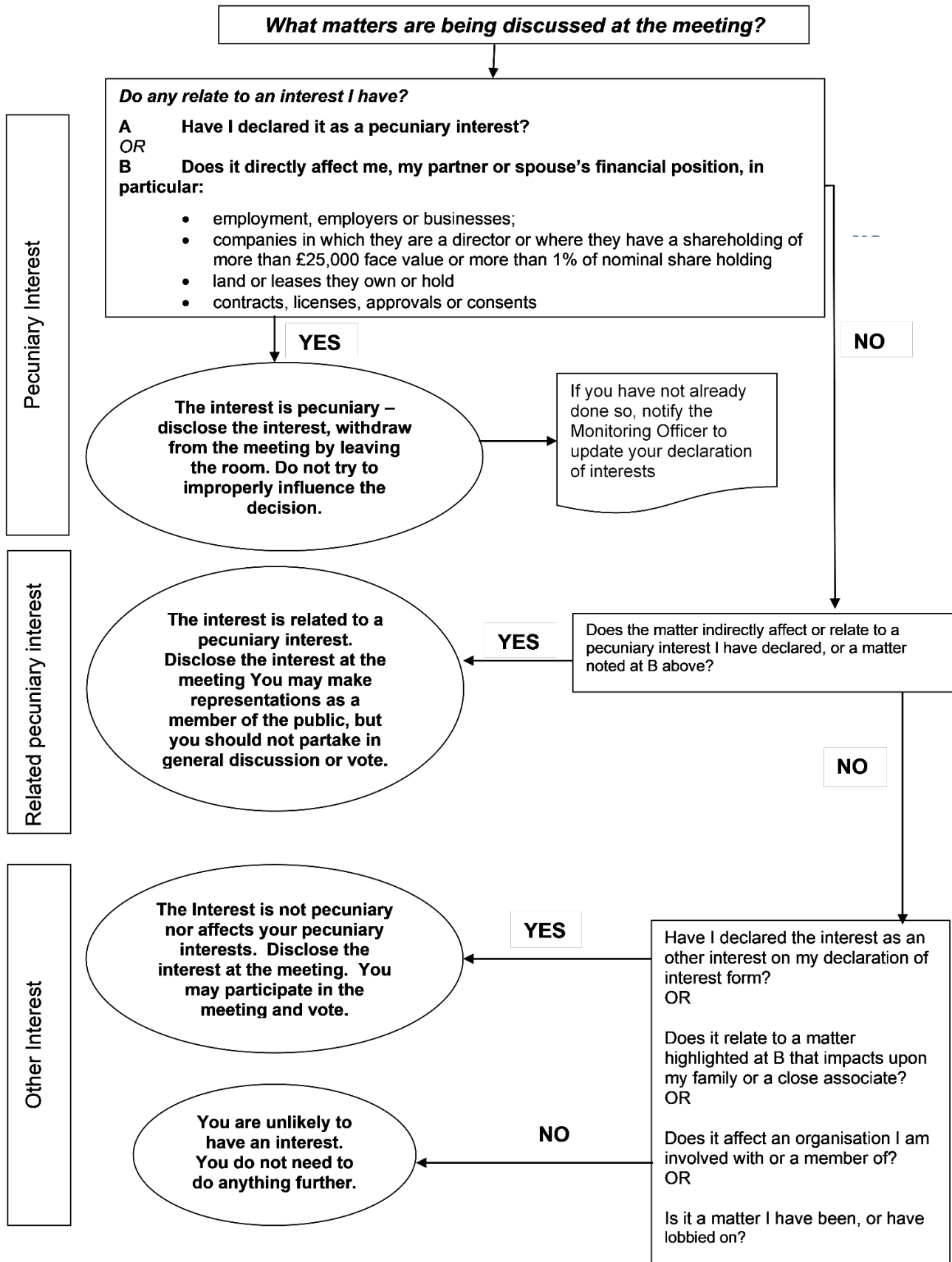
When declaring an interest at a meeting Members are asked to indicate whether their interest in the matter is pecuniary, or if the matter relates to, or affects a pecuniary interest they have, or if it is another type of interest. Members are required to identify the nature of the interest and the agenda 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



## **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 March 2023 at 10.00 am.**

<b>Committee Members Present:</b>	Councillors: L Neal (Vice-Chair, in the Chair), D Bills, Ellis, J Halls, T Holden, C Hudson and T Laidlaw
<b>Apologies for Absence:</b>	Councillors: V Thomson and G Minshull
<b>Substitute:</b>	Councillors: J Overton (In place of V Thomson)
<b>Officers in Attendance:</b>	T Lincoln (Development Manager), T Barker (Principal Planning Officer), S Everard (Principal Planning Officer), L Arthurton (Democratic Services Officer) and C Bennett (Senior Heritage and Design Officer)
<b>Also in Attendance:</b>	Two members of the public

### **660. APOLOGIES FOR ABSENCE**

Apologies were received from Cllrs V Thomson (with J Overton appointed substitute) and G Minshull.

### **661. DECLARATIONS OF INTEREST**

Declarations of interest were received from the following member:

<b>Application</b>	<b>Councillor</b>	<b>Declaration</b>
<b>2022/2105 PULHAM ST MARY Item two</b>	C Hudson	Other Interest As Local Member, Cllr Hudson chose to step down from the Committee and speak solely as Local Member on the application.

### **662. MINUTES**

The minutes of the meeting held on 8 February 2023 were confirmed as a correct record.

**663. 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.

<b>Application</b>	<b>Parish</b>	<b>Speakers</b>
<b>2022/0677</b>	<b>DISS</b>	C Howel– Applicant E Thuell – Agent
<b>2022/2105</b>	<b>PULHAM ST MARY</b>	Cllr C Hudson – 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.

**664. PLANNING APPEALS**

The Committee noted the planning appeals.

(The meeting concluded at 11.14 am)

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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** : **2022/0677/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  
Decision : Members voted 4-3 with one abstention for Refusal

Refused

1 Impact on neighbouring properties to north  
2 Recreational harm to protected designated conservation Site.

- 2. Appl. 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  
Decision : Members voted unanimously for Approval (contrary to the officer's recommendation of refusal)

Approved

Reasons for overturning officer's decision

Members attributed less weight to the harms to the listed building than officers and gave greater weight to the public benefits of the solar panels in relation to the relevant test set out in the MPPF, Policy 4.10 of the Local Plan and sections 16 & 72 of the Listed Building Acts.

## **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, 15 March 2023 at 10.00 am.**

<b>Committee Members Present:</b>	Councillors: L Neal (Vice-Chair, in the Chair), D Bills, F Ellis, J Halls, C Hudson, T Laidlaw and G Minshull
<b>Apologies for Absence:</b>	Councillors: V Thomson and T Holden
<b>Substitute:</b>	Councillors: J Overton (In place of V Thomson)
<b>Officers in Attendance:</b>	H Mellors (Assistant Director of Planning), T Lincoln (Development Manager), L Arthurton (Democratic Services Officer) and C Watts (the Area Planning Manager)
<b>Also in Attendance:</b>	Two officers from Norfolk County Council - Highways and 15 members of the public.

### **665. APOLOGIES FOR ABSENCE**

Apologies were received from Cllrs: V Thomson (with J Overton appointed substitute) and T Holden.

### **666. DECLARATIONS OF INTEREST**

No Declarations of interest were received.

### **667. 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.

<b>Application</b>	<b>Parish</b>	<b>Speakers</b>
<b>(Items 1 &amp; 2)</b> <b>2018/0111/O</b>	<b>LONG STRATTON</b>	M Haslam – Objector A Presslee – Agent D Allfrey & R Kelly -- Norfolk County Council
<b>2018/0112/O</b>	<b>LONG STRATTON &amp; THARSTON</b>	Cllr A Thomas – County Council Member for Long Stratton Cllr B Duffin – Local Member for Tharston.

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.

(The meeting concluded at 11.38 am)

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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.

### **Major Applications**

- 1. Appl. No** : **2018/0111/O**  
**Parish** : **LONG STRATTON**  
**Applicant's Name** : Norfolk Land Ltd  
**Site Address** : Land east of the A140 Long Stratton Norfolk  
**Proposal** : Land east of the A140: Hybrid Application on 131.7 hectares of land to the east of the A140 seeking outline planning permission for 1275 no. dwellings, 8 hectares of employment land for uses within Classes B1, B2 and B8, 2-hectare primary school site, community facilities site, associated infrastructure and public open space. Together with application for full permission for a bypass including roundabouts and junctions.  
**Decision** : Members voted unanimously to authorise the Assistant Director of Planning to approve subject resolution of outstanding planning matters; to the satisfactory completion of a S106 legal agreement; and the imposition of conditions necessary to make the development acceptable as set out in the report and any further necessary at the discretion of officers in completing any decision.

### Outstanding matters

Nutrient Neutrality - Consideration of the revised Nutrient Neutrality mitigation and shadow Appropriate Assessment received from the applicant, consultation with Natural England relating to Habitats Regulations in respect of Nutrient Neutrality to inform the Council as Competent Authority and the Council being satisfied as Competent Authority that the likely significant effects of the development on the integrity of the site and its conservation objectives together with mitigation for the adverse effect on the integrity of the site are adequately addressed and secured.

Surface water drainage - Resolution of final matters relating to surface water drainage and receiving no substantive objection from the Lead Local Flood Authority and the imposition of any further conditions necessary.

Re-consultation with the Integrated Care Board (ICB) in

respect of the identified impacts on health and in particular the impact on Long Stratton Medical Practice

Satisfactory completion of a S106 legal agreement to cover:

- Contributions towards delivery of the bypass
- Travel plan contribution
- A contribution towards enhanced cycle/pedestrian routes along the A140
- Contributions for skylark mitigation
- Affordable housing at 14.13%
- A review mechanism for affordable housing by phase
- Serviced land for the school site
- Serviced community land
- Off site hedging to mitigate the loss of habitat for the yellowhammer
- Open space and green infrastructure (quantum and phasing)
- Self build dwellings
- GIRAMS contribution regarding recreational pressure on Protected Sites
- Monitoring fees

Noting substantively the main elements are agreed however final detailed considerations to be delegated to officers to enable the S106 to be concluded

Suggested conditions:

Time Limit for outline and full permission

Time limit for reserved matters

Submission of reserved matters

In accordance with submitted drawings

Design Code

Surface water drainage scheme

Detailed design of the long-term wetland mitigation strategy

Foul water drainage scheme

Detailed highway plans

Compliance with highway details

Roads constructed to binder course surfacing level

Details of on-site parking for construction workers

Construction Traffic Management Plan and Access route

Details for the Long Stratton Bypass and completed prior to the 250<sup>th</sup> occupation of the development

Detail of off-site highway improvement works and implementation

No direct vehicular or pedestrian access from or onto Hall

Lane, Star Lane or Edges Lane until details approved  
 Travel Plan  
 Infrastructure Phasing Plan  
 Marketing and delivery of the employment land  
 Housing with Care scheme  
 Self-build housing  
 Lighting Design Strategy  
 Construction Environment Management Plan for  
 Biodiversity  
 Landscape and Ecological Management Plans  
 Biodiversity mitigation and enhancement measures  
 Biodiversity Method Statement  
 Biodiversity Net Gain Audit  
 Dark Corridors  
 Lighting design strategy for biodiversity  
 Further ecological surveys  
 Submission of a copy of the Protected Species licence  
 Contamination investigation and risk assessment  
 Unidentified contamination  
 Noise Assessment  
 Implementation of noise remediation scheme and  
 validation  
 Odour Assessment  
 Implementation of changes to the masterplan or approved  
 odour remediation scheme and validation  
 Lighting for residential amenity  
 Construction impacts and Management Plan  
 Contamination  
 Imported topsoil and subsoil evaluation  
 Archaeological written scheme of investigation and  
 mitigation  
 Renewable energy  
 Water efficiency  
 Materials  
 Landscaping scheme, including boundary treatments and  
 site levels  
 Landscaping scheme implementation  
 Soft and Hard Landscaping Strategy  
 Compliance with AIA, including TPP and AMS  
 Fire hydrants  
 Nutrient Neutrality  
 Bypass related conditions  
  
 Informative notes where needed including attention for the  
 need for land drainage consent

2. **Appl. No** : **2018/0112/O**  
**Parish** : **LONG STRATTON & THARSTON**  
**Applicant's Name** : Norfolk Homes Ltd  
**Site Address** : Land west of the A140 Long Stratton Norfolk  
**Proposal** : Hybrid Application on 40.8 hectares of land to the west of the A140 seeking outline planning permission for 387 no. dwellings and 1.5 hectares of Class B1 employment land, associated infrastructure and public open space. Together with application for full planning permission for a western relief road (including a roundabout access at the north to the A140 and a priority junction access to Swan Lane at the south) and with phase 1 housing consisting of 213 no. dwellings, associated infrastructure and public open space.
- Decision** : Members voted unanimously to authorise the Assistant Director of Planning to approve subject resolution of outstanding planning matters; to the satisfactory completion of a S106 legal agreement; and the imposition of conditions necessary to make the development acceptable as set out in the report and any further necessary at the discretion of officers in completing any decision.

#### Outstanding matters

Nutrient Neutrality - Consideration of the revised Nutrient Neutrality mitigation and shadow Appropriate Assessment received from the applicant, there being no substantive comments received from Natural England relating to Habitats Regulations in respect of Nutrient Neutrality and the Council being satisfied as Competent Authority that the likely significant effects of the development on the integrity of the site and its conservation objectives together with mitigation for the adverse effect on the integrity of the site are adequately addressed and secured.

Surface water drainage - Resolution of final matters relating to surface water drainage and receiving no substantive objection from the Lead Local Flood Authority and the imposition of any further conditions necessary.

Re-consultation with the Integrated Care Board (ICB) in respect of the identified impacts on health and in particular the impact on Long Stratton Medical Practice.

Satisfactory resolution of noise and odour matters relating to Banham Poultry to enable the Council to satisfactorily condition these impacts on the grant of planning permission.

Satisfactory completion of a S106 legal agreement to cover:

- Contributions towards delivery of the bypass
  - Travel plan contribution
  - A contribution towards enhanced cycle/pedestrian routes along the A140
  - Contributions for skylark mitigation
  - Affordable housing at 14.13%
  - A review mechanism for affordable housing by phase
  - Serviced land for the school site
  - Serviced community land
- 
- Off site hedging to mitigate the loss of habitat for the yellowhammer
  - Open space and green infrastructure (quantum and phasing)
  - Self build dwellings
  - GIRAMS contribution regarding recreational pressure on Protected Sites
  - Monitoring fees

Noting substantively the main elements are agreed however final detailed considerations to be delegated to officers to enable the S106 to be concluded.

Suggested conditions include:

Time Limit for outline and full permission

Submission of reserved matters for the outline

In accordance with submitted drawings

Design Code

Surface water drainage scheme

Submission of waste water strategy

Detailed design of the long-term wetland mitigation strategy

Foul water drainage scheme

Detailed highway plans

Compliance with highway details

Roads constructed to binder course surfacing level

Details of on-site parking for construction workers

Construction Traffic Management Plan and Access route

Details of off-site highway improvement work for the Swan Lane /

Details for the Long Stratton Bypass and completed prior to the 250<sup>th</sup> occupation of the development

Western Relief Road junction and implementation

Completion of Western Relief Road (including Public Rights of Way works) from Swan Lane to the A140

Details for the provision of a Pedestrian / Cycle crossing



facility on the A140 and implementation  
 Pedestrian/cycle link up to the boundary of the site to St  
 Michaels  
 Road as well as to Trumpeter Rise  
 Travel Plan  
 Infrastructure Phasing Plan  
 Marketing and delivery of the employment land  
 Housing with Care scheme  
 Self-build housing  
 Lighting Design Strategy  
 Construction Environment Management Plan for  
 Biodiversity  
 Landscape and Ecological Management Plan  
 Biodiversity mitigation and enhancement measures  
 Biodiversity Method Statement  
 Biodiversity Net Gain Audit  
 Dark Corridors  
 Lighting design strategy for biodiversity  
 Further ecological surveys  
 Submission of a copy of the Protected Species licence  
 Contamination investigation and risk assessment  
 Unidentified contamination  
 Noise Assessment  
 Implementation of noise remediation scheme and  
 validation  
 Odour Assessment  
 Implementation of changes to the masterplan or approved  
 odour remediation scheme and validation

Lighting for residential amenity  
 Construction impacts and Management Plan  
 Contamination  
 Imported topsoil and subsoil evaluation  
 Archaeological written scheme of investigation and  
 mitigation  
 Renewable energy  
 Water efficiency  
 Materials  
 Landscaping scheme, including boundary treatments and  
 site levels  
 Landscaping scheme implementation  
 Soft and Hard Landscaping Strategy  
 Compliance with AIA, including TPP and AMS  
 Fire hydrants  
 Nutrient Neutrality Bypass related conditions

Informative notes where needed including attention for the  
 need for land drainage consent

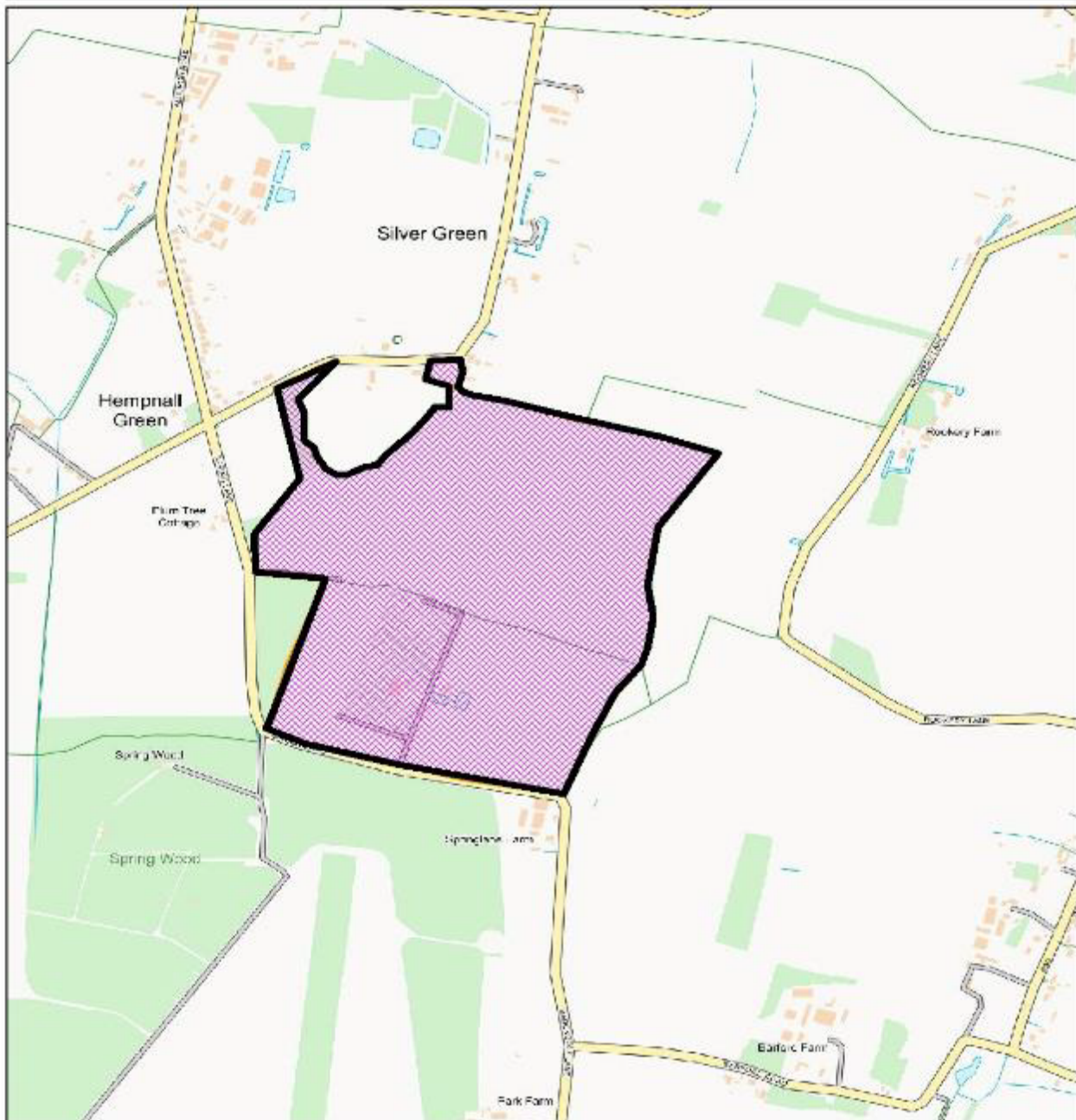
PLANNING APPLICATIONS AND OTHER DEVELOPMENT CONTROL MATTERS

**Report of Director of Place**

**Major Applications**

**Application 1**

**2022/1803 Spring Farm Hempnall - map**



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South Norfolk Council, Thorpe Lodge, 1 Yarmouth Road, Norwich, NR7 0DU Tel (01508) 533701

**1. Application No : 2022/1803/F**  
**Parish : HEMPSTALL**

Applicant's Name: Mr Sean Charlton  
Site Address Spring Farm, Spring Lane, Hempsall, Norfolk, NR15 2NY  
Proposal Erection of glasshouses, polytunnels, general purpose agricultural storage/coldstore building, biomass building, water storage tanks, thermal water tanks, drainage and landscaping.

