Development
Management Committee

Members of the Development Management Committee:

Conservatives Liberal Democrats
Mr V Thomson Dr M Gray
(Chairman)
Mrs L Neal
(Vice-Chairman)
Mrs Y Bendle
Mr B Duffin
Mrs F Ellis
Mr C Gould
Dr C Kemp
Mr G Minshull
Mr J Mooney
Mrs A Thomas

Pool of Substitutes
Mr L Dale Mrs V Bell
Mr D Goldson
Mr J Hornby
Dr N Legg
Mr G Wheatley

Pre-Committee Members’ Question Time
9.00 am Blomefield Room

Agenda

Date
Wednesday 11 October 2017

Time
10.00 am

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

Contact
Sue Elliott tel (01508) 533869
South Norfolk House
Cygnet Court
Long Stratton Norwich
NR15 2XE

Email: democracy@s-norfolk.gov.uk
Website: www.south-norfolk.gov.uk

PLEASE NOTE that any submissions (including photos, correspondence, documents and any other lobbying material) should be received by the Council by noon the day before this meeting. We cannot guarantee that any information received after this time will be brought to the Committee’s attention. Please note that where you submit your views in writing to your District Councillor, this is described as “lobbying” and the District Councillor will be obliged to pass these on to the planning officer, where they will be published on the website.

This meeting may be filmed, recorded or photographed by the public; however, anyone who wishes to do so must inform the Chairman and ensure it is done in a non-disruptive and public manner. Please review the Council’s guidance on filming and recording meetings available in the meeting room.

If you have any special requirements in order to attend this meeting, please let us know in advance

Large print version can be made available
Please familiarise yourself with this information if you are not in receipt of the agenda.

If the meeting room is busy, please use the upstairs public gallery until such time as your application is heard. You will need to be in the main meeting room if you wish to speak in regard to an application. Please be aware that the Committee can over-run, and if your application is later on the agenda it may be some time before your application is heard.

GENERAL INFORMATION ABOUT DEVELOPMENT MANAGEMENT

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

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

South Norfolk Council adopted its Local Plan in October 2015. This consists of the Site Specific Allocations and Policies Document, the Wymondham Area Action Plan, the Development Management Policies Document. The Long Stratton Area Action Plan was also adopted in 2016. These documents allocate specific areas of land for development, define settlement boundaries and provide criterion based policies giving a framework for assessing planning applications. The Cringleford Neighbourhood Development Plan was also ‘made’ in 2014 and Mulbarton Neighbourhood Development Plan made in 2016, and full weight can now be given to policies within these plans when determining planning applications in the respective parishes. Some weight can also be given to the policies in the emerging Neighbourhood Development Plan for Easton. In accordance with legislation planning applications must be determined in accordance with the policies of the Development Plan, unless material considerations which are relevant to planning indicate otherwise.

The NPPF states that the purpose of the planning system is to achieve sustainable development. The core planning principles contained within the NPPF are summarised as:

- To be genuinely plan-led
- To drive and support sustainable economic development
- Seek high quality design
- Conserve and enhance the natural environment
- Encourage the effective use of land
- Conserve heritage assets

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

THEREFORE, we will:

- Acknowledge the strength of our policies
- Be consistent in the application of our policy, and
- If we need to adapt our policy, we will do it through the Local Plan process.

Decisions which are finely balanced and contradict policy will be recorded in detail to explain and justify the decision and the strength of the material planning reasons for doing so.
OCCASIONALLY, THERE ARE CONFLICTS WITH THE VIEWS OF THE PARISH OR TOWN COUNCIL. WHY IS THIS?

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

- Districts look to ‘wider’ policies, and national, regional and county planning strategy.
- Other consultation responses may have affected our recommendation.
- There is an honest difference of opinion.
1. To report apologies for absence and identify substitute voting members (if any);

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 flowchart and guidance attached, page 8)

4. Minutes of the Meeting of the Development Management Committee held on 13 September 2017; 
   (attached – page 10)

5. Planning Applications and Other Development Control Matters;
   (attached – page 20)

   To consider the items as listed below:

<table>
<thead>
<tr>
<th>Item No.</th>
<th>Planning Ref No.</th>
<th>Parish</th>
<th>Site Address</th>
<th>Page No.</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>2017/1614/F</td>
<td>BURSTON AND SHIMPLING</td>
<td>Shimpling Hall Farm Burston Road Shimpling Norfolk IP21 4UF</td>
<td>20</td>
</tr>
<tr>
<td>2</td>
<td>2016/2781/F</td>
<td>LONG STRATTON</td>
<td>Land North of Wild Rose Farm Ipswich Road Long Stratton Norfolk</td>
<td>28</td>
</tr>
<tr>
<td>3</td>
<td>2017/1596/F</td>
<td>COSTESSEY</td>
<td>Longwater Retail Park Car Park Alex Moorhouse Way Costessey Norfolk</td>
<td>47</td>
</tr>
<tr>
<td>4</td>
<td>2017/1806/A</td>
<td>HETHERSETT</td>
<td>Land Off Norwich Road Hethersett Norfolk</td>
<td>53</td>
</tr>
<tr>
<td>5</td>
<td>2017/1828/RVC</td>
<td>ALDEBY</td>
<td>Aldeby Business Park Common Road Aldeby NR34 0BL</td>
<td>58</td>
</tr>
<tr>
<td>6</td>
<td>2017/1876/F</td>
<td>WYMONDHAM</td>
<td>Wymondham Town Council Ketts Park Community Centre Harts Farm Road Wymondham</td>
<td>63</td>
</tr>
<tr>
<td>7</td>
<td>2017/1914/F</td>
<td>WYMONDHAM</td>
<td>Barley Chalu Ltd Ayton Road Wymondham Norfolk NR18 0QH</td>
<td>69</td>
</tr>
<tr>
<td>8</td>
<td>2017/1737/F</td>
<td>WYMONDHAM</td>
<td>Little Dial Farm Station Road Spooner Row NR18 9SP</td>
<td>73</td>
</tr>
</tbody>
</table>

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 78)

8. Quarterly Enforcement Report; (attached – page 79)

9. Date of next scheduled meeting – Wednesday 8 November 2017
1. 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.

TIMING: In front of you there are two screens which tell you how much time you have used of your five minutes. After four minutes the circle on the screen turns amber and then it turns red after five minutes, at which point the Chairman will ask you to come to a conclusion.

MICROPHONES: In front of you there is a microphone which we ask you to use. Simply press the left or right button to turn the microphone on and off

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.

3. FILMING AT COUNCIL MEETINGS: GUIDANCE

Members of the public and press are permitted to film or record meetings to which they are permitted access in a non-disruptive manner and only from areas designated for the public. No prior permission is required, however the Chairman at the beginning of the meeting will ask if anyone present wishes to record proceedings. We will ensure that reasonable facilities are made available to the public and press to assist filming or recording of meetings.

The use of digital and social media recording tools, for example Twitter, blogging or audio recording is allowed as long as it is carried out in a non-disruptive manner.
### HEALTH AND SAFETY INFORMATION

<table>
<thead>
<tr>
<th>Item</th>
<th>Information</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Fire alarm</strong></td>
<td>If the fire alarm sounds please make your way to the nearest fire exit. Members of staff will be on hand to escort you to the evacuation point</td>
</tr>
<tr>
<td><strong>Mobile phones</strong></td>
<td>Please switch off your mobile phone or put it into silent mode</td>
</tr>
<tr>
<td><strong>Toilets</strong></td>
<td>The toilets can be found on the right of the lobby as you enter the Council Chamber</td>
</tr>
<tr>
<td><strong>Break</strong></td>
<td>There will be a short comfort break after two hours if the meeting continues that long</td>
</tr>
<tr>
<td><strong>Drinking water</strong></td>
<td>A water dispenser is provided in the corner of the Council Chamber for your use</td>
</tr>
</tbody>
</table>

### 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**

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

**Key to abbreviations used in Recommendations**

<table>
<thead>
<tr>
<th>Abbreviation</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>CNDP</td>
<td>Cringleford Neighbourhood Development Plan</td>
</tr>
<tr>
<td>J.C.S</td>
<td>Joint Core Strategy</td>
</tr>
<tr>
<td>LSAAP</td>
<td>Long Stratton Area Action Plan – Pre Submission</td>
</tr>
<tr>
<td>N.P.P.F</td>
<td>National Planning Policy Framework</td>
</tr>
<tr>
<td>P.D.</td>
<td>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)</td>
</tr>
<tr>
<td>S.N.L.P</td>
<td>South Norfolk Local Plan 2015</td>
</tr>
<tr>
<td></td>
<td>Site Specific Allocations and Policies Document</td>
</tr>
<tr>
<td></td>
<td>Development Management Policies Document</td>
</tr>
<tr>
<td>WAAP</td>
<td>Wymondham Area Action Plan</td>
</tr>
</tbody>
</table>
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.