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

To authorise the Assistant Director (Place) to approve subject to conditions.

**1 Proposal and site context**

1.1 The proposal amounts to the expansion of the existing fruit growing (strawberries) business.

1.2 This would include the following:

- i. Erection of additional glasshouses (64,153m<sup>2</sup>); these would be set to the north of the Public Footpath FP24 and the existing group of glasshouses and polytunnels. These would be of typical dual pitched design set in 8m wide sections, 6.3m high to the ridge. They will collect water run-off, connecting via a piped network to supply the reservoir set to the northern part of the site (approved under 2022/0590) which will in turn supply ongoing irrigation
- ii. Erection of polytunnels (29,237m<sup>2</sup>); these would be set to the east of an existing group of polytunnels and portable style caravan workers accommodation. They would generally measure up to 8m wide by 4m high.
- iii. Erection of a general purpose agricultural storage/coldstore building; this would be sited towards the southern end of the site (Spring Lane) and would measure 70m (long) x 50m (wide) x 9.4m (high to ridge). The building includes coldstores, chiller room, packhouse, general agricultural storage space and also farm office and a teaching/seminar room for farm staff. Part of the farm office will be provided on a mezzanine floor. A number of PV panels will be set to the south facing roof slope to aid the energy consumption of the development. Built as a steel frame construction enclosed with green metal profile cladding and set under a grey fibre cement roof.
- iv. Erection of a biomass / gas boiler building; this measures 25m (long) x 20m (wide) x 7.75m (high to ridge). Built as a steel framed construction enclosed with green metal profile cladding and set under a grey fibre cement roof.
- v. Erection of 2no thermal water tanks to be used for heating of the glasshouses; these measure 14m in diameter and up to 8.5m high. These steel tanks will be coloured green.

- vi. Erection of 2no water storage tanks for irrigation use; these would measure 15m in diameter x 3.4m (high). These steel tanks will be coloured green.
  - vii. Installation of drainage works; ties in with the Drainage Strategy utilising the reservoir and on-site attenuation storage. Rainwater will be harvested, stored in the reservoir and used for irrigation of crops during the growing season.
  - viii. Implementation of landscaping; this amounts to native species tree / hedgerow planting for screening of the above.
- 1.3 The site is an established soft fruit (strawberries) business totalling an area of 45Ha that is sited on the northern and western sides of Spring Lane, Hempnall Green.
- 1.4 Hempnall Green is set to the south-east of Hempnall (the latter which is contained by village development settlement limits). The site is set to the south-east of the majority of property at Hempnall Green.
- 1.5 The site is set generally in an open countryside setting although some further isolated residential properties can be found just to the west and south-east on Spring Lane. Further to the north-west and north at Silver Green are a few more residential dwellings and a Public House (The Three Horseshoes). One of the dwellings to the north is Meadow Farmhouse. This is a grade II listed building of 17<sup>th</sup> Century origin set in substantial landscaped grounds. This property is set around 200m north of the proposed glasshouses separated by some strong lines of boundary treatment / established tree planting.
- 1.6 The surrounding context is generally one of arable and pastoral farming set in a number of field parcels interspersed with established hedgerows. The area is also surrounded by some ancient and ancient replanted woodland, the closest to the south being Spring Wood, also a County Wildlife Site.
- 1.7 Access to the site is taken off Spring Lane at the southern end where the wider road network connects up to the A140 Ipswich Road to the west (via Hempnall, B1527) and A143 Old Railway Road (via routes to the south and east).
- 1.8 The existing operation contains a mixture of glasshouses, polytunnels, ancillary buildings and some seasonal workers portable caravan accommodation. The applicant also has a second site at Martham, Norfolk which would be also linked to the operation of this site. Both sites combined currently produce around 880 tonnes of strawberries per year.

## 2 Relevant planning history

2.1	2013/1805	Construction of new boiler house storage shed.	Prior approval not required
2.2	2018/0824	Screening Opinion for proposed poly tunnels and associated works	EIA Not Required
2.3	2019/0781	Retention of polytunnels	Approved

2.4	2021/1208	Construction of a reservoir	Prior approval required
2.5	2022/0590	Construction of a reservoir and landscaping	Approved
2.6	2022/1202	Discharge of condition 4a - archaeological written scheme of investigation of 2022/0590	Approved
2.7	2022/2267	Details of condition 4B and 4C of 2022/0590 - Archaeological scheme of Investigation	Approved

### 3 Planning Policies

- 3.1 National Planning Policy Framework (“NPPF”)  
 NPPF 02 : Achieving sustainable development  
 NPPF 04 : Decision-making  
 NPPF 06 : Building a strong, competitive economy  
 NPPF 09 : Promoting sustainable transport  
 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 5 : The Economy  
 Policy 6 : Access and Transportation  
 Policy 15 : Service Villages  
 Policy 17 : Small rural communities and the countryside  
 Policy 19 : The hierarchy of centres
- 3.3 South Norfolk Local Plan Development Management Policies (“SNLP DMP”)  
 DM1.1 : Ensuring Development Management contributes to achieving sustainable development in South Norfolk  
 DM1.3 : The sustainable location of new development  
 DM1.4 : Environmental Quality and local distinctiveness  
 DM2.1 : Employment and business development  
 DM2.7 : Agricultural and forestry development  
 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  
 DM4.4 : Natural Environmental assets - designated and locally important open space  
 DM4.5 : Landscape Character Areas and River Valleys

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

3.4 Site Specific Allocations and Policies  
None directly relevant.

3.5 Supplementary Planning Documents (SPD)  
South Norfolk Place-Making Guide (2012)  
South Norfolk Landscape Character Assessments (2001, updated 2012)

3.6 **Statutory duties relating to the 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 Hempnall Parish Council

Initial comments:

- A lack of an NCC highways assessment and numerous concerns about increased traffic flows and their impacts
- Visual impacts in an area of rural, attractive and tranquil landscape
- Increased light pollution in an area of rural dark landscape
- Loss of a greenfield site
- Transformation of a greenfield into an industrial style operation including a large packaging building
- The impacts on drainage (including unknown impacts of foul sewage) in an area that suffers greatly in this regard due to the high water table
- Potential impacts on the number of residential caravans on site at a location outside the settlement limit (development boundary) in Hempnall – the applicant requested 48 extra caravans which, although not part of this application at present, represent a large future threat
- The fact that the site is not identified as an employment site in the current local plan (The Joint Core Strategy)
- Impact on visual amenity for the users of local PROW including footpath 24 which runs through the site
- Impact on water supply in an area that suffers from low water pressure through industrial scale irrigation
- The magnitude of the development – potentially trebling the size of the operation
- Loss of good arable land
- Increased noise in a tranquil area - helicopter flights in to site, night time parties at weekends, fork lift movements and other industrial disturbances created by the operation
- No Environmental Impact Statement

- A failure to engage with the local community e.g. by attending a parish council meeting - the local community was not invited to contribute to pre application discussions between the developer and SNC which have taken place since February 2022
- Too close to existing dwellings – impacts on neighbours
- A query as to whether the proposals comply with Defra guidance on polytunnels and glasshouses?
- It is questionable as to whether this should be treated as an agricultural operation – it would certainly look like an industrial enterprise with a large storage, office and packaging building
- Destruction of habitats for flora and fauna
- Concerns about a past history of retrospective applications re. this operation
- Parishioners were also concerned about the potential loss of other green fields if further expansion was to occur.

Additional comments:

- Additional lighting drawings show extensive nature of existing lighting and which is poor design / orientation / angle
- Lighting Assessment requested
- Conditions should be placed on external lighting as LED lamps housed in fitments and light angled downwards, switched on when needed (rather than dawn to dusk)

4.2 Topcroft Parish Council:

- Large-scale industrial development with glasshouses, a large packing buildings and additional offices in an unsuitable rural area
- Increased light pollution in the countryside which will affect local people as well as impacting on wildlife
- Large-scale development will affect local wildlife
- Increased irrigation will affect the local water supply which already suffers from low water pressure
- The drainage and run-off from the industrial area may create flooding in the local area and surrounding villages, which already have a high-water table
- Concerns about increased traffic flow along rural roads and lanes

4.3 District Councillor  
Cllr M Edney

If the recommendation is to approve this application I wish it to be determined by the Development Management Committee for the following reasons.

- Highways impacts
- Increased light pollution
- Drainage already problems in this area how will this be mitigated?
- Impact on water supply
- Impact on loss of arable land
- No environmental impact statement

- Outside the development boundary and not identified as an employment site.

#### 4.4 NCC - Highway Authority

No objection subject to conditions.

#### 4.5 NCC - Lead Local Flood Authority

No comments to make.

#### 4.6 NCC - Historic Environment Officer

No objection.

#### 4.7 NCC - Public Rights Of Way

No objection.

#### 4.8 Norfolk Police (Designing Out Crime Officer)

Concerns over permeability of location with public footpath running through site, which cause challenges. Recommend vehicular access (i.e. Spring Lane) is gated. Due to permeability of site, doors and windows recommended to be certified to PAS24:2016 or equivalent. Perimeter of site should be reviewed with any gaps filled. CCTV system recommended. Roller shutters recommended to be certified to LPS 1175 Issue 7 SR 2. Further advice / guidance in accordance with Farm Security Self-Assessment First Principle (Norfolk / Suffolk Police) outlined.

#### 4.9 Environment Agency

No objection. Informative information provided on separate EA Permitting process.

#### 4.10 Natural England

No specific comments to make on this proposal or issue.

#### 4.11 Health & Safety Executive

No objection. Cadent Gas pipeline through site recorded / highlighted for information.

#### 4.12 Cadent Gas

No objection in principle. Informative recommended.

#### 4.13 Anglian Water

No objections.

#### 4.14 Ecology & Biodiversity Officer

Planting scheme should be supervised by an Ecological Clerk of Works to ensure no disturbance to protected species. Other enhancements recommended for hedgerows and



trees. Recommend less planting around ponds to reduce impact from shading. Amended landscape plan suggested for greater margin and tree buffers.

#### 4.15 Community Services - Environmental Quality Team

Further additional information requested in respect of the biomass boilers (technical clarifications) and existing (to go with proposed) lighting conditions / strategy.

#### 4.16 Senior Heritage & Design Officer

No objection. Agree with the Heritage Statement that there will no harm. Further landscape planting welcomed to further future proof existing relationship between site to the further benefit of heritage (and ecology) reasons.

#### 4.17 Economic Development Officer

No comments received.

#### 4.18 Water Management Officer

No comments received

#### 4.19 CPRE

Objection:

- Light pollution
- Large scale industrial form of development which is not proportionate to the level of growth planned for area

#### 4.20 The Ramblers

No comments received.

#### 4.21 Other representations

20 objections received setting out the following considerations:

- Increased heavy traffic expected (impact on highway conditions, noise, pollution)
- Increased noise pollution
- Increased light pollution – including impact on wildlife / landscape (also limited information)
- Increased water demand in area of low pressure
- Area prone to flooding, concern around waste and surface water flows (including into local ditch system) and overflows from reservoir
- Large amount of building upon (grade 3) agricultural land - Industrial character, not agricultural and does not recognise countryside character and beauty / economic benefits of agricultural classification
- Import large numbers of staff requiring local infrastructure and services
- Obstruction to routes of local deer population migrating between woodland

- Likely to lead to future intensive additional staff accommodation which should be assessed now
- Detrimental impact to footpath (FP24)
- Increased anti-social behaviour
- Poor connectivity for safe pedestrian access to local amenities
- Vibration / health and safety implications to local Public House and patrons from increased traffic
- No Screening Direction sought from applicant
- Ecological information missing (at submission of application)
- Landscaping / visual impact from footpaths
- Impact on heritage assets is not neutral – parameters should fall into ‘less than substantial harm’ [reference to NPPF] including due to light pollution and no proposed screening to neighbouring listed building
- Air quality and noise concerns around the Biomass Boiler
- Lack of detail over proposed hours of work
- Impact to residential amenity (noise / disturbance) from potential increased leisure activity of workers
- No public consultation exercise undertaken
- Development should be considered as intensive horticultural / factory rather than agricultural
- Landscaping should involve large / semi-mature planting rather than standard understorey planting – screening from existing and proposed planting may be inadequate
- No community benefit from any local trade (nationwide supermarkets supply only)
- Area of Silver Green of rich historic architectural heritage – archaeological implications
- Impact on adjacent small ‘Glamping’ business near to the proposed Glasshouses

## 5 Assessment

### Key considerations

#### 5.1 The key issues in the determination of this application are:

- Principle of development
- Heritage impact
- Landscape and visual impact
- Residential amenity considerations
- Lighting
- Highway and Public Right of Way considerations
- Drainage and flood risk
- Ecology

### Principle of development

#### 5.2 The application site is located outside of the defined settlement boundaries for Hempnall. Policy DM1.3 (2) of the SNLP DMP document sets out that:

*“Permission for development in the Countryside outside of the defined development boundaries of Settlements will only be granted if:*

*c) Where specific Development Management Policies allow for development outside of development boundaries or*

*d) Otherwise demonstrates overriding benefits in terms of economic, social and environment dimensions as addressed in Policy 1.1.”*

- 5.3 In respect of the above, Policy DM2.1 (1) of the of SNLP DMP document is of some relevance. This states at sub-sections 1 and 6 that:

*“1) Development proposals which provide for or assist the creation of new employment opportunities, inward investment and / or provide for the adaptation and expansion of an existing business will be supported unless there is a significant adverse impact in terms of Policies DM1.1, 1.3 and other policies of the Local Plan.”*

*6) Proposals for the expansion of existing businesses located in the Countryside should not have a significant adverse impact on the local and natural environment and character of the Countryside and should protect the amenities of neighbouring occupiers.”*

- 5.4 Policy DM2.7 of the of SNLP DMP is of relevance as it relates to agricultural and forestry development. This states that:

*“Agricultural and forestry development will be permitted where:*

*a) The proposed development is necessary for the purpose of agriculture and forestry*

*or*

*b) In the case of development for an agricultural or forestry contractor serving a wider area, demonstrate that the site is well related to the area to be served and that there are no other alternative sites with existing buildings available;*

*and*

*c) The proposed development is appropriate to the location in terms of use, design and scale, and is sensitively sited to protect the amenity of existing neighbouring uses in the locality; and*

*d) It is designed to avoid significant adverse impact on the natural and local environment and the appearance of the locality, integrate the proposals with existing features, and respect and enhance the character of the surrounding landscape / area.”*

- 5.5 The NPPF at chapter 6 outlines to support a prosperous rural economy, decisions should enable the sustainable growth and expansion of all types of business including through well-designed new buildings and development / diversification of agricultural and other land based rural businesses.

- 5.6 The NPPF at chapter 15 also references how decisions should contribute and enhance the natural and local environment. This includes:

*b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;*

- 5.7 Representations have been made which consider the proposals are more akin to an industrial development, rather than a form of agriculture. In the process of strawberry production, the business at Hempnall (like a number of others in open countryside locations around the UK) involves fruit growing and cultivation set within raised trays above ground housed in suitable climate-controlled greenhouses and polytunnels.
- 5.8 Although this can be compared to horticiculture, this in itself is a branch of agriculture. It is appreciated that the business would mean a substantial hectarage / parcel of this site / agricultural land being covered with these particular forms of enclosure (light construction) and ancillary buildings; however, the land use remains principally in agricultural form. The growing and production of strawberries falls under the definition of agriculture. The site is recorded to be part of a wider grade 3 good to moderate quality agricultural land, although specifically it is not stated whether it falls into sub-category a) (good) or b) (moderate). The 'best and most versatile' agricultural land is defined as that falling within grades 1, 2 and 3a.
- 5.9 Notwithstanding the use of the land in agricultural terms, in respect of the proposal, whilst recognised that this located in the open countryside, this would be set adjacent / within / amongst an existing established fruit farm business where some other key economic and other benefits of using this land (notwithstanding if part of grade 3a land use classification) are apparent. Should the business ever not succeed or relocate, the land can be suitably turned back into arable production and the installation of the lightweight structures with their elevated fruit trays set off the ground do not mean that future use of the land for crop production is compromised (these structures can be easily removed or relocated). For clarity however as an agricultural proposal, it is not considered that any loss of best and more versatile agricultural land is apparent.
- 5.10 Food security remains a concern to the UK and indeed climate change threatens the future success of UK seasonal open fruit production. Use of glasshouses and polytunnels make for more efficient / reliable soft fruit growing conditions extending the season of production and reducing the climate impact from importation of fruit from abroad.
- 5.11 The proposal contributes to and supports UK rural business / agriculture in which over the past 25 years soft fruit production has grown by 600% in the UK. In 1996 the UK consumption stood at 67,000 tonnes of strawberries. By 2015, strawberry consumption had risen to 168,000 tonnes (up 150%) (Fresh Produce Journal – 08/03/21). However, despite this backdrop, total fruit imports remain much higher than total fruit exports (Government horticulture statistics 2021 – gov.uk, 19/05/22).
- 5.12 The proposal would see a £11m investment into South Norfolk, with a significant Community Infrastructure Levy further increasing expenditure into the local community as a direct result of the proposal. In terms of job creation, whilst the proposal does not seek additional overnight accommodation, the proposal will help underpin additional job opportunities at the company's two Norfolk sites (Hempnall and Martham), directly benefitting the wider regional economy with contractor and supply chain spin-offs. Not only would the investment be important in respect of the proposed glasshouses, the expenditure will underpin the viability of the existing farm business in 2024 through improved operational efficiencies.
- 5.13 The proposals are considered to align with the national objectives set out in the NPPF, Chapter 6 in respect of this rural economic business. In respect of Policy DM2.7(a), the proposals in principle can be supported as they are considered necessary / related to the purpose of agricultural development and additionally under Policy DM2.1(1), will provide

for or assist the creation of new employment opportunities, inward investment and / or provide for the adaptation and expansion of an existing rural business in South Norfolk.

### **Heritage impact**

- 5.14 In respect of S66(1) Planning (Listed Buildings and Conservation Areas) Act 1990 in considering the proposed development and the relationship to listed buildings, the local planning authority has taken special regard to the desirability of preserving their setting.
- 5.15 A Heritage Statement has been produced by the applicants which in turn has been reviewed by the Council's Senior Heritage and Design Officer.
- 5.16 Meadow Farmhouse, grade II listed, is set closest to the site of designated heritage assets assessed / considered. The property, which is set to the north of the site, dates from the 17<sup>th</sup> Century and is positioned with its main elevations facing east and west with the gable end facing south. To the south the property benefits from an extensive curtilage with mature / developed hedgerows and boundary trees / treatment. A garage block is also set angled near to and from the south gable end.
- 5.17 The most prominent individual building is considered to be the Packaging / Storage / Cold Store building; however, this is set nearest to the Spring Lane (south) side of the site. Views of this from both Meadow Farmhouse (to the north) and Hardwick Airfield which served as a World War 2 airbase (as a Non-Designated Heritage Asset, to the south) are well screened by intervening boundary treatment / landscaping and / or woodland, in addition to the existing farm buildings on site.
- 5.18 The remainder of the ancillary buildings are coloured green with grey roofing to blend their appearance - particularly when viewed from further away - with the background setting (landscape and sky).
- 5.19 In respect of the glasshouses and polytunnels whilst collectively these are set across a much wider area of site coverage their appearance is more lightweight / less solid in materials and colours. For the glasshouses, at 6.3m high to the ridge, these are relatively modest in height. The polytunnels at 4m to their maximum curvature are even less prominent in height.
- 5.20 In addition to visual considerations, other factors such as noise, dust and vibration can also influence the effect of an asset's setting experienced by others (Historic England – The Setting of Heritage Assets – Historic Environment Good Practice Advice in Planning Note 3 (Second Edition) (2017)). The glasshouses are set closest to Meadow Farmhouse and its curtilage. However, their operation and the intervening boundary treatment are not considered would lead to notably detrimental impacts in this respect on the listed asset. Protection from these other aspects of the asset's experience from other parts of the proposal like the Biomass building (air quality) are further discussed below in the report.
- 5.21 Other designated assets further away than those identified above are highlighted in the Heritage Assessment, including Yew Tree Farmhouse, Chestnut Farmhouse and Silver Green Farmhouse. A further collection of listed buildings can be found to the west of the site centred around Lundy Green, the nearest of which (measured from the closest part of the site boundary) being around 500m away (The Three Feathers). Further assets are set to the north-east, again over 500m away in the Topcroft area. This includes the Grade II\* Church of St Margaret.

- 5.22 Given these distances and the intervening hedgerows, trees and boundary treatment, the conclusions of the Heritage Assessment that state the proposed development will not impact on the character and setting of these heritage assets is not fundamentally challenged. It is considered that no demonstrable harm to these assets from the proposal is evident in respect of setting and significance. The Senior Heritage and Design Officer's commentary that additional tree and hedgerow / boundary planting could be undertaken have been noted and this has helped shape the revised landscape plan.
- 5.23 Representation has also been received in respect of Silver Green's rich architectural heritage which may have archaeological implications also. The Historic Environment Service however has not raised any objection to the application.
- 5.24 The proposal in its relationship to heritage assets is considered to be compliant with Policy DM4.10 and guidance contained in the NPPF at Chapter 16.

### **Landscape and visual impact**

- 5.25 Policy DM2.7(d) outlines that in respect of agricultural and forestry development, development should avoid significant adverse impact on the natural and local environment / locality and integrate with existing features and respect / enhance the character of the surrounding landscape / area. Policy DM1.4 also confirms that development should protect the significance of environmental assets.
- 5.26 Policy DM4.5 confirms that development should demonstrate how it has taken into account key characteristics, assets, sensitivities and vulnerabilities, landscape strategy and development considerations in their proposals. Policy DM4.8 promotes the safeguarding and management of significant trees and hedgerows. Policy DM4.9 requires detailed development proposals must demonstrate high quality landscape design / implementation and management, providing an appropriate setting and respecting the character / distinctiveness of the local landscape.
- 5.27 The site can be viewed in between / through areas of existing established landscaping (hedgerows and an area of broadleaved woodland coppice) from Spring Lane which routes around the southern and western perimeter. Additionally closer views can be achieved when moving through the centre of the site via public footpath FP24 or to the east via footpath FP07, which from Spring Lane at the south-east corner of the site meanders towards Rookery Lane to the north-east.
- 5.28 A Landscape and Visual Impact Assessment (LVIA) has been provided. This highlights that nationally, the site lies within the wider South Norfolk and High Suffolk Claylands (NCA83) which identifies the area as being generally flat / gently undulating where views can be open are sometimes confined by hedges and trees with some woodland too. Remaining field boundaries formed by deep ditches, some with hedgerows and hedgerow trees as is the case at the site.
- 5.29 At a more local level, the 2001 South Norfolk Landscape Assessment (as updated by the 2012 review) has been considered. The site lies within LCA B1: Tas Tributary Farmland, which includes key characteristics such as open / undulating to flat / sloping landscape with tributary streams (not prominent), large open arable fields, small blocks of deciduous woodland, scattered remnant hedgerow trees, ditches, amongst rural roads. In terms of sensitivities and vulnerabilities, further loss of vegetation structure including woodland and hedgerows from the landscape (greater sense of openness) is highlighted as is the intrusion by tall and large elements like large farm buildings and pylons. It is evident from

the LVIA historical mapping shows that agricultural practice in the wider area has amalgamated smaller fields to larger parcels of land due to intensification of practice.

- 5.30 The existing farm buildings are linear in form along field and ditch boundary patterns but screened to a great extent by the aforementioned planting in respect of views from the wider surrounding landscaping. Notwithstanding, Public Rights of Way align to the northern boundary (H/FP16) and through the middle of the site (H/FT24) and to the east (T/FP7). These do allow for some unobstructed and partially obstructed views of the site.
- 5.31 In respect of the site where the proposed glasshouses and polytunnels would be set, this generally currently consists of open agricultural fields with some sporadically positioned mature trees evident, particularly along the lines of some of the existing ditches that run either north-south or east-west through the site.
- 5.32 As the LVIA notes, these fields have been ploughed but due to the cyclical nature of farming, over more recent years, they have also contained rapeseed to the northern fields (where glasshouses are proposed) where the vibrant yellow colour can be seen within the seasons which contains a very different context to when ploughed. The site otherwise is accessed from Spring Lane and the centrally positioned access road enters into a group of operational buildings with polytunnels and glasshouses to the west of this route and further polytunnels to the north-east with workers accommodation caravans to the east. These are all screened to a good degree particularly by a small area of woodland to the west boundary / south-west corner and further trees set close to the boundaries of the structures to all sides.
- 5.33 In respect of the wider development site boundary, much of this is also bordered by hedgerows and hedgerow trees although in places these have become 'gappy' or removed altogether – particularly this is evident on Spring Lane.
- 5.34 The LVIA states at 3.5.2 that: *“apart from the remnant trees, the Site has limited ecological or landscape value and is considered to be in poor condition. As such the value of the Site and its environments is considered to be of Medium to Low Value due to the proximity of Public Rights of Way”*.
- 5.35 However it goes on to add at 3.6.1. – 3.6.2 that:

*“....the hedgerow vegetation to the boundaries of the site and remnant trees provide a strong landscape feature despite their lack of management and poor condition.*

*These features contribute positively to both the character of the Site in providing a sense of enclosure and to the wider landscape of the Tas Tributary farmland Landscape Character Area. As such, the Site is assessed as making a Medium to Low contribution to the wider local landscape character.”*

- 5.36 A number of photographs and views have been considered in the LVIA from 14 different locations around the perimeter of the site and 2 further views from the north-east. These show how the site is generally well screened but some views are more obtainable where hedgerows are less well established. The LVIA considers opportunities that the development could bring at section 6.3.8:
- *Strengthen the existing vegetation along PRow 16 to protect views from the open countryside to the north of the Site in accordance with the mitigation measures for the approved Reservoir.*

- *Substantially increase the level of vegetation within the site with new native hedgerow and tree planting to provide a strong green infrastructure network to the site, in order to strengthen landscape character, improve visual amenity and benefit wildlife.*
- *Create a green corridor to PRow 24 which dissects the Site by strengthening existing vegetation to its south which allow filtered views to the existing green houses and polytunnels and by creating a buffer to the development to the north with a new hedgerow.*

- 5.37 The landscape proposals shown are based upon the above and will further ensure that views of the development are well screened, although it is accepted that this will be more evident in future years once planting has reached full maturity.
- 5.38 The proposed greenhouses and polytunnels have positioned to follow more traditional field patterns and these can be further matched through additional enclosure created (which has been lost over time to amalgamation of fields). The following landscape measures (as also shown in the proposed landscape plan by Guarda ref. GUA-DR-L-001 Rev P02) are therefore proposed:
- Retain and enhance hedgerows, plant trees to the northern boundary to further screen from footpath 16
  - Re-instatement of hedgerows between the reservoir and the glasshouses proposed
  - Substantial 25m wide buffer planting to align with footpath 24
  - Gap up hedgerow and provide further tree planting to the eastern boundary (screening views from footpath 7)
  - Hedgerow planting to define the southern boundary along Spring Lane
  - Across all boundaries a 20m buffer is provided relative to all hedgerows and trees to help define strips of ecological enhancement. Furthermore, a 6m strip of wildflower grass verge is provided to all new / proposed hedgerows
- 5.39 Some visual impacts to the footpaths will be apparent particularly until planting matures. In terms of footpath 24 the glasshouses and additional polytunnels will be much closer to view, but this route is already characterised by such structures in the existing setting. The route opens out again as the user moves from the west towards the east.
- 5.40 The proposal is considered to accord with Policies DM2.7(d) and DM4.5 in how the development would integrate with existing features and is based on a landscape strategy of enhancement and sensitive boundary treatments, which in turn also further complies with Policies DM4.8 and DM4.9. The strategy and detailed landscape proposals are considered in time will ensure that the development is suitably assimilated into the natural surroundings and views will be largely screened. The landscaping proposals will also have ecological benefits in addition to visual containment of the farm buildings. The proposals are therefore supported in their relationship and integration with the natural environment under JCS Policy 1 and NPPF Chapter 15.
- 5.41 In terms of design more generally, the buildings proposed are very much traditional and of a standardised appearance in the rural landscape. The glasshouses are simple apex roofed structures very much alike the existing on site. The same for the polytunnels. The group of additional buildings like the proposed packing / storage / cold store building and the Biomass and thermal water tank buildings are all set centrally or to the south of the site and thus will be well screened by the existing glasshouses and polytunnels and existing screening to the site boundaries on the south / west sides. Notwithstanding the buildings have been purposely proposed in a green cladding material with grey sheet



roofing to ensure they further blend with in within the setting and the general the backdrop of greenery that exists and skylines. The application is therefore considered to meet the guidance of Policy DM3.8.

### **Residential amenity considerations**

- 5.42 The fruit growing farm is an established operation in the community. The site has some generally isolated sporadic residential property set around / beyond the site perimeter, particularly to the north at Silver Green and on Spring Lane itself to the west and south-east. However, these nearest properties are still set over 100m away from the proposed greenhouses.
- 5.43 A greater number of residential properties exist further to the north on Alburgh Road and Topcroft to the south-east / east. The fruit growing and picking operation in itself has very little background noise associated with it although with the proposed expansion, it is accepted that some increased internal movements from farm vehicles will result. However, these are not expected to be onerous and will be largely screened by the structures and existing well established landscaping themselves as they will be generally taken north-south through the site back to the packing and other operational buildings more central and south within the site.
- 5.44 Whilst the construction of the site would be more notable, a Construction Environmental Management Plan would be subject of conditions, to control vehicle types and their routes locally, times, parking and noise. However, whilst the area in footprint is sizable, the construction of the glasshouses and polytunnels is fairly simple and lightweight. The polytunnels are constructed of a series of tubular steel hoops which are attached to steel legs, screwed into the ground to a depth of approximately 0.5 metres. The legs are screwed into the ground by a hydraulically driven attachment fitted to the back of a tractor. The steel tubing framework is attached to the legs by hand and covered in clear polythene sheeting. The metal framework of the glasshouses will be constructed and supported on a series of concrete posts set into the ground and by a low concrete strip foundation/wall to be erected around the external perimeter of the glasshouses. The glasshouses will be constructed using only telehandlers, platforms and cherry pickers – no cranes or other heavy machinery/equipment is required. A mobile crane will be required to offload the biomass boilers and thermal stores but that will be expected to be limited to a maximum of 5 days. Other normal construction machinery/equipment will be used for groundwork etc. It should be noted no vibration or significant noise through construction practice is expected.
- 5.45 The site contains 25 caravans for seasonal workers accommodation. The application does not propose any further accommodation; the applicant has outlined that more efficient working practices and some staff brought into the site from their other base at Martham, Norfolk (40 – 45 mins journey) on a daily basis during peak periods. There has been some suggestion that some noise from anti-social activity / late party activity during summer months has been apparent by on site workers, however such complaints appear to have been ad-hoc and not consistent over past months / years. It is therefore not evident that a notable increase in the comings and goings and activities associated with the workers (primarily strawberry pickers and packers) will be of detriment to local residential amenity (or local seasonal tourist accommodation as commented within one of the representations).
- 5.46 As the site develops including its boundary treatment matures, this will help further screen and buffer any existing sources of low-level noise. It is expected and considered

appropriate that standard separate legislative powers are available to the Council to utilise noise enforcement measures if fundamentally necessary. It is not considered necessary or appropriate to control hours of work particularly given the seasonal nature of the operation.

- 5.47 Matters of transport and light impacts (in respect of their amenity considerations) are considered more specifically below. In respect of the other operational comments made above however, the application is considered, subject to condition to be acceptable under Policy DM3.13 and guidance within the NPPF at paragraph 185 a) in respect of noise effects in this location.

### **Lighting**

- 5.48 The business of growing strawberries through the year relies on an element of lighting (break lighting) to support the operation, particularly during February to mid- March. This helps to develop and grow the strawberries when UK climate conditions are less favourable. Although this requires an element of energy usage and artificial light (and sometimes also heat during May if temperature dictates), there are evident and desirable climate benefits of producing UK soft fruit as opposed to supermarkets purchasing and transporting from overseas producers and markets.
- 5.49 A Lighting Assessment (LA) has been provided. The authors consider under the Environmental Zone Classifications (Institute of Lighting Engineers) that the site falls within zone E2 – Rural (sparsely inhabited rural areas) with low district brightness. The LA shows how the lighting will be formed from LED style lighting to help develop efficient light and growth.
- 5.50 The lighting of the proposed glasshouses will be used only in the hours of darkness and illuminated for only 15 minutes every hour or 25% of the lights during this six-week period. The lamps to be used emit only 20 lumens each. The proposed glasshouses would additionally benefit from internal thermal screens to significantly reduce the level of light lost through the glass sides and roofing. These would be set upon an automated system of roller screens, details of which have been provided by the applicant. Whilst it is recognised that the screens will largely contain any leakage of light sideways some light will still be lost through parts of the roof but given this screening, further to the temporary nature of the lighting when this would occur, the resultant impact is considered acceptable under Policy DM3.14.
- 5.51 According to the findings of the Assessment, the proposed lighting design is not classed as obtrusive lighting and the lighting falls well within acceptable ranges under pre and post curfew limits, particularly of which are noted at the nearest residential property to the north and west of the site. The Environmental Health Officer also raises no objections to the proposed lighting designs.
- 5.52 The Environmental Health Officer has requested that consideration of the existing lighting (including external lighting) is also further considered too (i.e. cumulatively with the proposed lighting). Since the applicant purchased the site in recent years it has been recognised that the existing lighting to the original glasshouses is somewhat dated and less efficient than that proposed in the new glasshouses. The existing glasshouses also do not benefit from screening controls or planning limits on when the lighting is used for example.

- 5.53 The application here therefore also gives opportunity to better improve the aged lighting and screen the existing glasshouses to the betterment of amenity and ecological considerations. Additionally other forms of existing ad-hoc external site lighting found at the site (as shown in submitted plans) are considered can be upgraded / improved.
- 5.54 It is considered that this mitigation can be controlled through a suitably imposed condition to provide a scheme for agreement of the retrofitting of new lighting / screening to the existing site / glasshouses. The application is considered acceptable against Policy DM3.14 and guidance contained with the NPPF particularly at paragraph 185(c).

### **Highway and Public Right of Way considerations**

- 5.55 The site is presently served off an access road from Spring Lane. The proposed development does not alter this principle point of access. The Highways consultation, although raising no objection, does request that the existing fence with some trimming of vegetation either side of this access is set back slightly and realigned to provide fuller visibility sight lines; this has been shown by the applicant at the expected 2.4m x 215m in both directions. This will benefit both existing and proposed traffic leaving the site, notwithstanding that it is noted (according to data provided via crashmap.co.uk) that no accidents / incidents have been recorded within proximity to the site on Spring Lane have occurred in the latest 5-year period.
- 5.56 The proposal has been accompanied by a Transport Statement (TS) which highlights some key considerations:
- Increase in staff accessing the site between April and September however this does not equate to an increase in parking demand as these workers will access the site via minibus
  - Parking for 22 spaces exists to the front of the site
  - Adequate turning space exists for HGVs turning within the site
  - Vehicle tracking shows adequate space for HGVs to enter and leave the site

### Construction Management

- Wheel washing will be provided
  - Access to the construction site will be secured and operated in accordance with current Health & Safety legislation
  - Delivery and construction traffic will be accommodated on the construction site
  - Instructions and compliance for construction works will be secured *[i.e. also this would be secured through a Construction Environmental Management Plan [CEMP]]*
  - Construction would be taken within two phases; each phase across mid-late Spring to early Winter
  - Construction would likely see an increase of 1 HGV delivery per weekday alongside five other vehicles associated with workers
- 5.57 In respect of the existing operation, the TS highlights that in the month where the greatest movements occur (July), this would give an average daily figure of 12.8 trips, made up of 2.1 HGV trips, 1.6 tractor trips, 2.6 trips to Martham Farm (fruit movements) and 6.5 other movements. Rounded up as an average this would produce 26 movements when considering two-way trips.

- 5.58 In respect of the proposed operation, the TS clearly notes that there will be an increase in trips associated with the expanded operation, however due to more efficient working practices and where there is no longer a requirement to import some additional fruit from local farms, a small reduction (10%) is expected for HGV movements. This is countered by an increase in three additional trips per week to account for wood chip importation for the Biomass Boilers to operate. An increase of one trip per day is also expected to account for additional staff coming to site; the applicant is looking to utilise a larger mini-bus rather than two separate mini-buses.
- 5.59 HGV movements will be made more efficient with fuller loads (rather than at present half loads) being transported to provide produce to supermarkets. In total, the increase in trips is expected to be 32 movements daily (accounting for two-way trips) in the busiest month of July (rather than the present 26), an average 6 additional movements a day at this summer peak period.
- 5.60 The NCC Highways consultation and the LPA consider that the above shows a marginal / negligible change in trip patterns / movements onto the local road network. These are expected to generally continue to route to the A140 via Hempnall Green and Hempnall. The application is considered to meet guidance set out in Policies DM3.11 and DM3.12 and guidance set within the NPPF (particularly paragraph 111). The level and intensity of traffic trips is not considered to give rise to significant / unexpected impacts upon residential amenity through the surrounding community and so accords with Policy DM3.13. The level of private car movements is considered to be low from staff related trips and the use of minibus by the applicant will additionally assist with sustainable travel objectives set out in Policy DM3.10, despite the rural location of the site.
- 5.61 The Public Rights of Way (PRoWs) would remain unobstructed through the proposed layout and the PRoW consultee resultantly raises no objection. The CEMP will be required to deal with appropriate controls to safeguard the route of footpath 24 in particular during construction.

### **Drainage and flood risk**

- 5.62 The site is located on the boundary of both the River Waveney and River Yare catchments (both lie in the Broadland River Catchment Flood Management Plan). The north-western section drains via field drains and ditches to Hempnall Beck (this flows into the River Tas, a tributary of the River Waveney). The south-eastern half of the site drains via field drains and ditches to Broome Beck; this connects to River Waveney also further downstream.
- 5.63 The site drains through a series of subsurface field drains (perforated pipes) and these drain into open ditches to the sides of the field boundaries. The open ditches and drains are known to be dry except for during storm events, where surface water would runoff into field boundary ditches direct, given the soil's low permeability. At the northern end of the site the field boundary ditch also then drains to a 12inch pipe culvert, connecting to Hempnall Brook downstream.
- 5.64 The existing polytunnels drain to ground where runoff slowly infiltrates into the ground and either enters the field drains or runs off direct into the open ditches. In respect of the existing glasshouses, these drain via their roofs, to existing reservoir on site. However,

this is not used for irrigation purposes as it is not lined and cannot hold water for long. However the existing glasshouses are to be harvested and connected by a sealed siphon drainage network to the approved reservoir with its capacity of 60000m<sup>3</sup> (ref. 2021/1208) at the northern end of the site.