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.

Does the interest directly:
1. affect yours, or your spouse / partner’s financial position?
2. relate to the determining of any approval, consent, licence, permission or registration in relation to you or your spouse / partner?
3. Relate to a contract you, or your spouse / partner have with the Council
4. Affect land you or your spouse / partner own
5. Affect a company that you or your partner own, or have a shareholding in

If the answer is “yes” to any of the above, it is likely to be pecuniary.

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.

Does the interest indirectly affect or relate any pecuniary interest you have already declared, or an interest you have identified at 1-5 above?

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 must then withdraw from the meeting.

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.

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.

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

What matters are being discussed at the meeting?

Do any relate to an interest I have?

A Have I declared it as a pecuniary interest?
OR
B Does it directly affect me, my partner or spouse’s financial position, in particular:
   • employment, employers or businesses;
   • companies in which they are a director or where they have a shareholding of more than £25,000 face value or more than 1% of nominal share holding
   • land or leases they own or hold
   • contracts, licenses, approvals or consents

YES

If you have not already done so, notify the Monitoring Officer to update your declaration of interests

NO

Pecuniary Interest

The interest is pecuniary – disclose the interest, withdraw from the meeting by leaving the room. Do not try to improperly influence the decision.

YES

If you have not already done so, notify the Monitoring Officer to update your declaration of interests

NO

The interest is related to a pecuniary interest. Disclose the interest at the meeting. You may make representations as a member of the public, but then withdraw from the room.

YES

Does the matter indirectly affects or relates to a pecuniary interest I have declared, or a matter noted at B above?

NO

Related pecuniary interest

The Interest is not pecuniary nor affects your pecuniary interests. Disclose the interest at the meeting. You may participate in the meeting and vote.

YES

Have I declared the interest as an other interest on my declaration of interest form? OR

Does it relate to a matter highlighted at B that impacts upon my family or a close associate? OR

Does it affect an organisation I am involved with or a member of? OR

Is it a matter I have been, or have lobbied on?

NO

Other Interest

You are unlikely to have an interest. You do not need to do anything further.
DEVELOPMENT MANAGEMENT COMMITTEE

Minutes of a meeting of the Development Management Committee of South Norfolk District Council held at South Norfolk House, Long Stratton, on Wednesday 13 September 2017 at 10.00 am.

Committee Members Present: Councillors: V Thomson (Chairman), Y Bendle, B Duffin, F Ellis, C Gould, C Kemp, G Minshull, J Mooney and A Thomas.

Apologies: Councillors: M Gray and L Neal.

Substitute Members: Councillors: V Bell for M Gray G Wheatley for L Neal.

Officers in Attendance: The Development Manager (H Mellors), the Senior Planning Officers (C Raine and C Curtis), the Planning Officer (H Bowman) and the Senior Conservation and Design Officer (C Bennett)

Also in Attendance: J Hanner – NCC Highways

The press and 85 members of the public were in attendance

351. DECLARATIONS OF INTEREST

The following members declared interests in the matters listed below. Unless indicated otherwise, they remained in the meeting.

<table>
<thead>
<tr>
<th>Application</th>
<th>Parish</th>
<th>Councillor</th>
<th>Declaration</th>
</tr>
</thead>
<tbody>
<tr>
<td>2016/0713/F (Item 1)</td>
<td>BRACON ASH &amp; HETHEL</td>
<td>ALL</td>
<td>Local Planning Code of Practice Lobbied by Objector, Agent and Non-District Member</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Other Applicant known to members</td>
</tr>
<tr>
<td>2017/1600/F (Item 2)</td>
<td>WYMONDHAM</td>
<td>ALL Bendle</td>
<td>Other South Norfolk Council owns the lease on this property.</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Local Planning Code of Practice As a Cabinet Member, Cllr Bendle left the room whilst this item was considered</td>
</tr>
</tbody>
</table>
352. MINUTES

The minutes of the Development Management Committee meeting dated 16 August 2017 were confirmed as a correct record and signed by the Chairman.

353. PLANNING APPLICATIONS AND OTHER DEVELOPMENT CONTROL MATTERS

The Committee considered the report (circulated) of the Director of Planning and Environment, which was presented by the officers. The following speakers addressed the meeting with regard to the applications listed below.