- 5.65 The polytunnels will not be covered all year (covering limited to 1<sup>st</sup> March to 31<sup>st</sup> October) and rainwater harvesting will not be utilised. The ground surface under the raised fruit tables in the polytunnels will be unchanged (grassed) and open to the elements during the late autumn / winter period.
- 5.66 The application is accompanied by a Flood Risk Assessment (FRA) and Drainage Strategy. The site lies within flood zone 1 (0.1% probability of flooding) and the use is considered to fall within the 'less vulnerable' category of uses. It is further noted that the Greater Norwich Strategic Flood Risk Assessment does not identify any specific fluvial flood risk to the site and no historical records of fluvial flooding are recorded on the site.
- 5.67 In terms of surface water flooding, the site is generally recorded to have no or very low risk (according to the Environment Agency). Isolated areas at higher risk being generally set on the boundary of the site, associated with topographical land levels. The ditches also are recognised as being of low – medium risk. These are generally characteristic of the wider area where pockets of surface water risk are isolated. It is noted that in these areas of higher risk, the proposal would help manage this through on-site capture via rainwater harvesting / attenuation.
- 5.68 As the site is comprised of clay soils, infiltration drainage is not practical / suitable. The approved reservoir will sustainably and suitably collect and store rainwater from the existing and proposed glasshouses and this captured water will irrigate the soft fruit during their growing season.
- 5.69 The FRA and Drainage Strategy has calculated the following stormwater storage requirements of the proposal and provides different solutions for each part of the site as outlined below:

<b>Development</b>	<b>Area – storage (Ha)</b>	<b>1:100yr _ 40% Climate Change Storage Volume (m<sup>3</sup>)</b>	<b>Receiving Storage Feature</b>
Polytunnels	0.58	462	Attenuation Basin
Packhouse Yard	0.27	362	Underground Attenuation Tank
Existing Glasshouse	3.20	20,000	Approved Reservoir
Proposed Glasshouse	6.44		
Packhouse Building	0.35		
Biomass/Boiler Building	0.05		

#### Polytunnels

- 5.70 The polytunnels are considered to have very little overall effect on surface water / ground conditions. Their orientation is placed across land contours to receive rainwater falling. In the wetter winter months, the tunnels are uncovered and where grassed underneath, the position is very little different from open fields. During the drier growing months (March – October) rainwater can change due to the harder ground and rainwater characteristics.

To deal with this, French drains and an attenuation basin are used at the southern end of the polytunnels block to accommodate a 1:100 year flood event plus 40% climate change with discharge to the adjacent open ditch equal to a 1:1 greenfield runoff rate.

### Glasshouses

- 5.71 The glasshouses will take rainwater and this will be fed back towards the approved large reservoir via sealed pipework. Although sizable the large reservoir will have a pumped discharge to the central open ditch (at the greenfield run off rate) should the top water level be ever reached (if ever reached, water can still be pumped out manually as an override). The reservoir will also provide an irrigation source for the fruit growing. However, it should be noted the reservoir is designed to accommodate a 7 day 1:100 + 40% climate change event, giving good capacity in such an extreme period of rainfall.

### Biomass / Boiler Building, Packhouse and Yard, Parking Area

- 5.72 Rainwater from the biomass / boiler buildings and the packhouse building will be captured and also fed into the reservoir. The parking areas will be served by gullies and drainage channels into a underground attenuation tank (260m<sup>2</sup>) which will be passed through an oil water separator and discharged to the open ditch to the east of the access road using a flow control system.

### Drainage conclusions

- 5.73 The LLFA and the Environment Agency raised no objection to the application. Anglian Water also did not object. Objections have been received concerning the low pressure for water in the area but as the above outlines the site is not seeking to utilise external water sources to irrigate the crops and as a site is designed to be self-sufficient and sustainably managed to retain and safeguard a water resource all year round. Due to the controls and measures as designed and calculated the application is not considered to increase any flood risk around the site or downstream and the proposals are acceptable with reference to JCS Policies 1-3, Policy DM4.2 and guidance in the NPPF at chapter 14 in particular.

### Ecology

- 5.74 The proposal is accompanied by an Ecological Impact Assessment Report (EclA) which identifies the habitats within the proposed areas of works, assesses the potential for protected species to be present and the likely impacts of the proposals on areas of ecological interest and where required, suggests appropriate mitigation and compensation. The report draws conclusions from both a desk study and on-site habitat survey.
- 5.75 The site is set some 2.9km from the nearest Site of Special Scientific Interest (SSSI) which lies to the west at Fritton Common. The site is also surrounded by some ancient woodland, semi-natural woodland and ancient replanted woodland. This includes Spring Wood (County Wildlife Site) to the immediate south of the site.
- 5.76 The report also picks up on the hedgerows and trees present within the site. Generally the former are of moderate to good quality although the hedgerow to the south side on Spring Lane is deemed poor. Many of the trees are deemed to be in good condition with the exception of tree TN8, a mature oak in the field to the east side and some of the ditch trees. Some species poor grassland was also picked up in the report / survey. Ponds

within the site were also noted however these were deemed to have poor condition when considered against potential to support Great Crested Newts (GCN). Habitat for reptiles, badgers and bats have also been considered.

- 5.77 The site has some potential for foraging bats (along hedgerows for instance) however it is recognised that the existing lighting of the site will have an effect close to the present structures.
- 5.78 Potential for GCN activity is considered negligible due to the condition of the ponds and intensive farming practice within / around the site. Some badger activity has been noted and therefore the Ecologist consultee recognises this and has suggested a condition which requires an Ecological Clerk of Works to oversee hedgerow works in the area affected (not referenced for public disclosure reasons).
- 5.79 Otherwise the application proposals are not considered to give rise to significant habitat impacts given the low ecological value of the arable farmland where the glasshouse and polytunnels are proposed.
- 5.80 The EcIA recommends the following mitigation measures which are accepted by the Ecology and Biodiversity Officer:
- 1) Protect and enhance the hedgerows on the Site;*
  - 2) Protect the two isolated in-field trees on the Site; and,*
  - 3) Ensure the badger sett on the eastern boundary is not damaged or disturbed when implementing the proposed planting scheme*
  - 4) Limit the potential for impacts to occur to GCN during construction should they be present in ponds close to the Site;*
- 5.81 More specifically, the EcIA at 5.4 and 5.5 suggests:
- Buffering all hedges and tree lines on the site with 6m grass margins and allowing the hedges to thicken
  - Establishing a grass sward of 20m radius around both in-field trees to protect their roots from repeated ploughing
  - Allowing the hedge running along the southern boundary of the Site (TN5) to increase in height to a minimum of 2m and allow some of the plants within the hedge to grow into hedgerow trees
  - Filling in gaps in hedges by planting with the same mix of species as already present
  - Reduce the over-shading of ponds 1 & 2 by removing around 75% of woody growth around the ponds margin, especially on the southern side so that the pond receives sun for most of the day.
  - Reprofilling the sides of pond 3 to a shallower gradient
- 5.82 The Ecology and Biodiversity Officer accepts these recommendations and requests these be secured within conditions. The Landscape Plan has also been updated to accord with the recommendations made around grass margins and tree protection buffers etc. The application is considered to have positive impacts in regards to biodiversity improvements.

- 5.83 The site is partly set within a nutrient impact area and an associated report has been produced. The report recognises that no overnight accommodation is proposed and no increase in nutrient load from (domestic) waste water. The report also references a proposed decrease in nitrogen and phosphorous. Natural England have not raised objection to the application.
- 5.84 The application is considered to meet the guidance set out in JCS Policies 1 and 2, Policies DM1.4, DM2.7 and DM4.4 and guidance set out in the NPPF, chapter 15.

#### Other Issues

- 5.85 The applicant has provided some expected calculations / details of the Biomass Boilers to consider air emissions. The Environment Agency raises no objections to the information supplied but does highlight that their installation will be also subject of their separate legislative Permitting process. The Council's Environmental Health Officer has requested some clarifications using data from the specific boilers to be used and reference to made to limitations of the particulate matter (PM<sub>2.5</sub>) in respect of the Environment Act. Whilst there is some crossover between the Planning and Environment Acts, it is considered that the finer information of the boilers chosen and their specification can be conditioned so that their technical details and emission outputs fall within legislative limits. The proposed locations and designs of the boilers, fairly central within the group of buildings is set within an appropriate position and well away from existing residential property. The application is therefore considered acceptable subject to these controls, under Policy DM3.14.
- 5.86 Representation has been received which outlines that community consultation was not carried out. Whilst this is advocated and always recommended as good practice, there is no statutory requirement for this to be undertaken. A further representation comments that much past planning consent has been received retrospectively. This isn't considered to be material as each case is considered on its merits whether retrospective or otherwise as is the case here.
- 5.87 The application has been screened and is not considered to necessitate an Environment Impact Assessment.
- 5.88 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 (in respect of waste water). 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).

- 5.89 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.
- 5.90 This application is liable for Community Infrastructure Levy (CIL).
- 5.91 This application is not liable for Green Infrastructure Recreational Avoidance Mitigation Strategy (GIRAMS).

### **Conclusion**

- 5.92 The proposal represents a significant expansion of the existing and established soft fruit farm business. However, given its location set adjacent to the existing operation as also significantly screened by existing and proposed hedgerows, woodland and tree coverage, the agricultural development would be compatible within this countryside setting from a visual and landscape perspective.
- 5.93 Technical reports support the acceptability of the proposal in respect of its highway impact, proposed lighting, drainage and flood risk strategy, heritage considerations and ecological strategy. In addition to landscaping enhancements, the development also proposes and secures improvements to the existing lighting at the site, final details of which are subject to consideration under deferral of approval to the Director of Place.
- 5.94 The development provides for significant national benefits in supporting the UK food industry and reducing reliance on importation of overseas soft fruit produce and is supported in respect of its sustainable development objectives under the NPPF.
- 5.95 As an agricultural development of scale with the significant inward investment proposed into this local business and area this is balanced against its impacts upon both the environment and local community (including but not limited to considerations of residential amenity and the development's resultant Community Infrastructure Levy). In conclusion, further to the acceptability of the principle of development, in balancing the different key issues as set out above and having regard to all other material considerations, the proposal is considered acceptable in its design, operational controls and other landscape, highway and lighting enhancements (as also secured through conditions) to Policy DM2.7, Policy DM2.1(1) and Policy DM1.3 (2)

Recommendation      To authorise the Assistant Director (Place) to approve subject to the conditions listed below:

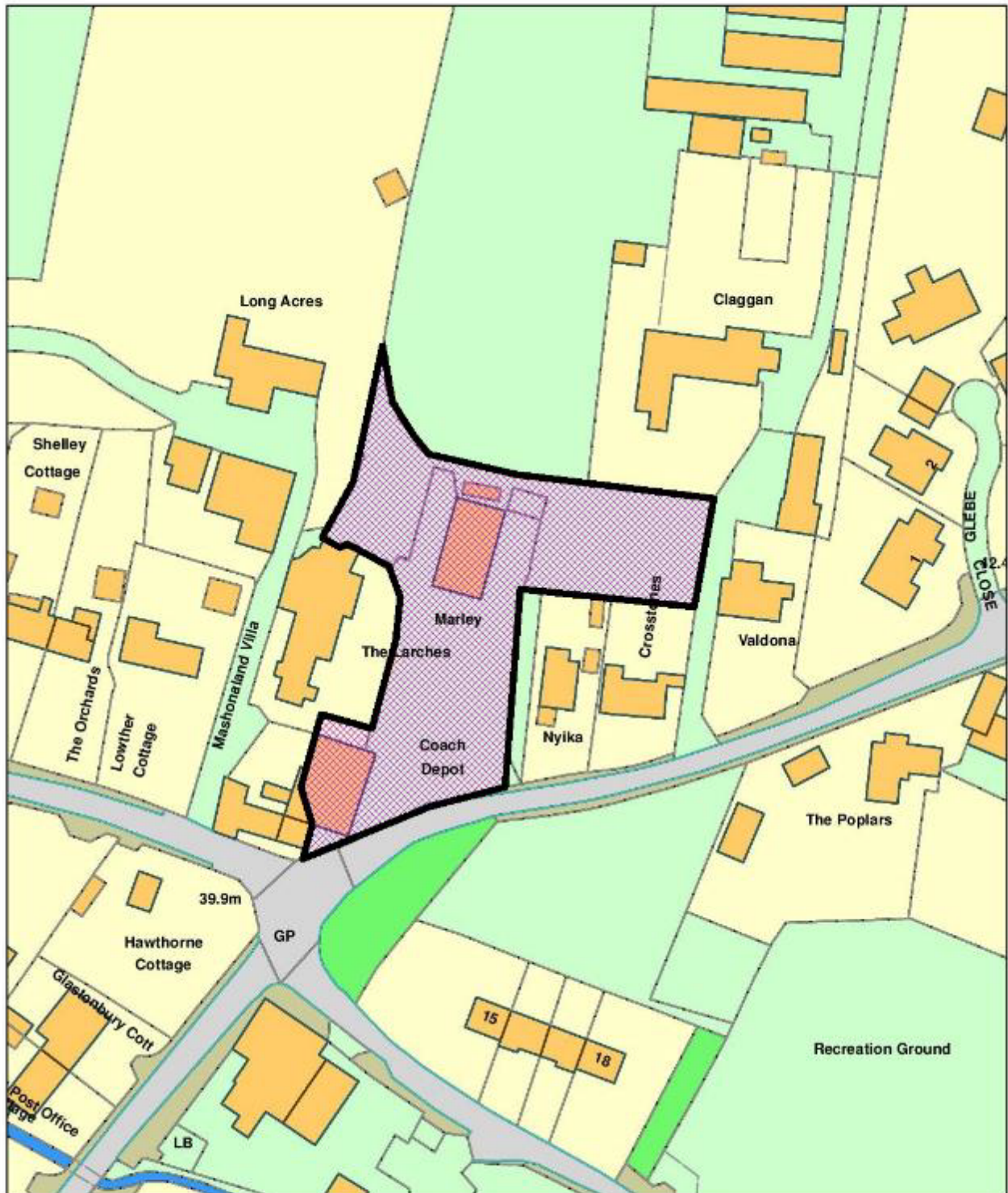
- 1      Time limit – full permission
- 2      In accordance with submitted drawings and documents
- 3      Scheme to be agreed for security / crime prevention measures
- 4      Internal highway area to be laid out, levelled, surfaced, drained
- 5      Submission and approval of scheme (including timescales) to set Spring Lane fence line and section of hedgerow back (ref. 30712-H-01 Rev P2)
- 6      Submission and approval of Construction Environmental Management Plan (CEMP) (pre-commencement)
- 7      Development carried out in accordance with Flood Risk Assessment / Drainage Strategy
- 8      Submission of Arboricultural Method Statement (pre-commencement)
- 9      Installation of tree protection (implementation only) (pre-commencement)
- 10     Implementation of landscaping (as also overseen by Ecologist Clerk of Works)
- 11     Submission and approval of Landscape Management Plan
- 12     Biodiversity Method Statement
- 13     Submission of scheme for approval of the replacement / upgrading of existing lighting
- 14     Submission of scheme for approval of the replacement upgrading of proposed lighting (technical details of fittings etc)
- 15     Submission of scheme for operation of forklifts and other farm vehicles / machinery
- 16     Submission and approval of final Biomass Boiler technical information prior to their installation and operation

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Other Applications

Application 2

2022/0835



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South Norfolk Council, Thorpe Lodge, 1 Yarmouth Road, Norwich, NR7 0DU Tel (01508) 533701

**2. Application No : 2022/0835/O**  
**Parish : WRENINGHAM**

Applicant's Name: C Bilham, R Spratt & A Riches  
Site Address Spratts Garage, Wymondham Road, Wreningham, NR16 1AZ  
Proposal Demolition of existing commercial workshop and buildings, erection of four new dwellings and garages, with all matters reserved except for access

Reason for reporting to Committee

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

Recommendation summary:

Authorise Assistant Director of Place to approve subject to subject to satisfactorily addressing the requirements under the Habitat Regulations regarding nutrient neutrality and to the satisfactory completion of a Unilateral Undertaking relating to GIRAMS

**1 Proposal and site context**

- 1.1 The site is in the centre of the village Wreningham and consists of a former coach depot that ceased operating in 2019. It is around 0.2 hectares in size and consists of areas of hardstanding and various buildings that were used for maintenance and fuelling of the coaches. The site is irregularly shaped with projections out to the east and west at the northern rear end of the site. There are residential properties to the east and west with a small area of amenity space on the opposite side of Wymondham Road to the south, with the village school to the south of that on Mill Road.
- 1.2 The proposal is to redevelop the site by demolishing the existing structures and constructing four new dwellings with garages. The application is outline, with all matters reserved other than access.

**2. Relevant planning history**

- 2.1 No recent planning history

**3 Planning Policies**

- 3.1 National Planning Policy Framework (NPPF)  
NPPF 02: Achieving sustainable development  
NPPF 04: Decision-making  
NPPF 05: Delivering a sufficient supply of homes  
NPPF 06: Building a strong, competitive economy  
NPPF 11: Making effective use of land  
NPPF 12: Achieving well-designed places  
NPPF 14: Meeting the challenge of climate change, flooding and coastal change  
NPPF 15: Conserving and enhancing the natural environment  
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 15: Service Villages  
Policy 20: Implementation
- 3.3 South Norfolk Local Plan Development Management Policies  
DM1.1: Ensuring Development Management contributes to achieving sustainable development in South Norfolk  
DM1.3: The sustainable location of new development  
DM1.4: Environmental Quality and local distinctiveness  
DM2.2: Protection of employment sites  
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  
DM4.3: Facilities for the collection of recycling and waste  
DM4.8: Protection of Trees and Hedgerows  
DM4.9: Incorporating landscape into design
- 3.4 Supplementary Planning Documents (SPD)  
South Norfolk Place-Making Guide 2012

#### 4. Consultations

##### 4.1 Wreningham Parish Council

Whilst the closure of Spratts Coaches was met with sadness, the village has become aware of the nature of unused and derelict land at the centre of the village and therefore the intention to develop the site for residential use is appreciated.

This application presents an opportunity to improve the nature of the very core of the village. As this is an outline application we take the opportunity to request that the planning authorities and developers consider the totality of what may be on offer and ensure that what is finally developed is of benefit to the village.

We offer the following points that should be considered

- the site is opposite public space known as "The Reading Room" which will be affected by the proposed building at Plot 1
- there is a need for smaller properties and therefore suggest 2 to 3 bedroom properties rather than 4 to 5 bedroom properties that have been in favour for many years
- the design of the site should maintain the theme of low-rise and quiet properties in their presence. Furthermore, we would encourage the prevailing site design to be more adventurous and less more of the same
- strict controls should be placed on the movements of construction traffic

- consideration should be given to parking restrictions, a 20mph zone and no new building within ten metres of the roadside
- Wreningham is a dark village with no streetlights and therefore conditions should be included to restrict lighting
- surface water drainage is a continuing problem in this village
- foul water management is also a concern. The Church Road development did not make adequate provision for the connection to the foul drainage system. This must be addressed with this development.
- special care should be taken in regard to contamination on the site
- consideration should be given to flora and fauna
- we assume heat pumps will be encouraged along with electric vehicle charging points
- ensure utilities and broadband are adequate for residents

4.2 District Councillor  
Cllr Nigel Legg

Delegate

4.3 SNC Water Management Officer

No comments received

4.4 SNC Community Services - Environmental Quality Team

Conditional support

4.5 NCC Highways

Conditional support

4.6 Other Representations

One letter of objection

- concern about flooding
- inaccuracies in the plans
- will the hedges be retained

5 Assessment

Key considerations

5.1 The main issues for consideration are the principle of the development, consideration of the indicative layout as to whether the proposed level of development can be achieved, access and parking, residential amenity, contamination, flood risk and drainage, the impact on trees, ecology and nutrient neutrality.

Principle of development

5.2 The site was formerly in employment use and this remains its lawful use. The nature of the development is such that policy DM2.2 applies, which seeks to protect employment sites. This policy sets out that the Council will safeguard such sites and buildings for

employment use. Proposals leading to the loss of such sites and buildings will only be permitted where:

- a) The possibility of re-using or redeveloping the site / premises for a range of alternative business purposes has been fully explored and it can be demonstrated that the site or premises is no longer economically viable or practical to retain for an employment use; or
- b) There would be an overriding economic, environmental or community benefit from redevelopment or change to another use which outweighs the benefit of the current lawful use continuing.

- 5.3 The site is currently vacant and there has been no interest expressed in taking it on as a commercial site since the business closed in 2019. The applicant has investigated the potential for other commercial uses such as offices but has been advised by a chartered surveyor in a report submitted as part of the application that such uses are unlikely to be viable due to the site's location well away from established employment locations, the depressed market for office space particularly in rural areas due to changes in work habits as a result of the Covid-19 pandemic, and the unsuitability of the local road network for uses such as storage and distribution and light industrial uses. This advice is accepted as access to the site is along constrained narrow rural roads where it would not be desirable to see an increase in commercial vehicle movements, as well as the potential impacts on surrounding residential properties.
- 5.4 I am therefore satisfied that the possibility of re-using the site for a range of alternative business premises has been fully explored and that the proposal accords with policy DM2.2 in regard to the loss of an employment site. Alongside this, the site falls within the development boundary for Wreningham (classified as a service village in the Joint Core Strategy) and it is considered that redevelopment for the proposed level of residential development is acceptable in principle.

### **Indicative Layout**

- 5.5 The indicative layout provided with the application is dictated by the irregular shape of the site. It proposes a two-storey property on the site frontage to adjoin the more historic properties to the south-west of the site with single or one and a half storey properties for the three dwellings further back into the site. The density and feel of the site is shown to be relatively loose which reflects the character of the area and demonstrates that a scheme of four dwellings can be successfully accommodated on the site.

### **Access and Parking**

- 5.6 The dwellings will be accessed from a new private access road that connects to the public highway in the centre of the existing site frontage. There is sufficient room for parking for each dwelling as well as turning space so that cars can enter and leave the site in forward gear. Norfolk County Council's Highways Officer has raised no objections to the proposals subject to conditions regarding the construction specification of the access, provision of visibility splays and details of parking for construction workers. It is therefore considered that with these conditions the proposal is considered to accord with policies DM3.11 and DM3.12 of the Local Plan.

**Residential Amenity**

- 5.7 The indicative layout shows the proposed dwellings in positions where they will not have an overbearing impact on any adjoining properties and in positions where unacceptable overlooking can be avoided, particularly if the three rear plots are to be one or one and a half storey dwellings as indicated. Each plot also has adequate private amenity space. As such it is accepted that four dwellings can be provided on the site without having an unacceptable impact on neighbouring properties and with sufficient private amenity space for each plot. It is therefore considered that the proposed development can be delivered on this site in accordance with policy DM3.13 of the Local Plan.

**Contamination**

- 5.8 The site has some potential for contamination given its previous use. A Phase 1 desk top study has been submitted with the application that identifies a moderate risk to end users of the residential development from potential contaminants, a low to moderate risk to construction workers and a moderate risk to groundwater. It therefore recommends an intrusive ground investigation is carried out. The Council's Environmental Quality team have considered the report's findings and does not object to the application subject to a condition for a scheme to manage the risk associated with contamination on the site and provide appropriate remediation.

**Flood Risk and Drainage**

- 5.9 The site is in flood risk zone 1 and therefore not considered at risk from fluvial flooding. There is however some identified surface water flood risk in the south-west corner of the site. The risk is identified as low.
- 5.10 A Flood Risk Assessment has been submitted with the application which proposes measures to minimise the risk of surface water flooding, particularly to plot 1 where it recommends that the finished floor levels of this plot should be raised with flood resilient construction measures. It also recommends that surface water run-off from the site should be contained in a drainage system, the full details which can be secured by condition.
- 5.11 A condition is proposed to secure the flood risk measures and surface water drainage system and as such the proposal accords with policy DM4.2 of the Local Plan.

**Impact on Trees**

- 5.12 There are a number of trees on the boundaries of the site. An arboricultural assessment has been submitted with the application. It concludes that the proposal will see the removal of four individual trees that are all Category C trees of low overall value. The remaining trees can be retained with a scheme for four dwellings such that indicatively shown. Tree protection measures are identified and it is proposed that these are secured by condition. Subject to this the development is considered to accord with policy DM4.8 of the Local Plan.

**Ecology and Nutrient Neutrality**

- 5.13 The potential impact on protected species has been considered with the buildings on the site likely to have only limited potential for providing habitat for protected species such as bats whilst there are no ponds in immediate proximity to the site which could provide



habitat to great crested newts. It is considered that the redevelopment of the site has the potential to increase habitat by introducing more soft landscaping and planting to the site, with potential for further enhancement measures such as bat and / or bird boxes which can be secured by condition.

- 5.14 In March 2022 the Council was made aware by Natural England that development with the potential to have nutrient neutrality impacts on Habitats sites should now be considered when making decisions in relation to planning. Any impacts need to be identified and mitigation proposed and secured by the Council to conclude no conclude there will be no likely significant effects under the Habitats Regulations.
- 5.15 It is requested that delegated authority is given to Officers 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 receipt of a satisfactory unilateral undertaking for the payment of the GIRAMS tariff at £185.93 per unit of relevant development and subject to.
- 5.16 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.

#### Other Issues

- 5.17 The site lies across the edge of a common enclosed by Act of Parliament in 1777. Medieval and early post medieval common-edge settlement has been found by excavation to the west and further medieval settlement on the north side of Church Road to the north-east. In addition, 17th century buildings lie immediately to the west and to the northwest. Consequently, Norfolk County Council's Historic Environment Services advise that there is potential that historic assets with archaeological interest (buried archaeological remains) to be present at the site which will need to be investigated. They also note that the proposed development affects an early 20th century coach shed and therefore a programme of historic building recording should be undertaken. Both these can be secured by condition.
- 5.18 The Parish Council have made comments about the size of the properties and expressed preference for an adventurous design approach. Whilst these are noted, the exact size and design of the dwellings would be agreed at reserved matters stage. The Parish Council have also suggested that we should restrict external lighting, however given the context of the within the village where some levels of domestic lighting are to be expected. In regard to the comments about electric vehicle charging points and heat pumps, electric vehicle charging points are now required for new residential development through building regulations, however there is no policy requirement for us to require on-site renewable energy generation for development of this scale.
- 5.19 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.
- 5.20 This application is liable for Community Infrastructure Levy (CIL), the liability for which would be calculated at the time of the reserved matters application.

## Conclusion

- 5.21 The application is considered to accord with the requirements of policy DM2.2 as we are satisfied that it is not practical or economical to retain the site for employment use. A residential re-use of the site is considered to be suitable and can be delivered without having an adverse impact on the character of the area, the amenities of the neighbouring residents or on the local highway network, thereby in accordance with Policy 2 of the Joint Core Strategy and policies DM3.8, DM3.10, DM3.12 and DM3.13 of the Local Plan.

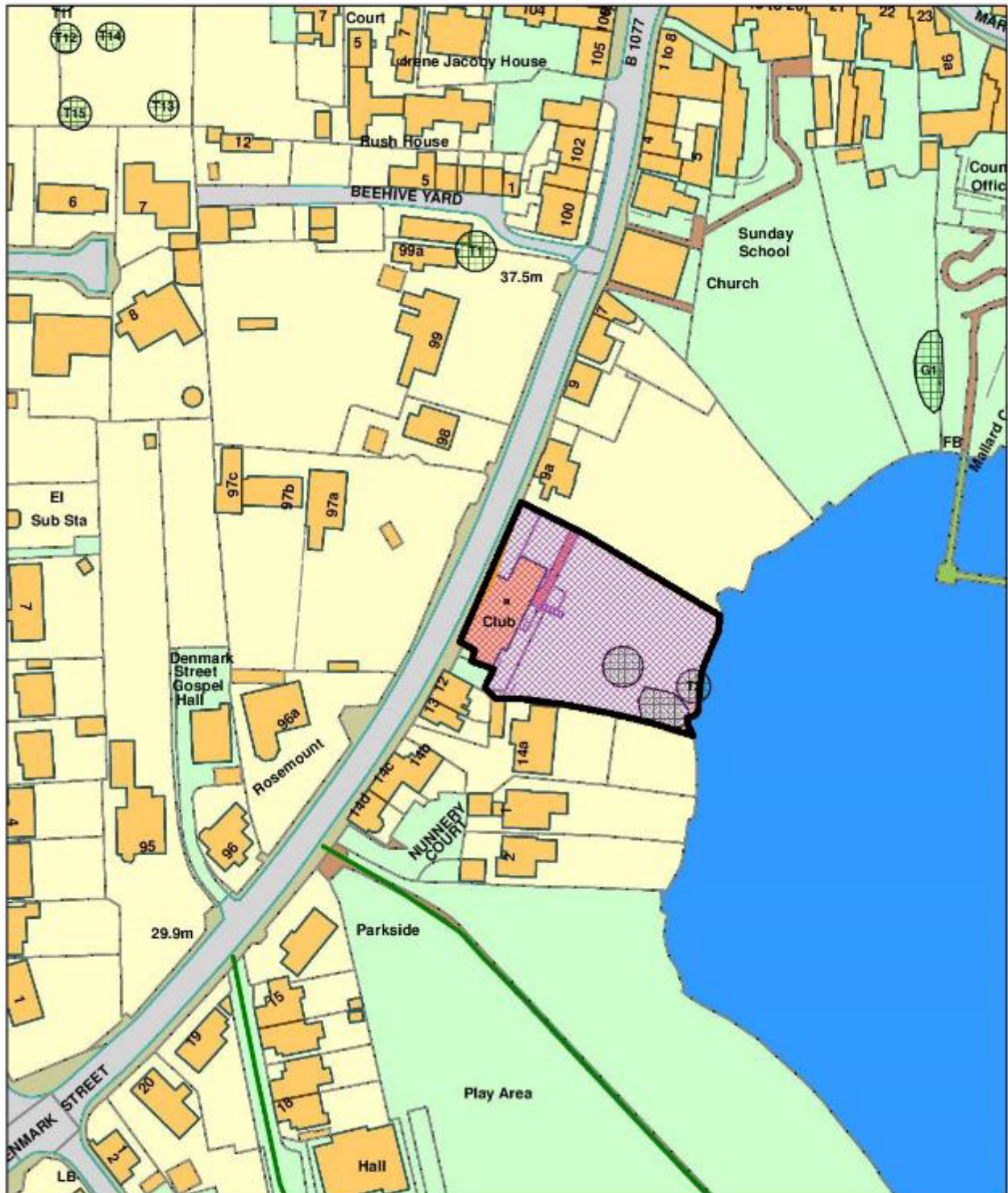
Recommendation : To authorise the Assistant Director (Place) to approve subject to satisfactorily addressing the requirements under the Habitat Regulations regarding nutrient neutrality, the satisfactory completion of a Unilateral Undertaking relating to GIRAMS and the conditions below:

- 1 Time Limit - Outline Permission
- 2 Reserved matters required
- 3 New Access details
- 4 Provision of Visibility splays
- 5 Construction Traffic (Parking)
- 6 Implementation of tree protection measures
- 7 Biodiversity enhancement measures
- 8 Archaeological investigation
- 9 Historic building recording
- 10 Water efficiency
- 11 Construction Management Plan
- 12 Contamination management scheme
- 13 Contaminated land during construction
- 14 Surface water drainage details

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Application 3

2022/1890



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South Norfolk Council, Thorpe Lodge, 1 Yarmouth Road, Norwich, NR7 0DU Tel (01508) 533701

**3. Application No : 2022/1890/F**  
**Parish : DISS**

Applicant's Name: Mr Chris Burnard  
 Site Address Grasmere Apartments Denmark Street Diss Norfolk  
 Proposal Erection of dwelling attached to north elevation of Grasmere Apartments (Resubmission of 2022/1335)

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 4.2.

Recommendation summary:

To authorise the Assistant Director (Place) to approve subject to conditions.

**1 Proposal and site context**

- 1.1 This application seeks planning permission to construct a two-bed dwelling to the north/side elevation of the former Conservative Club in Diss. This building is known as Grasmere and is currently in the process of being converted into five apartments following the previous grant of planning permission for this. Grasmere is a three-storey red brick building about two-thirds of the way up the eastern side of Denmark Street. Although three storeys in height, the building presents as two storeys to Denmark Street before levels fall away to the rear/east in the direction of The Mere with the full three-storeys visible from The Mere.
- 1.2 Neighbouring properties to the sides and opposite are residential. The Mere is to the east/rear with Diss town centre located beyond that. The site is located within the Diss conservation area.
- 1.3 The dwelling proposed by the current application will be two storeys. To Denmark Street, only the upper storey will be read within the street scene. The larger lower storey accommodation will sit below street level but will be visible from the garden area and from across the Mere to the east. Each of the two distinct blocks of the dwelling will have a flat roof, with the lower roof being finished in sedum. The walls will be clad with dark grey panels.

**2. Relevant planning history**

- |     |           |   |                     |
|-----|-----------|---|---------------------|
| 2.1 | 2022/2041 | Non-material amendment to 2022/0164 - creation of resident garden stores within the retained stone arcade and introduction of feature on end elevation opening onto first floor terrace | under consideration |
| 2.2 | 2022/1335 | Erection of dwelling attached to north elevation of Grasmere Apartments   | Withdrawn           |
| 2.3 | 2022/0961 | Details for condition 4 of 2021/2169 - Landscaping scheme.  | Approved            |

2.4	2022/0408	Discharge of Condition 3 of Planning Approval 2021/2169 - External materials to be agreed.	Approved
2.5	2022/0164	Variation of condition 2 of 2021/2169 - revised design	Approved
2.6	2022/0045	Variation of condition 2 of 2021/2169 - remove canopy on side elevation	Approved
2.7	2021/2169	Conversion of existing building to five apartments	Approved
2.8	2020/0616	Change of use to residential	Approved
2.9	2019/1994	Change of use to residential	Approved
2.10	2009/0484	The existing clubhouse & offices are currently proposed for redevelopment for residential use, necessitating the demolition of the existing premises.	Approved
2.11	2009/0483	Demolition of existing building (separate application to demolish in Conservation Area) and construction of 14no 1 bed & 2 bed apartments with parking for 14 cars	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 09: Promoting sustainable transport  
 NPPF 12 : Achieving well-designed places  
 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 6 : Access and transportation  
 Policy 13 : Main towns
- 3.3 South Norfolk Local Plan (SNLP) Development Management Policies Document  
 DM1.3 : The sustainable location of new development  
 DM1.4 : Environmental quality and local distinctiveness  
 DM3.8 : Design principles applying to all development  
 DM3.10 : Promotion of sustainable transport  
 DM3.11 : Road safety and the free flow of traffic  
 DM3.12 : Provision of vehicle parking

DM3.13 : Amenity, noise, quality of life  
DM3.14 : Pollution, health and safety  
DM4.4 : Natural Environmental assets - designated and locally important open space  
DM4.8 : Protection of trees and hedgerows  
DM4.10 : Heritage assets

- 3.4 Diss & District Neighbourhood Plan submission version  
Policy 6 : Design  
Policy 15 : Local green space  
Policy 16 : Protection of key views

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.

- 3.5 Statutory duties relating to conservation areas:

Section 72 of the Planning (Listed Buildings and Conservation Areas) 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 Diss Town Council

- Object on the grounds of poor design, impact on neighbouring property and health and safety concerns
- Key views across the Mere, as identified in the Diss and District Neighbourhood Plan, will be compromised and restricted by the development
- Only railings are being proposed to prevent unauthorised access onto the flat roof and is a serious health and safety risk to the public
- The addition of another apartment will add to the problems of parking
- Adverse impacts on the amenity of 9A Denmark Street

##### 4.2 District Councillor Cllr K Kiddie:

Request that the application is referred to Committee if the officer recommendation is to approve.

Reason: breach of original permission re parking and loss of key views from and over town

##### 4.3 Senior Heritage & Design Officer

As a building Grasmere can be considered neutral in terms of its contribution to the character and appearance of the conservation area: it fits into the street scene in terms of scale and alignment to the street but it is the grounds of the building leading down to the rear which are of greater significance – including the remains of the arcading of the previous, very large scale, building on the site. The recent application to convert the building was considered to enhance the conservation area also bringing the garden area back into use.

There is and has been historically a gap in the street frontage in this section and this has allowed some glimpsed views through to the Mere and to the east, and vice versa views through to the C19 villas on the west side of Denmark Road. The proposed addition will to some extent reduce this visual gap – but not significantly and would be only slightly higher than a permitted wall. Most of the glimpsed view is preserved. Therefore I do not consider that the impact on the gap is significant enough to warrant an objection.

This proposal is to slightly extend the building with a ground floor unit (when seen from Denmark Street), moving to two storey as the land drops away to the west. In terms of views from Denmark Street, it is a very modest extension with a flat roof. In views from the Mere and the east bank the extension will not add that much mass to the existing arrangement of buildings so the overall impact can be considered relatively small and is negligible.

#### 4.4 Environmental Management Officer

Planning condition recommended regarding what should take place in the event of previously unidentified contamination.

#### 4.5 NCC Highways

No highway objections.

#### 4.6 NCC Historic Environment Service

There are no archaeological implications.

#### 4.7 Other representations

Nine objections received on the following summarised grounds:

- Drawings are misleading
- Developer is making a mockery of the planning system with multiple changes and updates
- Application represents overdevelopment of the site
- Dwelling is architecturally mismatched with the existing plan creating an unsightly flat roof eyesore more akin to a sprawling office complex
- Loss of or erosion of views from Denmark Street across the Mere and from the Mere towards Denmark Street contrary to the emerging Diss and District Neighbourhood Plan
- Proposals are contrary to the character of the conservation area
- Green space around the Mere is being further eroded by this proposal
- Parking provision is contrary to the Norfolk Parking Standards
- Parking is not sufficient for the agreed dwellings, let alone another
- Parking spaces are too small
- The size of 9A Denmark Street and its proximity to the proposed dwelling has been misrepresented. The gap between the bedroom wall and side elevation of the proposed dwelling is under 2m

- The construction of the dwelling will remove the historic green space between Grasmere and 9A Denmark Street, both which were built 55 years ago
- The building will loom much too close to the south facing windows, ground floor balcony and garden patio at 9A Denmark Street. This impact would be increased by the potential for future additions
- Concerned about disruption and potential damage to property during construction phase
- Concerned about what is effectively a continuous terrace being constructed between the application site and 9A Denmark Street
- An extra dwelling will place further strain on the sewerage network
- Concerns over people climbing over the barrier to enjoy the view of the Mere and being exposed to a fall
- Denmark Street will be affected during construction and occupation of site
- Bin storage is not sufficient

## 5 Assessment

### Key considerations

- 5.1 Principle of development  
Impact on the character and appearance of the area, including the conservation area  
Impact on residential amenity  
Impact on highway safety

#### **Principle of development**

- 5.2 The application site is located within the development boundary that has been defined for Diss meaning that the general principle of development is acceptable under Policy DM1.3 of the SNLP subject to consideration being given to other relevant planning matters.

#### **Impact on the character and appearance of the area, including the conservation area**

- 5.3 The existing building at Grasmere is proposed to be converted into five flats. As part of the works associated with that, it is proposed to apply an off-white render to the existing red brick walls. This will clearly alter the appearance of the building and give it a more contemporary appearance along with the other alterations to window and door openings for example. While the proposed dwelling will be finished in different materials to the main building, it continue the contemporary approach with the overhanging flat roof and the use of grey cladding. This will complement the main building and along with its size, will represent a suitable and modest addition to it.
- 5.4 The application site as a whole is largely within an area defined by Policy DM4.4 of the SNLP as a locally important open space, which applies to three sides of the Mere. Of relevance to these spaces, criterion (b) of Policy DM4.4 states:

*"...development will only be permitted where it retains the open character and appearance of the site, where it respects the contribution which the identified open site or open frontage makes to the form and character of the Settlement and where there is no significant adverse impact on the setting of any existing building. New development*



*impacting on these designated sites will be required to contribute positive improvement of these natural environmental assets where opportunities arise."*

- 5.5 Policy DM4.4 dovetails with Policies 15 and 16 of the emerging DDNP, which for the reasons set out in section 3.4 of this report, is ascribed limited weight at this time. Nevertheless, Policy 15 seeks to designate special protection to Local Green Spaces, includes the banks of the Mere. It considers new buildings to be inappropriate development subject to a small number of exceptions relating to modest developments. Policy 16 seeks to identify and protect important public local views and does not support development proposals that would adversely affect these key views. Two such views include those from Denmark Street in the gap between Grasmere and 9A Denmark Street and from Mere's Mouth to the east (next to where the Council's Octagon Building is located).
- 5.6 The dwelling itself will not be within this locally important open space/Local Green Space but will be immediately next to it and concerns have been raised over the impact on views from Denmark Street across the Mere and vice versa. From Denmark Street, the parking spaces are private property rather than public land but there are nevertheless views across the Mere from the footpath. The aperture of these views is more or less limited to the gap between Grasmere and the fence at 9A Denmark Street and are not experienced on the approaches to these properties. Although the existing gap of approximately 11.3m will be reduced by 3.7m at street level, an adequate gap will remain and I am not persuaded that the accommodation as a whole will erode the view to such an extent or result in such a level of harm to the locally important space so as to be contrary to Policy DM4.4 of the SNLP or Policies 15 and 16 of the emerging DDNP.
- 5.7 Views from Mere's Mouth are much broader. The Key Views Assessment does not specifically identify Grasmere or the gap between it and 9A Denmark Street as being the key view. Instead, the view is described as "*View across Mere's Mouth to Diss Mere with park behind*" with the scenic quality as "*Clear view of major feature of Diss town centre*". The proposed dwelling will be visible from Mere's Mouth but will be seen in the context of the development of Grasmere and the wider townscape of the rear of properties along Denmark Street. Within that context, I do not consider that the extension of development towards 9A Denmark Street will appear discordant when viewed from Mere's Mouth. Instead, and as written above, I consider that the appearance and scale of the dwelling are acceptable.
- 5.8 Overall, the dwelling is a suitable and modest addition to the existing building that will have an acceptable impact on the character and appearance of the area both when viewed from Denmark Street and from more distant views across the Mere to the east. In reaching this view, I have had regard to preserving the character and appearance of the conservation area and consider that the development achieves that.
- 5.9 Having regard to the above, the application complies with Policies 1 and 2 of the JCS, Policies DM1.4, DM3.8, DM4.4 and DM4.10 of the SNLP and Policies 6, 15 and 16 of the emerging DDNP. It also meets the test set by section 72 of the Planning (Listed Buildings and Conservation Areas) Act by preserving and enhancing the character and appearance of the conservation area.