<table>
<thead>
<tr>
<th>APPLICATION</th>
<th>PARISH</th>
<th>SPEAKER</th>
</tr>
</thead>
<tbody>
<tr>
<td>2016/0713/F</td>
<td>BRACON ASH &amp; HETHEL</td>
<td>Mr Rudd – Bracon Ash Parish Council</td>
</tr>
<tr>
<td>(Item 1)</td>
<td></td>
<td>Mr L Stone – Objector</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Mr S Henry – Agent for the Applicant</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Mr N Hooper – On behalf of Agent/Applicant</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Cllr C Foulger – Local Member</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Cllr N Legg – Local Member</td>
</tr>
<tr>
<td>2017/1321/O</td>
<td>WYMONDHAM</td>
<td>Mr Durrant – Agent for the Applicant</td>
</tr>
<tr>
<td>(Item 3)</td>
<td></td>
<td>Cllr J Hornby – Local Member</td>
</tr>
<tr>
<td>2017/1572/O</td>
<td>KETTERINGHAM</td>
<td>Mr T Cave – Parish Council</td>
</tr>
<tr>
<td>(Item 4)</td>
<td></td>
<td>Mrs A Jordan – Objector</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Mrs M Shelley – Agent for the Applicant</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Cllr N Legg – Local Member</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Cllr C Foulger – Local Member</td>
</tr>
<tr>
<td>2017/1760/F</td>
<td>EAST CARLETON</td>
<td>Mr and Mrs Rhodes – Applicants</td>
</tr>
<tr>
<td>(Item 5)</td>
<td></td>
<td>Cllr N Legg – Local Member</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Cllr C Foulger – Local Member</td>
</tr>
</tbody>
</table>

The Committee made the decisions indicated in the Appendix to these 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 Planning and Environment.
354. **ENFORCEMENT REPORT**

Members considered the report of the Director of Planning and Environment regarding the enforcement case at Loddon (ref 2017/8046). It was RESOLVED that no further enforcement action be taken.

355. **PLANNING APPEALS**

The Committee noted the planning appeals.

(The meeting closed at 3.06pm)

_____________________

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 Planning and Environment’s final determination.

Major Applications referred back to Committee

1  Appl. No : 2016/0713/F
Parish : BRACON ASH & HETHEL

Applicants Name : Bracon Ash Developments Ltd
Site Address : Land To East of Norwich Road Bracon Ash Norfolk
Proposal : Erection of 52 dwellings, open space and associated works

Decision : Members voted unanimously for Refusal (contrary to officer recommendation (which was unanimously lost))

Refused

Reasons for Overturning Officer Recommendation

1. Urbanisation of extended site due to massing and scale
2. The extended curtilage is harmful to the setting of heritage assets
3. Significant harms identified outweigh the benefits

Updates to officer report

Recommendation – change to “Delegate authority to Director of Planning and Environment to approve, subject to resolution of provision of off-site highway works”. (The reason for this change is outlined below in additional representations received).

Section 4 of the National Planning Policy Framework (Promoting sustainable transport) is applicable.

Update to Para 5.1: The development proposes housing within an allocated site within Bracon Ash, but also encroaches into the open countryside outside of the development boundary for Bracon Ash. Policy DM1.3 allows for such development where there are overriding benefits. Furthermore in the absence of a sufficient land supply within the Norwich Policy Area planning permission is to be granted under paragraph 14 of the NPPF unless any adverse impacts would significantly and demonstrably outweigh the benefits.

Update to Para 5.2: In this instance it is considered that the benefits of providing additional housing is sufficiently high that the concerns in regard to the additional intrusion into the open countryside and the harm to the setting of the listed Home Farm House are outweighed by the benefits of the additional housing, as it is not considered the harm is of a sufficient level to significantly and demonstrably outweighs the benefits, and provides overriding benefits in providing housing to help address the shortfall in the housing supply to comply with Policy DM1.3.

NCC Ecologist

Note from Hopkins Ecology (28 August) is reasonable, stating that there are realistic and deliverable options to ensure water quality is maintained at the pond used by great crested newts
Recommend any condition relating to SUDs is expanded to specify that consideration must be
given to ensure water quality is such that the local population of great crested newts is
maintained in a favourable conservation status, and that a condition is included requiring that a
copy of any EPS licence in relation to the SUDs scheme is submitted.

Officer response: Noted, conditions will be amended / drafted along the lines suggested.

**Norfolk Wildlife Trust**
Further response as remain concerned regarding water quality. Whilst impact on great-crested
newts has been considered, wider ecological value of pond within Bracon Ash Common
(County Wildlife Site) has not been addressed. Bracon Ash Common has been designated as a
CWS because of the value of the pond in terms of it’s water quality.

Officer response: Water quality will be considered by Natural England when issuing a
European Protected Species licence, but also will be a requirement of the surface water
condition to ensure water quality issues are addressed.

3 further letters from Home Farm House

The lagoon design concept is incorrect. The height of Home Farm House grounds is less than
the maximum lagoon level and the likelihood of flooding is greatly increased from seepage from
the lagoon into our property.

We have undertaken a professional topographical survey who state that the ground water level
could be at least 44.15m compared to the 42.45m stated in the Rossi Long report submitted.

Presumably the LLFA have asked for regular monitoring of the groundwater level because no
one has published what the maximum level could be.

The planning process should work on the worst case scenario to ensure no flooding.

Officer response: The LLFA have reviewed this additional information and do not consider it
raises any new issues that have not already been addressed in this report and mitigated
through condition.

Reference in response from NCC Planning Obligations Co-ordinator to informal pedestrian link
to Mergate Lane. We have taken legal advice and it is clear that the developer has no right to
grant a public right of way across our property.

Officer response: This is recognised in para 4.30 of the report and therefore little weight has
been given to this.

Further comments about loss of rural setting of Home Farm House to the building from
residential development and also comments about the impact of the lagoon from the potential
risk of unpleasant smells and insects associated with bodies of stagnant water.

Officer response: The impact on the setting of this property from residential development is
considered in para 4.54 of the report. It is not considered that there will be an environmental
nuisance from the lagoon, which is in any event further from their dwelling than existing ponds
in Bracon Common.

**Letter from Bracon Barn**
- an area of the ditch on Marsh Lane is on our land - reference HM Land Registry
  NK260098
- we understand that the developer would need to request our permission to increase the
  flow of water through this ditch, this has not been done
- the pipe in the ditch under our drive is only 30 cm diameter and if there was any
  increase in water from the development, it is not clear whether the pipe would be able to
  cope
- if there was an increase in water flow, we are unclear how this would affect our riparian
Officer response: Paragraphs 4.65 to 4.68 of the committee report address these concerns.

**Letter from resident of Greenacres**

Object to use of their land for off-site highway works.

Officer response: To ensure any condition for off-site highway works is reasonable officers would need to ensure the condition is reasonable and enforceable. If landowner consent is required but not forthcoming this application would be brought back before Members at a subsequent committee to consider alternative recommendations.

**Letter from Bracon Ash Residents Group dated 7th September**

Latest comments from NCC Ecologist (see above) without access to all the relevant information as the note from Hopkins Ecology does not make it clear that water from the B1113 will be redirected into the ponds and is based on groundwater levels that were taken during the 3rd driest period of the past 25 years.

Officer response: NCC Ecologist has responded that they agree with the recommendation that the works should proceed under an EPS licence which will ensure that the newts are protected otherwise Natural England will not issue a licence.

**Lobbying material from Bracon Ash Residents Group**

Further letter dated 8th September reiterating concerns over highways, impact on listed buildings and surface water.

Also raises the following new issues specifically relating to surface water:
- consider surface water from highways has not been taken into account in the surface water modelling
- still consider there is no right to discharge surface water into the pond network
- site levels have been surveyed and consider flooding is greatly increased into Home Farm House.
- Ground water levels not representative of whole year
- Water quality issue to pond network

Officer response: The above existing matters are covered in the committee report and above update sheet. The LLFA have reviewed this additional information and do not consider it raises any new issues that have not already been considered and addressed in this report and mitigated through condition. Whilst there may be different legal opinions on this matter, officers have sought and rely on the legal opinion they have received.

**Major applications on land owned by South Norfolk Council**

<table>
<thead>
<tr>
<th>Appl. No</th>
<th>Parish</th>
<th>Proposal</th>
</tr>
</thead>
<tbody>
<tr>
<td>2</td>
<td>WYMONDHAM</td>
<td>Change of use from Warehouse to General Industrial</td>
</tr>
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</table>

Applicants Name: Mr Robert Slade

Site Address: Warehouse at Barley Chalu Ayton Road Wymondham Norfolk NR18 0QH
Decision: Members voted 10-0 for Approval

Approved with conditions

1. Full Planning permission time limit
2. In accordance with approved plans
3. Building to be used by Barley Chalu only
4. Boundary Noise level to be adhered to

Other Applications

   Parish: WYMONDHAM
   Applicants Name: Mr T Cullum
   Site Address: Land West of Queensland Station Road Spooner Row Norfolk
   Proposal: Outline permission for nine dwellings (including two affordable units)