**Impact on residential amenity**

- 5.10 The application involves built form extending towards the neighbour to the north at 9A Denmark Street. That property has a window in its side elevation facing the application site and a raised veranda area from which the dwelling will be visible. The staggered nature of the dwelling is such that distances to 9A vary but at lower ground level where the proposed dwelling is at its widest, the distance from the side window at 9A to the side elevation will be approximately 7.4m. The dwelling will undoubtedly be visible from that window but given the presence of other large windows in the rear elevation of 9A, the scale of the proposed dwelling and the opportunity for supplementary landscaping along the common boundary, I do not consider that the development will be overbearing or visually imposing to 9A.
- 5.11 Aside from the window identified above, 9A Denmark Street extends up to the common boundary and has a bathroom window facing east/rear. Recognising the proximity of the side elevation of proposed dwelling to the boundary, when taking account of the room that this window serves and it facing down the garden of 9A, I do not consider that the impacts arising will be significantly detrimental enough to warrant refusing the application.
- 5.12 In respect of potential overlooking, there will be no windows in the side elevation of the proposed dwelling and the Juliette balcony proposed for the rear/east elevation will predominantly look down towards the Mere. There will be some views of the garden of 9A but I do not consider that these will be intrusive to an extent that would be harmful to the amenity of 9A.
- 5.13 On the whole then and having regard to these factors, I consider that the application will not have significant impacts on residential amenity and that it complies with Policy DM3.13 of the SNLP.

**Impact on highway safety**

- 5.14 The Highway Authority has not objected to the application on the grounds of highway safety and has not recommended the use of any planning conditions. The application complies with Policy DM3.11 of the SNLP.
- 5.15 Across the entire Grasmere site, six car parking spaces are to be provided: five in the area to the front of the proposed dwelling and one space that will be an integral garage at the southern end of the existing building, which was previously approved. Car parking arrangements are little different to those that were previously approved and while the number of spaces falls below the parking standards for the number of bedrooms being proposed, Policy DM3.12 allows a flexible approach to be taken to parking provision where appropriate. In transport terms, the site is sustainably located with the range of services and facilities that are available in and around Diss town centre within relatively short walking distance. In this case, I am satisfied that the amount of parking being provided is appropriate to the location.

Other matters

- 5.16 Concerns have been raised over bin collection arrangements. A communal bin store is located at the southern end of Grasmere behind the integral garage. This can be accessed from the communal area to the rear of the property and from Denmark Street.
- 5.17 The prospect of members of public scaling the railings at the rear of the parking area and standing on the flat roof of the dwelling to enjoy views over the Mere has been raised. During the course of the application, the previously proposed estate style railings have replaced with vertical railings that will be not less than 1.2m high. While this may not discourage the more determined or agile climber, I consider that this will act as an adequate enough barrier to discourage most people from climbing over and onto what is private property from the parking area.
- 5.18 The position of the proposed dwelling relative to the protected trees in the rear/eastern half of Grasmere leads me to the view that the risk to their future health and vitality will be limited. No further actions or conditions are recommended on this particular point.
- 5.19 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 site 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).
- 5.20 The application is liable for Green Infrastructure Recreational Avoidance Mitigation Strategy (GIRAMS). This is secured via a Unilateral Undertaking, which has not yet been submitted but is pending the outcome of the Committee's decision. The recommendation reflects this situation.
- 5.21 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.
- 5.22 The development is liable for the Community Infrastructure Levy.

**Conclusion**

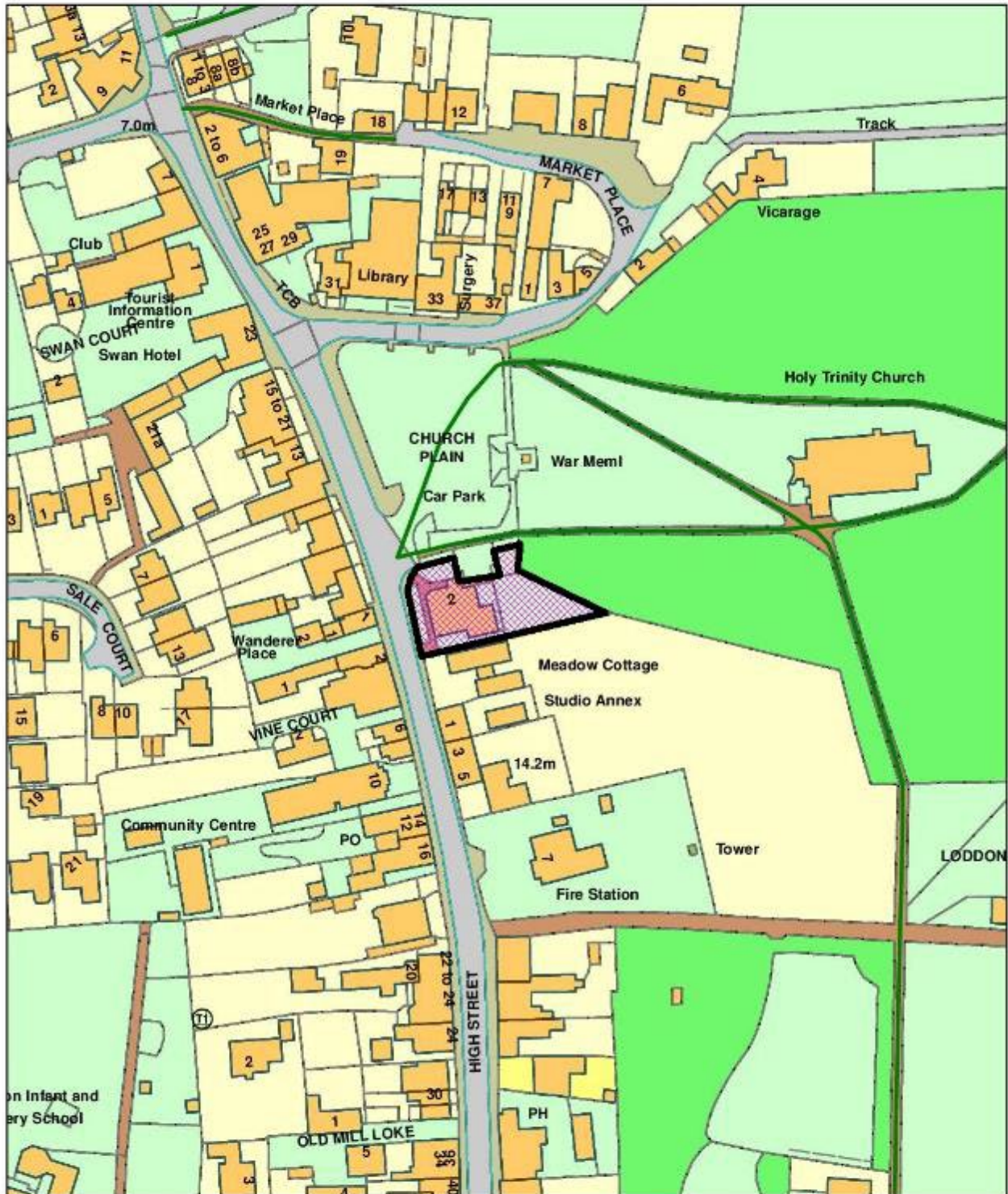
- 5.23 When having regard to those matters raised, the principle of development in this location is acceptable, the site is in a sustainable location, the dwelling relates appropriately and appearance and scale to the existing building at Grasmere, there will be acceptable impacts on the character and appearance of area, the character and appearance of the conservation area will be preserved and there will be acceptable impacts on residential amenity and highway safety. In the round, the application represents an appropriate form of development in this location and is therefore recommended for approval subject to a Unilateral Undertaking being provided that secures contributions towards GIRAMS.

Recommendation: To authorise the Assistant Director (Place) to approve subject to the conditions listed below and the applicant submitting a Unilateral Undertaking that secures contributions to GIRAMS:

- 1 Time Limit - full permission
- 2 In accordance with submitted drawings
- 3 External materials to be agreed
- 4 Provision and retention of parking
- 5 Water efficiency
- 6 No permitted development for Classes A, B, C, D & E (extensions, roof alterations, porches, outbuildings)
- 7 No permitted development for fences and walls
- 8 Previously undiscovered contamination

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**4. Application No: 2022/1995/F**  
**Parish: LODDON**

Applicant's Name: Mr Robin Wetherall  
 Site Address 2 Church Plain Loddon Norfolk NR14 6EX  
 Proposal Retention of existing cafe with proposed extension and alterations of existing building to provide six dwellings with associated landscape work

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 application site is on Church Plain in the town centre location of Loddon. It is in a prominent location on the corner of Church Plain overlooking the carpark to the north and the main high street to the west. The immediate area contains both commercial and residential properties, some of which are listed, a public carpark and Holy Trinity Church and churchyard. Closest two buildings are a commercial property to the north (currently under construction – former toilet block) and a residential property immediately to the south.
- 1.2 The existing building contains a Bistro/Restaurant although the planning use class has become a class E (commercial/business/service) since the amendment to the use class order. The building itself is a former bank building and its appearance reflects this use in relation to the style and materials. There is a terrace with outdoor seating to the front and a garden with seating at the rear.
- 1.3 It is inside the development boundary and the Loddon and Chedgrave Conservation Area. The building is considered to be an undesignated heritage asset. There is a large number of listed buildings in the immediate vicinity, including the Grade I listed Church of Holy Trinity (to the east) and
- 1.4 The proposal will retain the café and the outdoor terraced seating area to the front and the application is to construct six apartments to the rear in a two-storey extension and to utilise the garden area for the flats rather than the business.

2. Relevant planning history

- |     |           |  |          |
|-----|-----------|--|----------|
| 2.1 | 2019/0117 | Change of use from bank (use class A2) to cafe/restaurant (use class A3) with full renovation, including alterations to the south elevation and existing railings, installation of railings, and associated garden work. | Approved |
|-----|-----------|--|----------|

2.2	2019/0306	Proposed illuminated signage on North and West elevations of building	Approved
2.3	2021/0436	Erection of 6 sail cloth style parasols, various sizes and shapes on 14 steel posts. Car port style covered area to rear elevation, as shelter for Bistro/restaurant customers' tables and chairs.	Approved
2.4	2021/0799	Variation of Condition 6 of permission 2019/0117 - allow use of garden for outdoor seating	Approved

### 3 Planning Policies

- 1.1 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 07: Ensuring the vitality of town centres
  - NPPF 08: Promoting healthy and safe communities
  - 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 14: Key Service Centres
- 3.3 South Norfolk Local Plan Development Management Policies
  - DM1.3: The sustainable location of new development
  - DM1.4: Environmental Quality and local distinctiveness
  - DM2.1: Employment and business development
  - DM2.2: Protection of employment sites
  - DM2.4: Location of main town centre uses
  - DM2.5: Changes of use in town centres and local centres
  - DM3.1: Meeting Housing requirements and needs
  - DM3.4: Residential extensions and conversions within Settlements
  - 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

DM4.1: Renewable Energy  
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  
DM4.8: Protection of Trees and Hedgerows  
DM4.10: Heritage Assets

**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 Loddon Town Council

Objects for the following reasons;

- The proposed plans overdevelop the area and are not in keeping with the conservation area
- There is very little curtilage, no vehicle access, and no parking allocation which will impact on the availability of parking spaces for local amenities in the public car parks
- The development would block the unique view of Holy Trinity Church from the High Street
- The development will overbear the adjacent properties, including Holy Trinity Church. The property to the north will lose light as windows will be obstructed and the resident will lose privacy in their garden
- There is no vehicle access to the rear of the property which will lead to highways obstructions and disturbance to the main route through the town during the build
- A planning application (2020/0895) for a residential dwelling adjacent to the site was refused due to the incompatibility of a residential dwelling adjacent to the noise and odour from the Café
- The proposed development would lead to an excessive impact on existing neighbouring occupants and the amenity of the area and offers a poor level of amenity for the new occupiers.



4.2 District Councillors  
Cllr Kay Mason Billig

Objects:

- Having spoken with local people about the proposals, there is a great deal of unease about the scale of the proposed development, especially as this is sited in the centre of town in the conservation area. The principle of conversion of part of the Terrace Cafe for residential use is not the problem, as the Cafe is being retained. The size and number is what is troubling people. It would also be a shame to lose the amenity of the cafe garden and the view to the historic Church and Churchyard. Also, the potential for extra vehicles, arising from 6 new dwellings, all trying to park in what is already a congested area.
- If officers are minded to recommend approval of this application, I would like this called in to DMC for a decision, as it is a fundamental change to the heart of Loddon and will have a big impact.

Cllr Jeremy Rowe

No comments received

4.3 SNC Water Management Officer

No comments received

4.4 NCC Highways

- The development proposal is totally set back and clear of the public highway. The site is located adjacent to the Loddon main public car park and is located in a fully accessible location in transport terms. I note that a cycle storage rack is proposed.
- Thank you for your confirmation from the council's parking team that there are still parking permits available within the council operated car parks of Loddon. In the event that the residents of this proposal were to apply for some. Sufficient even in the event that all properties decided to require parking permits.
- Whilst there is the possibility that some occupiers vehicles will need to park on the public highway. Having discussed the proposal internally, taking into account the location, it is not considered that a highway objection could be upheld on appeal for this proposal.
- On the basis of the above, no highway objections are raised subject to a condition requiring a construction management plan.

4.5 Senior Heritage and Design Officer

- No objections
- Provided a detailed design summary and commentary contained within response on website regarding the proposal and local area
- Recommended conditions such as materials and bin stores.

#### 4.6 Historic Environment Service

- Details provided regarding site history
- No objection subject to a condition requiring a programme of archaeological mitigatory work.

#### 4.7 Community Services - Environmental Quality Team

##### Consultation 1:

A noise impact assessment.

Details of any extraction systems and whether changes are to be made to the existing extraction in the café/restaurant. I will be objecting to the application until these details are received and reviewed.

##### Consultation 2:

Having reviewed the submitted noise assessment I am happy that noise will be sufficiently minimised so long as the noise assessment is conditioned and the following is implemented:

Conditions relating to Noise, contamination, Flue, Extraction Equipment Etc.  
Informative relating to construction and contamination

#### 4.8 Other Representations

Representations have been received from 18 separate addresses.

The 5 objections and 1 comment can be summarised as follows;

- No on-site parking or vehicular access
- Lack of parking in area, parking on the road outside creating an obstruction
- Aesthetically unsympathetic to the area
- Impact on the new commercial unit to the north
- Loss of efficacy of solar panels to be installed on adjacent property to north
- Inconsistency of decisions: refusal to convert adjacent toilets into residential 2020/0895
- Impact on neighbour amenity; overlooking from 2 first floor windows in east elevation to neighbouring garden, and west elevation to windows, loss of light to window in north elevation of neighbours
- Impact on quiet enjoyment of the churchyard
- Already problems with the pumping station
- Poor amenity to proposed flats
- Will be congestion during construction

The 12 letters of support can be summarised as follows;

- Much needed smaller homes for local people, few available
- Good transport links
- Will help support local business
- Central café is good for the community
- Good design, fits into surroundings

## 5 Assessment

### Key considerations

- 5.1 The key considerations are the design, character and appearance of the conservation area and impact on heritage assets, residential amenity and impact on adjacent commercial property, highway safety and parking

### Principle

- 5.2 Planning law requires applications for planning permission to be determined in accordance with the provisions of the development plan unless material considerations dictate otherwise.
- 5.3 Policy DM1.3 of the SNLP directs new development to locations inside of settlement limits. The proposal is within the limits of Loddon and therefore satisfies the requirements of this policy with regard to the sustainable location of new development for both commercial and residential elements. Furthermore, NPPF Section 11 encourages the efficient use of land, including intensification of uses where appropriate to deliver sustainable development.
- 5.4 In relation to the nature of the proposed development, it affects a commercial premises within a service centre location; but retains some employment space while adding 6 residential dwellings.
- 5.5 In relation to the commercial element, policies DM2.1 (business development) and DM2.2 (retention of employment uses) are relevant along with policies DM2.4 (location of Main Town Centre Uses) and DM2.5 (changes of use in town and local Centres). The common theme throughout these policies is the support in principle of business development (subject to other development management considerations), the presumption in favour of retaining employment uses and the appropriateness of the proposed use (café/Class E) within a service centre location.
- 5.6 The proposal continues to retain an employment use albeit in an adapted form, so therefore meets the aforementioned aims of the aforementioned policies.
- 5.7 In terms of the proposed resident development, as set out above, this is already established through DM1.3 insofar as the location is acceptable in principle. The following section of the development therefore focuses on other relevant planning issues associated with the residential development.

### **Design and Layout**

- 5.8 Policy DM3.8 and part (a) of Policy DM3.4 of the SNLP, Policy 2 of the JCS and section 12 of the NPPF require new proposals to have good design. Policy DM1.4 of the SNLP requires specific consideration of local distinctiveness. This relates to the form, massing, design detail and overall layout of new development.
- 5.9 The proposal site is considered an undesignated heritage asset and is within an area containing significant heritage assets. The garden area where the residential units are proposed sits behind the main building and away from the street scene, however it has visibility from both the neighbouring public car park and the church/churchyard to the rear.

- 5.10 The original building was constructed as a bank in a Queen Anne style with brick quoins, sash windows and a plain tile roof which is fairly typical of early to mid C19 bank architecture. The proposed additional development is to the rear, where there are already significant ground floor extensions which are utilitarian in character. The existing form of the building with its parapet and plain tiled roof is extended up by a storey with a steeper, more Norfolk vernacular tiled roof pitch facing the church. Sash dormer windows are installed to the roof to repeat the style of the ground floor and are in keeping with similar architectural treatments to buildings of this period.
- 5.11 The combination of styles in terms of an older vernacular style rear and more classical frontage is quite common in Norfolk towns where the frontage of buildings was 'updated' to reflect more modern fashion, but the rear remained unaltered.

On the basis of the above characteristics, the combination of different styles and forms proposed here does not appear incongruous.

- 5.12 Whilst the proposals do increase the size of the building, the architectural approach to the massing responds to the existing character of the building and does not significantly change the appearance of the building in terms of its architectural style and approach as viewed from Church Plain and the high street. In addition, mindful that the existing surrounding properties are two storeys I consider that its scale is still appropriate for the context.
- 5.13 While there are still some outstanding queries regarding materials from the Council's Senior Conservation and Design Officer, this can be satisfactorily addressed through the inclusion of a materials condition to ensure the council has control over the specifications of the materials used. This will be crucial in ensuring the proposal maintains the character of the frontage, while using appropriate materials to the rear.
- 5.14 Whilst it is acknowledged that the proposal will result in a significant change to the existing building, mindful of the above it is considered that the proposal accords with policy DM3.8, part (a) of Policy DM3.4 and Policy DM1.4 of the SNLP, policy 2 of the JCS and the aims of the section 12 of the NPPF in relation to its design and layout and that its design does not warrant reason to refuse the application.

## **Heritage**

- 5.15 Policy 16 of the NPPF and Policy DM4.10 of the SNLP requires Local Planning Authorities to assess the impact of any development on the significance of heritage assets and Sections 16 and S66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that local planning authorities must 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.
- 5.16 This application involves development within the setting of a grade I listed building (Holy Trinity Church) and multiple grade II listed buildings, primarily along Church Plain). Taking into consideration the significance of the listed buildings their setting the proposal would not have a detrimental impact on the significance of the listed buildings or their setting by virtue of the design details, materials and massing of the proposal.
- 5.17 For the Grade I listed church, this is primarily through the design of the rear elevation in proposing gables, reflecting the gables adjacent to the site to the south and other similar vernacular in the locality.

- 5.18 For the Grade II listed buildings that line church plain, this is through the maintenance, albeit enlarged, of the existing character of the front of the building, the use of dormers that are sympathetic to others present in the street scene and the location of the primary areas of expansion behind the principal elevation of the existing building. This is particularly key for the Listed Building to the South (1 High Street) which currently has a significant primary approach view past the existing building when facing south along church plain. The design enables this view to be maintained without detriment. The remaining listed buildings along church plain face the building as existing and have done for a long period of time (likely 70+ years) and their setting is protected by the continuation of the existing character of the application site on the front elevation.
- 5.19 As such, it is considered that the proposal would accord with Policy 16 of the NPPF, Policy DM4.10 of the SNLP and Sections 16 and S66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.
- 5.20 The impact on Conservation Areas requires consideration under the development management policies and S72 Listed Buildings Act 1990 requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of Conservation Areas. The application has been assessed by the Council's Senior Conservation and Design Officer who has raised no objection to the scheme on the grounds that it would not have any harmful impact on the character or appearance of the Conservation Area for those reasons outlined above in regard to listed buildings above.
- 5.21 As such, it is considered that the proposal/scheme would accord with section 16 of the NPPF, Policy DM4.10 of the SNLP. Equally in consideration of the Council's duties under the Act it is considered that for the reasons set out above that the proposal would not adversely affect the Conservation Area.

### **Amenity**

- 5.22 Policy DM3.13 and part (b) of Policy DM3.4 considers residential amenity and seeks to minimise impacts from impacts such as overlooking, overshadowing, loss of privacy and noise resulting from new development. This is also highlighted in objections which have been received regarding concerns relating to the impact on the dwelling to the south of the site along with impacts from the small commercial premises to the north.
- 5.23 The existing building has no first floor and only one ground floor window in the south elevation looking towards the neighbours. The only adjacent residential property is Meadow Cottage, which is a relatively recent development, built this Century and shares a boundary to the south of the site. It is close with its side elevation located just behind the boundary wall. There are no first-floor windows in the elevation facing the site although there are two roof-lights. Concern has been raised with regard to the rooflights, specifically regarding one that serves a landing area in the neighbouring property.
- 5.24 Within the proposal, new ground floor windows will face the boundary wall and will not present an opportunity to view the neighbours' windows. The first-floor south elevation of the proposal contains two dormer windows and 7 rooflights. The dormer windows are far enough west to avoid direct impacts on the neighbour's rooflights. The 7 new rooflights are aligned with the neighbours and if low enough, would offer views into the neighbour's property and rear garden.

- 5.25 With this in mind, clarification the agent has provided details to demonstrate that internally the rooflights are proposed to be high level so while they can be opened, views would be directed upwards and no direct overlooking would be possible.
- 5.26 Given that loss of privacy from this close proximity would otherwise result in a reason for refusal, I have considered it necessary to condition the proposed rooflights to have a sill height above 1.7 metres measured from internal floor level to for the avoidance of doubt and to protect the neighbouring property.
- 5.27 There is no concern with the addition of first floor windows on other elevations of the proposal due to their being sufficient separation distance between the proposal and other residential properties.
- 5.28 The residential amenity of the new flats is also a consideration through DM3.13 and part (c) of DM3.4. In addition, the requirements of Policy DM3.14 in relation to pollution protection have been considered in relation to odour and emissions.
- 5.29 In this instance, there are significant sensitivities to be found in a central location such as the application site. These include interactions with highways, noise/odour etc. from neighbouring businesses and overlooking/overshadowing.
- 5.30 Firstly, the closest business relationship is with the exiting one that is being retained in the premises themselves. As a café (or other class E use) there are potential noise impacts internally and externally that may affect the new residential properties. The initial SNC environmental services response raised these concerns and requested further clarifications and information.
- 5.31 It is also acknowledged that an application for a residential property adjacent to the café was refused on amenity grounds. New information was supplied, including flue details and a detailed noise assessment with recommendations for internal insulation. The mitigation proposed has been considered by the Council's environmental services team to be acceptable subject to a series of conditions which are attached to the decision recommendation. These include details of the internal and external extraction system to be submitted and agreed prior to any installation, the internal construction to be completed in accordance with the noise assessment recommendations; rooflights closest to the flue to be fixed closed to avoid odour ingress, open hours limits and no use of outside music.
- 5.32 The impact of these on the business is considered in a later section, but in relation to residential amenity it is considered that the supporting information and conditions control the commercial use to a level that gives sufficient protection to residential amenity to avoid a reason for refusing the application. It is this level of control that forms the key difference between this assessment and the one that resulted in the reason to refuse the previous neighbouring residential conversion project (app no. 2020/1368).
- 5.33 Secondly, I have considered the proximity to the former toilet block immediately to the north of the proposal site which has permission for conversion to office (class E); and the potential for other class E uses without the need for a further change of use. That structure has no proposed plant or windows to the south facing the site and as a commercial use, these would require further planning permission to install. As such, the primary activity for this building is located on the public facing side to the north, away from the proposal site. It is not considered that the impact of this structure on the proposal site would give reason to refuse the application on amenity grounds.

- 5.34 Finally, I have considered overshadowing, overlooking and amenity space in relation to the new dwellings in general. There are six flats in total and the two westernmost ones have windows and views towards church plain and do not suffer from overshadowing or overlooking concerns. The proximity to the road is no different from other residential properties on this street. The ground floor flats to the east are most at risk of overshadowing, especially on both side elevations, however this is mitigated by the use of larger windows facing east and the access to exterior amenity space, which is not always the case for flats. On balance, it is considered that this does give sufficient amenity in this case to be acceptable given the dwelling type and eastern elevation fenestration. The first-floor eastern flats have similar sensitivities to overshadowing on the side elevations, although this is significantly lessened through the use of roof lights for additional sunlight ingress in the roof. As such these flats are considered to have sufficient amenity. All flats have access to outside space, either completely private or communally shared between other properties in this development which is a positive aspect of the proposal. This is also aided by the position of the outside space next to the churchyard which gives it a more open feel despite its central location.
- 5.35 Overall, therefore, in relation to the amenity of the proposed flats, it considered that, on balance, the proposal accords with the requirements of Policy DM3.13, Policy DM3.14 and part (c) of Policy DM3.4 in this instance.

### **Highways**

- 5.36 Policy DM3.11 of the SNLP states that planning permission will not be granted for development which would endanger highway safety or the satisfactory functioning of the highway network while Policy DM3.12 of the SNLP relates to parking and turning provision for new developments.
- 5.37 It is acknowledged that there is no parking provided on the site. However, given its central location with the availability of buses and public parking (with permanent permits available) it is considered a sustainable form of development where a lack of on-site parking could not justify refusal. The Local Highway Authority have no objection to the proposal on this basis.
- 5.38 Concerns regarding construction access and disruption are noted and although they are temporary, the Highway Authority have requested a pre-commencement condition to secure a construction management plan given the tight central location that the proposal sits in. This will ensure the construction phase is adequately managed with regard to the local highway network.
- 5.39 Therefore, the proposal complies with Policies DM3.11 and DM3.12 of the SNLP.

### **Employment and Commercial Premises**

- 5.40 Having confirmed earlier in this appraisal that employment policies of the SNLP are complied with by virtue of the retention of a café use on site, this section will consider the impact of the residential uses and building on commercial uses and their own viability. This takes into account the objection in relation to the neighbour business unit in relation to the viability of that unit.
- 5.41 In relation to the commercial use in the application site itself, a number of conditions have been recommended in order to make its relationship with the proposed residential properties acceptable. Looking into the background of the unit, the space proposed in

this application is only slightly smaller than its original layout, with the majority of the space lost being kitchen and backroom facilities. The unit retains indoor and outdoor seating space.

- 5.42 The larger garden space was added later during and after covid and so while it is a nice feature, it is likely not to be critical to the unit's ongoing viability. Further to this is the consideration of restricted opening hours which are shortened quite considerably from the present permissions, although it is acknowledged that the full allowance of opening times is not utilised on many days of the week. This may not support the exact business model undertaken to date; however, it is sufficient for a more traditional daytime café use.
- 5.43 Both of the above conditions will have a negative impact on the flexibility of the use of the business, however due to the additional noise and other supporting information provided, I am able to retain the use within the general class 'E' band (which is an appropriate town centre designated use under policies DM.4 and DM2.5), so considering the viability of the officering of the business unit in general, this offers a wide scope of potential future tenants. This should enable it to retain a viable employment option going forward in accordance with the aims of policy DM2.2 of the SNLP.
- 5.44 Finally, considering the neighbouring unit, concerns have been raised with regard to viability across two aspects: one being overshadowing of the solar panels and the other being the proximity of residents providing a source of complaint.
- 5.45 With regard to solar panels, I have considered the environmental impact in the following section, so the focus here is on business viability only. The panels are not installed yet and while a representation from a potential tenant suggests they will not take the unit if the panels are overshadowed there is no quantified estimate as to the value/percentage difference any overshadowing might make in terms of energy consumption or saving. The applicant has provided shadow estimates which do give an idea of how frequently and for how long additional overshadowing may occur in comparison to the existing situation, however, again with no generation estimate, it is difficult to give a figure. As such, with the information in front of me, on balance, it is not considered that sufficient impact is demonstrated to warrant reason to refuse the application on this particular point.
- 5.46 With regard to ongoing use of the neighbouring business units in close proximity to residents, the closest point is the rear side of the building, whereas the openings, customer movements/deliveries are likely to be located on the opposite side. The unit is also not restricted to the office use first proposed as it is a class E use, widening the pool of potential tenants. It is possible that some limitation may occur to a future application for extraction equipment in the event a need arises, however given the original permission (for an office) and the array of potential alternative uses that do not require such equipment, this impact is not considered significant enough to warrant reason to refuse the application in this instance. It is worth noting that an application could be submitted to the Council for any equipment prior to leasing the unit which would allow the Council to determine the merits of the scheme and give certainty on the acceptability, or not, before committing to the unit.



- 5.47 I therefore consider the application meets the aims of Policy DM2.2 with regard to the retention of employment uses.

### **Climate Change and Renewable Energy**

- 5.48 Policy DM1.4 of the SNLP considers the environmental impacts of new proposals and Policy 1 of the JCS considers the impacts of new development on climate change and associated risks while Policy DM4.1 of the SNLP sets out the principle of incorporating renewable energy subject to assessment of other relevant considerations.
- 5.49 The application has received an objection from a neighbouring commercial premises relating to the potential overshadowing of solar panels that have been approved but not yet installed. This objection cites an appeal decision that raised the consideration that impacts on solar panels in terms of their reduced output must be considered in the context of climate change. This relates to the fact that renewable energy mitigates the aims of climate change through reduced emissions, therefore reducing output of solar panels would result in a development having a negative impact on climate change mitigation. The judgment does not, however, define the level of change that would be acceptable, only that it should be due consideration. For information the decision in the referenced appeal was quashed because it was not considered at all, rather than considered wrongly.
- 5.50 Within policy DM1.4, point (c) can be interpreted to be of relevance.

*A net environmental improvement will always be sought and all proposals should avoid environmental harm or where this is not possible, adequately mitigate and compensate for the adverse environmental effects of development.*

- 5.51 The representation and subsequent shadowing information gives reasonable confidence that an impact will be caused and therefore it will be negative. Although, a caveat to this is, that it is an unquantified potential for renewable energy generation being considered as the panels are not yet in place and there is an existing level of overshadowing on the premises from buildings and trees. Using the reasoning from the referenced case law, this can be interpreted as an environmental harm. Coming back to the referenced section of DM1.4, where it seeks to avoid environmental harm.
- 5.52 As such, when viewed in isolation, the impact on the solar panels results in a level of conflict with DM1.4 (c) through reduced potential renewable energy provision on a neighbouring premises.
- 5.53 I also acknowledge that this is not necessarily viewed on a blank backdrop; the proposed development provides six dwellings within a sustainable central location with good access to services and public transport links. While no renewable energy is proposed as part of the development (in recognition of its sensitive location with regard to heritage); it will have to comply with modern building regulations in terms of insulation and energy consumption. As such, it has some sustainability benefits to consider against the potential impacts.

## Trees

- 5.54 The application site is within a conservation area and there are trees within falling distance of the proposal. Policy DM4.8 requires the retention and protection of trees and hedgerows. While none of the trees are directly affected by the proposal, and none are proposed to be removed, there is potential for impacts from construction and drainage features given the constrained nature of the site. As such it is considered necessary to condition a tree protection plan to ensure root protection areas are safeguarded during the construction and drainage design phases.

## Drainage

- 5.55 Policy DM4.2 of the SNLP requires proposals to have consideration of flood risk and incorporate sustainable drainage systems (SuDS). While some concern has been raised in consultation regarding flooding, the site is in Flood Zone 1 and is not at risk of surface water flooding according to Environment Agency Risk maps. As such the primary consideration is how surface and foul water are dealt with in regard to the new development.
- 5.56 Foul drainage has sewer access, and it is Anglian Water's statutory obligation to take foul drainage from new development; a condition has therefore been added to require the proposal to use the foul sewer.
- 5.57 With regard to surface water, the application form indicates sustainable drainage systems, soakaways and local water courses for surface water disposal. While direct discharge to local water course is not possible for this site, rainwater harvesting, and soakaways are potentially viable elements of the SuDS hierarchy for this site subject to ground conditions. A condition has therefore been included to require details of surface water disposal prior to construction above foundation level.
- 5.58 With the conditions recommended, the proposal accords with the requirements of policy DM4.2 of the SNLP.

## Other Issues

- 5.59 Paragraph 69 of the NPPF states that small and medium sized sites can make an important contribution to meeting the housing requirement of an area. The Council has taken a proactive approach to this through the allocation of a range of small and medium sized sites and through defining Development Boundaries for over 80 settlements to facilitate suitable windfall development. Point (c) of NPPF para 69 states that local planning authorities should '*support the development of windfall sites through their policies and decisions – giving great weight to the benefits of using suitable sites within existing settlements for homes*'. Although this is a material consideration in the determination of the application, it can only be afforded limited weight, given the previous supply of housing on small sites within the district.
- 5.60 The application can be considered to be previously developed land (brownfield land). In line with the NPPF, I have considered the benefits of the efficient use of land, but consider that in this case, this does not outweigh the other material considerations.

- 5.61 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).
- 5.62 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.
- 5.63 This application is liable for Community Infrastructure Levy (CIL)
- 5.64 This application is liable for Green Infrastructure Recreational Avoidance Mitigation Strategy (GIRAMS)

### **Conclusion**

- 5.65 The application, in relation to its alterations to a business premises and the provision of new housing are considered to be acceptable in principle in accordance with policies DM1.3, DM2.1, DM2.2, DM2.4 and DM2.5 of the SNLP along with sections 5, 5, 7 and 11 of the NPPF. The proposal is considered to have acceptable design and layout, it does not detrimentally impact heritage assets or the conservation area, neighbouring residential amenity, business viability, highway safety, trees or drainage to a level to warrant refusal of the application. As such it meets the requirements of policies DM2.2, DM3.8, DM3.10, DM3.11, DM2.12, DM3.13, DM3.14, DM4.1, DM4.2, DM4.4, DM4.8 and DM4.10 of the SNLP, Policies 1 and 2 of the JCS and other relevant section of the NPPF.
- 5.66 The assessment did highlight potential conflict with Policy DM1.4 in relation to a specific environmental impact as a result of increased overshadowing of neighbouring solar panels. While harm is identified in this specific area, it is acknowledged that when assessing the application overall, this is counter balanced by the proposal's provision of 6 new homes in a sustainable location, with the backdrop of a lack of 5-year housing land supply, adding positive weight to the provision of new dwellings. As such, when considering the application as a whole, in this instance, on balance, the level of impact on the solar panels (should they be installed) is not considered significant enough to give sufficient grounds to refuse the application on the basis of impact on environmental harm and climate change. As such, it is considered that, when balancing all factors together, the overall aims of Policy DM1.4 of the SNLP and Policy 1 of the JCS are met in this instance for the application.

5.67 The application is therefore recommended for approval subject to the conditions listed below:

Recommendation	Approval with Conditions
	<ol style="list-style-type: none"><li>1 Time Limit - Full Permission</li><li>2 In accordance with submitted drawings</li><li>3 External materials to be agreed</li><li>4 Construction Management Plan (Pre-Commencement)</li><li>5 Archaeological Investigation (Pre-Commencement)</li><li>6 Details of air extraction/flue/etc.</li><li>7 Tree protection (Pre-Commencement)</li><li>8 No loudspeaker etc. outside building</li><li>9 Limited hours for customers</li><li>10 Contaminated land during construction</li><li>11 Boundary treatment to be agreed</li><li>12 No PD for fences, walls etc</li><li>13 Details of Bin Storage</li><li>14 Roof Lights to be Fixed</li><li>15 Roof Lights to be High Level</li><li>16 Surface water</li><li>17 Foul drainage to main sewer</li><li>18 New Water efficiency</li><li>19 In accordance with Noise Assessment</li></ol>

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2022/2388

Erection of 3 dwellings (revised)



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**5. Application No : 2022/2388/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 (Revised)

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:

Refuse

**1 Proposal and site context**

- 1.1 This application is a revised resubmission of 2022/1548 which was refused at committee in November 2022. The application was refused on principle of development outside of development boundaries, scale, height and massing, highway/access issues and insufficient information regarding Nutrient Neutrality issues.
- 1.2 The revised proposal has aimed to address design and highway/access issues, as well as nutrient neutrality matters.
- 1.3 The proposed site is approximately 0.39ha in size and lies amongst the open countryside, remote from development boundaries. The site is associated with an existing single storey detached dwelling that is accessed from Rode Lane. The existing dwelling forms part of a small hamlet that lines the lane. The proposal is to erect two 1.5 storey dwellings and one bungalow to the north of the existing dwelling which is currently grassed paddock that also extends behind two neighbouring dwellings - Walnut Tree Shades and Crown Oak. The proposal includes a new access point from The Turnpike (B1113) to the southeast.
- 1.4 The proposal is to self-build these dwellings. The applicants would then occupy one of the three dwellings, and each of their two children will occupy the other two dwellings. The existing dwelling will be sold to help fund the project. Both children have established businesses based at the existing dwelling, which are to be relocated to the new dwellings.

**2. Relevant planning history**

- 2.1 2022/1548 Erection of 3 dwellings Refused
- 2.2 No Appeal History

**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 08: Promoting healthy and safe communities  
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

### 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 Sustainable location of development  
DM1.4 Environmental Quality and local distinctiveness  
DM2.3 Working from home  
DM3.1 Meeting housing requirements and needs  
DM3.8 Design Principles  
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, and quality of life  
DM4.2 Sustainable drainage and water management  
DM4.4 Natural Environmental Assets  
DM4.8 Protection of Trees and Hedgerows  
DM4.9 Incorporating landscape into design.

### 3.4 Supplementary Planning Documents (SPD)

South Norfolk Place-Making Guide 2012  
Parking Guidelines for new developments in Norfolk revised 2022  
Advice Note on Custom and Self-Build Housing 2017

## 4. Consultations

### 4.1 Parish Council

Asked to refuse on the following grounds:

- Highway Safety: Access onto the B1113 (The Turnpike) within proximity to staggered crossroads and a series of bends with a 60mph limit. Thus, not considered a safe location for a residential development, considering business and slow construction traffic. Local knowledge shows over the years there has been 1 fatal accident, 1 nearly fatal accident, minor accidents and near misses at this location. The Access and Design Statement says that the Applicant wishes to grow the beauty business which will increase the number of vehicle movements.
- The development remains outside the village development boundary in an area with no pedestrian access to schools, public transport, or shops.

- Loss of privacy and light to neighbouring properties. The two chalets will overlook the existing properties to the rear with floor to ceiling windows. Screen planting may also reduce light.

4.2 District Councillor  
Cllr Stephen Ridley

- Several material planning issues were raised when the previous application was rejected which have been addressed.
- This application is based on a genuine desire to provide accommodation for the children of the family and their respective businesses. Although it is outside the development plan, it should be viewed as a one-off application with exceptional circumstances that will not create a precedent. It is desirable to encourage such a self-build project. I have read the letter to the committee from Richard Bacon MP dated 3 January 2023 and would respectfully associate myself with the views and sentiments expressed therein. In all the circumstances, I would commend this application to the committee.