Decision: Members voted 10-1 to authorise the Director of Planning and Environment to Approve

Approved with conditions

1. Time limit outline – reduced as 5 year land supply
2. In accordance with plans
3. Contaminated land scheme to be submitted
4. Implementation of approved remediation scheme
5. Unexpected contamination
6. Visibility splays to be provided
7. Detailed plans for roads, footways, surface water to be agreed
8. Detailed plans of parking and turning to be agreed
9. Details of on-site parking for construction workers to be agreed
10. Surface water details to be agreed
11. Foul water drainage details to be agreed
12. Ecology measures to be implemented
13. Water efficiency measures

Subject to securing S106 for affordable housing provision and LLFA confirming that the additional information provided adequately addresses surface water drainage matters.

Updates to officer report

Description should refer to 8 dwellings in light of the application being amended and as referred to in the assessment section of the report.

The Council have not received the comments of the LLFA as anticipated and as such the recommendation should be revised to give the Director of Growth and localism delegated authority to approve the application subject to the LLFA confirming that the additional information provided adequately address surface water drainage matters as well as the conditions and completion of the S016 as referred to in the committee report.
### Development Management Committee

#### 4

**Appl. No:** 2017/1572/O  
**Parish:** KETTERINGHAM

**Applicants Name:** Mr & Mrs S D Barnes  
**Site Address:** Land West Of Cherry Tree House High Street Ketteringham Norfolk  
**Proposal:** Phased Outline Application for erection of 3 self build/custom built two storey dwellings and garages and access (with some matters reserved)

**Decision:** 
Members voted 6-5 for **Approval**

Approved with conditions
1. Time limit outline – reduced as 5 year land supply
2. In accordance with plans
3. Vehicular access as in submitted plan
4. Access road, parking provision and turning areas to be agreed
5. On-site parking for construction workers to be agreed
6. Visibility splay provision
7. Western and southern boundaries to be retained
8. Ecological mitigation measures to be agreed
9. Surface water drainage details to be agreed
10. Foul water drainage details to be agreed
11. Water efficiency
12. Tree protection measures
Phasing plan – to enable individual self-built plots to separately come forward.

#### 5

**Appl. No:** 2017/1760/F  
**Parish:** EAST CARLETON

**Applicants Name:** Mr & Mrs Rhodes  
**Site Address:** Land South of Swardeston Lane East Carleton Norfolk  
**Proposal:** Erection of 1 dwelling with garage

**Decision:** 
Members voted unanimously for **Approval** (contrary to officer recommendation (which was unanimously lost))

Approved

**Reason for overturning officer recommendation**
There is significant connectivity to nearest village, the proposal therefore represents a sustainable form of development with the benefits outweighing any perceived harm.

**Updates to officer report**

**NCC Highway Authority**

Highway Network  
No objection to suggested access or parking arrangements.

**Accessibility**

The site is in a location that is slightly remote from services, amenities, and employment opportunities. It is therefore considered that a residential property at this location proposed would be principally car dependant.

The site is remote from the local services and transport connections that are available. The
nearest bus stops to the site for access to public transport are on Main Road in Swardeston a walking distance of 1.6 km. Which is beyond the recognised acceptable walking distance of 800m for people to walk to a bus stop within a rural area. Even if pedestrians attempted to reach the local services and bus connections by foot they would have no option but to walk along sections of narrow unlit carriageway. There are no footways for pedestrian benefit within the vicinity of the site.

Given the site’s location and lack of alternative access methods it is likely that approval of the application would render the residents mainly reliant on the use of motorised vehicles. Contrary to the aims as suggested in the NPPF and also the Local Transport Plan for Norfolk, to make the fullest possible use of public transport, walking and cycling. in order to provide a sustainable development.

### Updates to Officer Report

**Parish Council**
Approve
Good use will be made of redundant buildings adding to Bressingham’s housing stock

**Water Management Officer**
Condition foul water to package treatment plant.
Surface water is to drain into the ditch suggest details of surface water drainage to be conditioned.

**Officer**
It was previously agreed that the surface water drainage from the buildings which were already on site could be discharged into the site the watercourse. As the buildings are now new build, further consideration should be given to more sustainable means of drainage. This could be agreed by condition.

**Ecologist**
No comment to make previous comments on 2017/0429 still apply.
No ecological information submitted.
Remind the applicant on their obligation towards protected species including bats and mitigation to ensure great crested newts and water voles are not harmed
Response to Statutory Consultation

<table>
<thead>
<tr>
<th></th>
<th>Appl. No</th>
<th>:</th>
<th>2017/1781/RN</th>
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<tbody>
<tr>
<td></td>
<td>Parish</td>
<td>:</td>
<td>SOUTH NORFOLK</td>
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<tr>
<td></td>
<td>Applicants Name</td>
<td>:</td>
<td>Dong Energy</td>
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<tr>
<td></td>
<td>Site Address</td>
<td>:</td>
<td>Hornsea Project Three Offshore Wind Farm</td>
</tr>
<tr>
<td></td>
<td>Proposal</td>
<td>:</td>
<td>Statutory consultation under Section 42 of the Planning Act 2008 and Regulation 11 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2009</td>
</tr>
<tr>
<td></td>
<td>Decision</td>
<td>:</td>
<td>Members voted unanimously to authorise officers to respond to the Preliminary Environmental Information Report (PEIR) with the officer comments, as detailed in the report. In addition, officers to raise concerns regarding the pollution impact on residential amenity in terms of the electric field of the cables and shields.</td>
</tr>
</tbody>
</table>
PLANNING APPLICATIONS AND OTHER DEVELOPMENT CONTROL MATTERS

Report of Director of Planning and Environment

Major Applications

1. **Appl. No**: 2017/1614/F  
   **Parish**: BURSTON AND SHIMPLING

Applicants Name: Mr J Gowing  
Site Address: Shimpling Hall Farm Burston Road Shimpling Norfolk IP21 4UF  
Proposal: Proposed poultry unit

Recommendation: Approval with conditions
   1. Full Planning permission time limit
   2. In accord with submitted drawings
   3. Operation in accordance with submitted details
   4. Provision of HGV turning area
   5. Restriction on hours of deliveries
   6. Submission of fly management plan
   7. Details of external lighting
   8. Landscaping
   9. Surface water
   10. Retention of public right of way

1. **Planning Policies**

1.1 National Planning Policy Framework
   NPPF 01: Building a strong competitive economy
   NPPF 03: Supporting a prosperous rural economy
   NPPF 07: Requiring good design
   NPPF 10: Meeting the challenge of climate change, flooding and coastal change
   NPPF 11: Conserving and enhancing the natural environment
   NPPF 12: Conserving and enhancing the historic environment

1.2 Joint Core Strategy
   Policy 1: Addressing climate change and protecting environmental assets
   Policy 2: Promoting good design
   Policy 5: The Economy
   Policy 17: Small rural communities and the countryside

1.3 South Norfolk Local Plan
   Development Management Policies
   DM2.1: Employment and business development
   DM3.8: Design Principles applying to all development
   DM3.11: Road safety and the free flow of traffic
   DM3.12: Provision of vehicle parking
   DM3.13: Amenity, noise, quality of life
   DM3.14: Pollution, health and safety
   DM4.10: Heritage Assets
Statutory duties relating to Listed Buildings, setting of Listed Buildings and Conservation Areas:

S66(1) Listed Buildings Act 1990 provides: “In considering whether to grant planning permission 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.”

2. Planning History

2.1 2012/0894 Timber framed agricultural building Prior approval not required

2.2 2002/1015 Extension of existing free range poultry house Approved

2.3 1999/0231 Erection of poultry house Approved

3. Consultations

3.1 Parish Council Following issues should be addressed –

Compliance with regulations re flooding, drainage and lighting
Restrictions on lorry movements
Size of building within a rural setting and close to church
Dust, flies and odours and precautions re avian flu

Following re-consultation
Acknowledge policy DM2.1 but appropriate conditions required.
Existing use is ‘bio-secure’ but concern that other uses, owners and business model may increase problems with smell, vehicle movements, bio-security, pattern of cleaning, ventilation.
Recommend conditions re fly management plan, operation of development, hours of deliveries, vehicle movements and external lighting.

3.2 District Councillor (Cllr Stone) To be determined by Committee

3.3 SNC Community Services - Environmental Quality Team

No objection in principle. No history of complaints from this site.
Cockerels have greater potential for noise issues than hens.
Accumulated manure can give rise to fly issue if not managed. High speed fans not likely to create noise issue at 200m. Transfer of feed to bulk bins not likely to create noise issue at 200m during working hours. Recommend conditions re fly management plan, operation of development, hours for delivery and external lighting.

Following re-consultation
No further comments

3.4 NCC Highways Query existing and proposed traffic movements in respect of egg collections and ability to turn delivery vehicles within site.