4.3 NHSCCG

No comments received

4.4 NCC Highways  
Principle:

- Comments made regarding the principle of the earlier application 2022/1548 remain the same. It is reasonable to assume that the residents of the proposed dwellings will need access to services such as shops, schooling, and employment daily. Owing to the lack of immediate access to local services or a high-quality public transport infrastructure, we consider the site performs poorly in terms of transport sustainability. The site is located on a bus route; however, the current operator Coach Services runs a total of 5 services per day between East Harling and Norwich. Although there are several local facilities available within the local villages of New Buckenham, Carleton Rode and Bunwell, each location will require a journey of approximately 2km, most likely requiring a motor vehicle journey.

Highway Safety and layout:

- Location not ideal being on a winding section of the B1113 and 60mph road, however, the location provides adequate visibility.
- Layout including the provision of pedestrian access is now acceptable, subject to conditions.
- Provision for a refuse collection point should be shown. A refuse wagon is unlikely to enter the site.

4.5 Natural England

- Further information on how the development will achieve nutrient neutrality by clearly identifying the mitigation measures that will be implemented, robustly assessing these with evidence, and including them within a phasing plan to demonstrate that they will be delivered. Without this, Natural England may need to object to the proposal.



## Issues:

- Issues with the calculator figures.
- Figures not adequately evidenced and justified.
- Not enough information on mitigation measures.
- NE do not agree with conclusions made. Concerns with use of chemical dosing for mitigation (i.e., maintenance and monitoring).
- Lack of detail regarding the reedbed filtration system.

Supporting comments made regarding the inclusion of SuDs to manage surface water disposal.

## 4.6 The Countryside Charity Norfolk (CPRE)

No comments received

## 4.7 Biodiversity and Ecology Officer

Further Information required prior to determination.

- Red line boundary should include land to the north including the reedbed to avoid the need for a S106 securing the proposed NN measures. This should also include the footpath and fencing. Will be necessary to amend the redline for Natural England District Level License enquiry.
- Regarding Great Crested Newts; a countersigned Impact Assessment Conservation Payment Certificate document is required and submitted to the LPA. Should be submitted along with the redline boundary map prepared by Natural England, prior to determination.
- The site was surveyed by Joseph Hassell in July 2022 and the report prepared by James Hodson on 20/01/2023. It is noted that this is practically a duplicate of the report prepared by Joseph Hassall on 01/08/2022 submitted for 2022/1548. The report will need to reflect the entirety of land in the revised red line boundary. The report should also be amended, including qualifications/training/experience of Joseph Hassell undertaking PEAs, HSIs, and preliminary roost assessments.
- The applicant will need to address Natural England's comments. It is not clear how the reedbed fits into the scheme.
- GIRAMS HRA and UU needs to be prepared.

## 4.8 Historic Environment Service

- No objections, subject to recommended conditioning requiring a programme of archaeological mitigatory work if planning permissions is granted.

## 4.9 Senior Heritage and Design Officer

- Elevation drawings are unclear and inconsistent. Recommended design changes to each plot including lowered eave height, breaking down massing and altering layouts.
- Resulted in ongoing discussions between agent and officer and revised design.

### Other Representations

#### 4.10 Richard Bacon MP

- Remains supportive of the applicant's ambition to self-build for reasons stated in the previous supporting comments. The applicant has listened to the committee and re-designed the proposal, providing a willingness to work with the council.
- Previous comments reflected the support given to self-build projects and security for the children that could stay in the area and requested approval. Does not believe the proposal will set a precedent due to the nature of the land, family arrangements and access.

#### 4.11 6 objecting comments received, concerning:

- The mixed use of the site
- The safety issues regarding access onto The Turnpike created by variations of road gradient, vision, and volume of use.
- The proposal is outside of development boundaries.
- No bus services.
- Overbearing and outlook impact.
- Unsympathetic design and layout.
- Loss of privacy from overlooking.
- Loss of light from north.
- Noise impacts.
- Lack of ability to control/limit occupancy in future.
- Proposed landscaping unclear.

#### 4.12 19 supporting comments received, concerning:

- Difficulty of young people to stay in their local communities and support longevity of the village. Also, difficult to access affordable housing in the area.
- Supporting multigenerational living.
- Supporting existing small businesses. Moving these will result in traffic elsewhere.
- Houses planned carefully to limit impact.
- Businesses already at full capacity, thus won't generate further traffic.
- Encourages visitors to the surrounding villages and amenities.
- No impact regarding neighbouring light.
- Difficulty in young people purchasing housing.
- Will be able to soundproof rooms and reduce noise impact.

### 5 Assessment

#### 5.1 **Key considerations**

- Principle of development
- Design and impact upon character and appearance of the area
- Neighbour amenity
- Highway Safety and Parking
- Flood risk and drainage
- Ecology

Principle

- 5.2 Planning law requires that applications must be determined in accordance with the Local Development Plan unless material considerations indicate otherwise. The National Planning Policy Framework (NPPF) is a material consideration in determining planning decisions.
- 5.3 It is evident that that the site is located outside of any development boundary and therefore Policy DM1.3 makes provision for development to be granted in such areas where one of two criterion are met including where there are overriding benefits in terms of economic, social, and environmental dimensions as addressed in Policy DM1.1.
- 5.4 It should be noted that the Council currently has less than 5 years of deliverable sites having regard to the temporary impact of Nutrient Neutrality and in noting this regard is given to paragraph 11 of the NPPF which states that:
- where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:*
- i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed (see footnote 7); or*
  - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.*
- 5.5 Footnote 7 states that "The policies referred to are those in this Framework (rather than those in development plans) relating to: habitats sites (and those sites listed in paragraph 181) and/or designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, an Area of Outstanding Natural Beauty, a National Park (or within the Broads Authority) or defined as Heritage Coast; irreplaceable habitats; designated heritage assets (and other heritage assets of archaeological interest referred to in footnote 68); and areas at risk of flooding or coastal change"
- 5.6 In this instance it is evident that the proposal is affected by policies in the NPPF which relate to a National Park (Broads Authority), in particular, paragraphs 174, 176, 180, 181 and 182.
- 5.7 With this in mind, the "tilted balance" from paragraph 11 is not engaged, and the Local Plan policies are not considered "out of date". Natural England has been consulted on the application and confirmed that the proposed mitigation and information submitted as part of a shadow Habitat Regulations Assessment (HRA) is not robust enough to conclude that the proposed development will not result in adverse effects on nutrient neutrality. Therefore, we are not satisfied that the proposal will not result in adverse effects on the integrity of the sites in question. On this basis the scheme is assessed against the relevant policies contained within the Local Plan, planning guidance, and having regard to any other material considerations.
- 5.8 Given this, it is considered that the proposal is not acceptable in principle by virtue of its location outside of, and remote from, defined development boundaries. It is therefore considered that the present and future occupants would have limited access to a range of key services (such as schools, doctors, dentists, leisure facilities and shops) as well as

employment opportunities via public transit or pedestrian infrastructure. The proposal would therefore result in a high reliance of a 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.

- 5.9 There are benefits to the proposal which are taken into account. These are indicated to principally include promoting a self-build project, supporting the children by providing housing, promoting multigenerational living, and supporting the established small businesses in the area. Weighing these benefits against the costs of development in this location, it is considered there is not an overriding impact to warrant approval under policies DM1.1 and DM1.3.

### **Accessibility of site and provision of services**

- 5.10 The site is located to the rear of three dwellings which form part of the small hamlet which lines Rode Lane. The nearest development boundaries with some level of services lie to the north in Carleton Rode (approx. 1.4 miles) where there is a primary school and to the east in New Buckenham (approx. 1.5 miles). Beyond Carleton Rode lies Bunwell (approx. 2.1 miles) where there is a convenience shop. Given this distance and level of service available in these villages, the site performs poorly in terms of accessibility to services.
- 5.11 The Highways Authority agrees that the site lacks immediate access to local services or high-quality pedestrian or public transport infrastructure. There is a bus route that runs between East Harling and Norwich, however for the occupants to access this service, they would either need to walk 10 minutes north along the B1113 to the nearest bus stop in Hargate or 30 minutes along the quieter Rode Lane to the Carleton Rode stops. In either instance, there are no footways or other provision for pedestrians. In addition, given the lack of cycling infrastructure, nature of the surrounding roads and distance to services, it is considered that cycling would be an unlikely method of daily transportation.
- 5.12 Given the above, it is considered that there will be a high reliance by occupants of the dwellings on the motor vehicle to access daily services. In addition, customers of the business will also be reliant on a motor vehicle. As a result, the site is inherently unsustainable.
- 5.13 Whilst it is accepted that the applicant, children, and associated businesses are already based at the site, by creating three additional dwellings and selling the existing bungalow, traffic volumes will increase by virtue of a new family occupying the existing dwelling and partners of children also occupying the new dwellings. Whilst it is accepted that in the short run the new dwellings will be occupied by the applicants, in the long run, the site (including the existing dwelling) could result in being occupied by four independent families. It is not reasonable or possible to include conditions to prevent this possibility.
- 5.14 It has been suggested at pre-application stage that an annexe associated with the existing dwelling could be a sustainable option for achieving multigenerational living which could be appropriately controlled to prevent the creation of separate dwellings whilst offering more independent accommodation.

### **Visual Impact and Design**

- 5.15 The proposed development includes two 1.5 storey dwellings and one bungalow accessed independently from The Turnpike. The dwellings are set back from the road and are somewhat screened from The Turnpike by virtue of existing trees and hedgerows to the north and east of the site.
- 5.16 The proposal has been revised from the original 2022/1548 proposal which included three large two-storey dwellings which were not considered in keeping with the nature of the dwellings that line Rode Lane. The external material finishes remain the same, including a mixture of Norfolk red brick, cream render and composite cladding with grey windows and galvanised rainwater goods. This is considered an acceptable material approach given the wider context.
- 5.17 The layout of dwellings reflects the individual needs. The dwellings include office space for working from home and tailored facilities for the businesses to operate.
- 5.18 The immediate wider area primarily consists of a mixture of bungalows and one and a half-storey dwelling with dormers that are moderately scaled. There are examples of larger traditionally gabled farmhouse/barn conversions further west along Rode Lane and one well screened example to the east, accessed from Ash Lane. Considering the revised design from the original proposal, the plots now reflect something closer to that seen in the immediate area. As a result, I now consider that the height, scale, and massing of the development will not pose an unacceptable impact on the character and appearance of the area and is acceptable under policies DM1.4 and DM3.8.

### **Self-build housing**

- 5.19 The National Planning Policy Framework requires councils to plan for people wishing to build their own homes. This can be a material planning consideration for this application as self-build has been identified as the method of delivering the site.
- 5.20 Providing self-build dwellings is one of the main benefits promoted for this development, as supported, and encouraged by the local MP. Whilst this is a benefit it should be noted that the Council is confident that it will meet its requirements regarding the delivery of self-build units and has a track record of doing so. This has been considered in several appeal decisions where Inspectors have found that we have a sufficient supply.
- 5.21 Considering the importance of offering self-build housing in this instance other material planning considerations are of greater significance and this factor is not considered as an overriding factor that warrants approval of the application.

### **Residential Amenity**

- 5.22 Several neighbouring dwellings have raised concerns to the proposed development. These concerns include the potential adverse outlook and overbearing impact, increased noise and disturbance and the loss of privacy and light.
- 5.23 All three plots have a relatively close spatial relationship with the existing dwellings that line Rode Lane, notably Walnut Tree Shades, Crown Oak, and applicant's dwelling Fairacres. The siting of these dwellings within the open countryside means that these dwellings benefit from views over open countryside which will be detracted by the proposed new dwellings. Concerns have been raised that the development proposes

screening which could lead to a loss of light. Whilst I understand these concerns and that the dwelling will alter the existing dwelling relationship with the open countryside, boundary treatment could be controlled to ensure that it does not result in a loss of light and I do not consider the proposal presents an unacceptable impact in terms of outlook, loss of light or overshadowing by virtue of distance between the dwellings and the revised size.

- 5.24 The proposed dwellings also present potential adverse impacts in terms of overlooking and thus loss of privacy. Although this is of some concern, I believe the distance between the dwellings, revised design, and typography of the site would limit this impact.
- 5.25 Whilst the development would likely result in a small increase of noise generated from traffic, it is not considered that this or the mixed-use nature of the development would create an unacceptable level of harm by virtue of distance and specialised facilities for the given businesses.
- 5.26 Considering the above, the proposal does not warrant refusal on amenity grounds and is acceptable under Policy DM3.13.

### **Highway Safety and Parking**

- 5.27 The Highways Authority has assessed the proposal and considered that in highway safety terms, the means of access is not ideal to support a new development due to the winding section and 60mph speed limit of the given road. The questionable safety of this access is echoed in the Parish and neighbouring concerns.
- 5.28 Whilst an access in this location may not be ideal, it is accepted that the required visibility splays can be provided and therefore there are not sufficient grounds to warrant refusal of the application, subject to the recommended conditions suggested by the Highways Authority. Thus, the proposal is considered to accord with Policy DM3.11.
- 5.29 The Highways previously raised concern to site layout and turning facilities for an acceptable entrance width and emergency vehicle provision. It is noted that this has been addressed and this is no longer a concern. The Highways Authority have noted that it is unlikely that refuse wagons would wish to enter the site as it is not an adopted highway. However, there are potential solutions to address this which can be conditioned appropriately.
- 5.30 Regarding parking facilities, the layout achieves the minimum level of parking required by the revised parking standards. Considering this, the proposal accords with Policy DM3.12
- 5.31 The Highways Authority also raised the requirement for a pedestrian link to Rode Lane from the development in the prior application. This has been addressed by adding a pedestrian link to the rear of the proposed dwellings, routed in between Fairacres and Walnut Tree Shades. This is considered to satisfy the requirement.

### **Flooding**

- 5.32 A tributary of River Tas runs along the northern boundary of the site. Although the site is not considered at risk of fluvial flooding, the potential of surface water flooding is an area of concern. An element of the wider site to the north is situated within both low and medium risk of surface water flooding. The layout is designed to avoid development in the area closer to the stream and flood risk.

- 5.33 In terms of surface water drainage, this is proposed to be disposed via soakaways and comply with SuDS.
- 5.34 Considering these points, I consider that through appropriate conditioning, the proposal would accord with Policy DM4.2 of the Local Plan.

### **Nutrient Neutrality**

- 5.35 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. The site lies within the concerned catchment area as the given tributary/water courses feeds into the River Tas and later into the River Yare, which lies within the catchment area.
- 5.36 The applicant has sought to provide on-site mitigation. They seek to achieve this by proposing that foul water from each dwelling is treated with individual treatment plants, specified as BioDisc chemical dosing plant. Once treated, the water is gravity fed into a designed drainage field within the garden space of the dwellings. The proposal also includes a approx. 32 x 9 metre reedbed as further mitigation.
- 5.37 Natural England responded advising that the information is insufficiently robust assess the potential impact of the development on nutrient neutrality in accordance with regulation 63 of the Conservation of Species and Habitats Regulations 2017 (as amended). Without further detailed information, Natural England object to the proposal as it is not possible to ascertain that the proposal will not result in adverse effects on the integrity of the sites in question.
- 5.38 In particular, Natural England indicated that the assessment is not sufficiently evidenced and justified and that the proposed mitigation and reedbed measures require further detail. Furthermore, they raised concerns to the potential toxicity of chemical treatment systems and ability to secure maintenance and monitoring arrangements of the dosing system in perpetuity.
- 5.39 Given the above, on the basis of the information currently provided the proposal does not accord with the Conservation of Species and Habitats Regulations 2017 (as amended) (Habitats Regulations).

### **GIRAMS**

- 5.40 The proposal would be liable for the Green Infrastructure Recreation Avoidance Mitigation Strategy (GIRAMS) tariff and require an agreed unilateral undertaking. The agent has indicated that they are happy to undertake this agreement, however a signed Unilateral Undertaking as not been completed at this stage. Should it not be provided this would need to form a further reason for refusal.

**Ecology**

- 5.41 The application has included a preliminary ecological appraisal conducted in July 2022. The assessment found the site to be of low ecological value and that any impact could be adequately mitigated through landscaping, planting, or other biodiversity enhancement measures. The existing stables are considered to have a negligible roosting potential.
- 5.42 The Biodiversity and Ecology Officer has reviewed the report and raised some level of concern. It was indicated that the red line is revised to include the reedbed system and proposed pathway to avoid the need for S106 agreements, which we will seek to resolve this before committee. Furthermore, regarding the protection of Great Crested Newts, a countersigned Impact Assessment Conservation Payment Certificate document must be submitted to the Local Planning Authority prior to development, along with the red line boundary map prepared by Natural England.
- 5.43 Subject to these points being addressed and the use of appropriate conditions and informative, the proposal would not have a significant adverse impact on ecological value of the site that cannot be mitigated and therefore accords with policy DM4.4 of SNLP.

**Trees and Hedgerows**

- 5.44 The impact on surrounding trees has been considered. There are several trees on the boundaries of the site, creating significant screening to the site. These trees are proposed to be retained. I consider that this boundary treatment could be appropriately retained through appropriate conditioning given the distance from the proposed buildings. An arboricultural impact assessment would be conditioned to assess the impact of the indicated fencing and reedbed within the root protection area of concerning trees.
- 5.45 Landscaping details are proposed to be submitted later via discharge of condition which will indicate soft landscaping for each individual plot. As mentioned above, the existing trees give an element of boundary treatment to the north and east. The site will otherwise comprise of 6ft timber close board fencing, creating divisions between the dwellings. Each plot is laid to lawn. The proposed driveway consists of tar and gravel finish for parking facilities, with a small amount of brick weave. Considering these factors and appropriate conditioning requiring further detail, I consider the proposal satisfies Policy DM4.9 of the Local Plan.

**Archaeological Impact**

- 5.46 The Historic Environment Service has been consulted and raised the historic relevance of the site. It is therefore recommended that a programme of archaeological mitigatory work is carried out pre-commencement via relevant conditioning.

**Other Issues**

- 5.47 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.
- 5.48 This application is liable for the Community Infrastructure Levy. However, the intention to claim exemption on self-build grounds is noted.



## Conclusion

- 5.49 It is acknowledged that there are some benefits from the provision of self-built housing, as well as economic benefits from their construction and spending from future occupants.
- 5.50 However, the proposal is not considered to be in a sustainable location for new development and thus is considered to create adverse impacts that significantly and demonstrably outweigh the benefits when assessed against the NPPF and Local Plan policies DM1.1, DM1.3, DM.1.4 and DM3.10 of the Development Management Policies Document and Policies 1 and 6 of the Joint Core Strategy.
- 5.51 Therefore it is not considered that there are any overriding economic, social, or environmental benefits to the proposal which outweigh the identified harms to justify a departure from the Development Plan and therefore the application is recommended for refusal.

Recommendation : Refusal

- 1 Principle of development
- 2 Insufficient Information regarding Nutrient Neutrality

## Reasons for Refusal

- 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 Insufficient information has been provided to demonstrate that the proposal would not cause adverse impacts to the integrity of protected habitats such as the River Wensum or the Broads. The proposal is therefore considered contrary to The Conservation of Habitats and Species Regulations (2017) and the aims of Policy DM4.4 of the South Norfolk Local Plan.

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**Planning Appeals****Appeals received from 24 February 2023 to 23 March 2023**

<b>Ref</b>	<b>Parish / Site</b>	<b>Appellant</b>	<b>Proposal</b>	<b>Decision Maker</b>	<b>Final Decision</b>
2022/1111	Wymondham Land Between London Road and Sutton Lane London Road Wymondham Norfolk	Darron Keen	Part discharge of condition 9 of APP/L2630/W/15/31363 21 (2014/2495) - (9) off- site highway improvement works	N/a	N/a
2021/2413	Wymondham Land on the South Side of Cemetery Lane Wymondham Norfolk	Messrs C And J Hawkins	2no new 2-storey 4- bedroom dwellings with associated parking and pedestrian footway adj highway	Delegated	Refusal

**Planning Appeals****Appeals decisions from 24 February 2023 to 23 March 2023**

<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>
2021/0533	Land Between 8 And 10 Meadow Close Hethersett Norfolk	Mr Spencer Lawrence	Outline application for the erection of a new single dwelling.	Delegated	Refusal	Dismissed