Following re-consultation
No further objection subject to condition to agree turning area within site.
<table>
<thead>
<tr>
<th></th>
<th>Name of the Entity</th>
<th>Comments</th>
</tr>
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<tbody>
<tr>
<td>3.5</td>
<td>NCC Lead Local Flood Authority</td>
<td>Below threshold for detailed comment, recommend review standing advice.</td>
</tr>
<tr>
<td>3.6</td>
<td>SNC Water Management Officer</td>
<td>No objection subject to condition that development to accord with submitted surface management plan. No objection to dirty water management plan.</td>
</tr>
<tr>
<td>3.7</td>
<td>NCC Ecologist</td>
<td>Unlikely that proposed development will impact on County Wildlife Sites.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Following re-consultation Will report consultation response re phase 1 ecological report.</td>
</tr>
<tr>
<td>3.8</td>
<td>Environment Agency</td>
<td>No comments. Does not require environmental permit.</td>
</tr>
<tr>
<td>3.9</td>
<td>Historic Environment Service</td>
<td>No significant impact on historic environment. No requirement for archaeological work.</td>
</tr>
<tr>
<td>3.10</td>
<td>SNC Conservation and Design</td>
<td>No objection - will not impact on important views of south of house. Will not affect setting of church or intervisibility between church and hall. Silos will not have significant impact on setting.</td>
</tr>
<tr>
<td>3.11</td>
<td>NCC Public Rights of Way</td>
<td>No objection - exact position of proposed building and storm drains to be checked</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Following re-consultation No objection to development itself. Access to site is via Boudicca Way so must remain available during construction and occupation. Damage to surface to be repaired and maintained.</td>
</tr>
<tr>
<td>3.12</td>
<td>Other Representations</td>
<td>2 responses in support 17 objections, raising the following concerns;</td>
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<tr>
<td></td>
<td></td>
<td>• Affecting quality of life of all residents</td>
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<td></td>
<td></td>
<td>• Increased noise from greater number of birds</td>
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<tr>
<td></td>
<td></td>
<td>• Inundated with flies when a free-range unit but this now improving. Prevented from opening windows or hanging laundry. Concerned this will return. Risk of fly borne infection.</td>
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<td>• Noise, smell and dust from high powered extraction fans</td>
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<td></td>
<td>• Will increase vermin and rodent infestation</td>
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<tr>
<td></td>
<td></td>
<td>• Increased risk of avian flu - threat to small scale wildfowl and poultry flocks</td>
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<td></td>
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<td>• Increased air pollution</td>
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<tr>
<td></td>
<td></td>
<td>• Bacteria in waste could affect children</td>
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<td></td>
<td></td>
<td>• Close proximity to public footpath will risk disease transmission</td>
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<td></td>
<td></td>
<td>• Expanded venture out of keeping in rural setting</td>
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<td></td>
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<td>• Village is not suitable location for intensive factory farming</td>
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<td></td>
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<td>• Automated activity so little benefit to community</td>
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<td></td>
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<td>• New building will be very visible</td>
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<td></td>
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<td>• Will appear out of keeping with church</td>
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<tr>
<td></td>
<td></td>
<td>• New silos will scar landscape and harm view of historic church</td>
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<tr>
<td></td>
<td></td>
<td>• Trees removed before application submitted</td>
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<tr>
<td></td>
<td></td>
<td>• Large industrial complex close to listed buildings</td>
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<td></td>
<td></td>
<td>• Already highway problems from feed mill at Burston</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Already dangerous for pedestrians - no footpaths</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Country lanes too narrow for more heavy vehicles</td>
</tr>
</tbody>
</table>
• Existing access inadequate for more HGVs
• Increased risk of traffic accidents
• Contamination of ground water and local well
• Welfare of birds in small cages
• Will attract animal rights protesters and raises security issues

Following re-consultation

5 objections reiterating above concerns and including;

• Concerned at use of poultry litter as fertiliser
• Shimpling in rural area where development not permitted, dwellings would have less impact.
• Unit not sensitively sited to protect environmental amenity

4 Assessment

Site description and proposal

4.1 Shimpling Hall Farm is an agricultural holding of 16 hectares which is located in the open countryside between the villages of Burston and Shimpling. It is sited on the south side of Burston Road and comprises of a grade II listed farmhouse and a range of agricultural buildings. The site previously produced free range eggs but the operation has changed and it now produces eggs for hatching in units elsewhere. An existing poultry building houses 12,000 breeding birds and there are no longer any free-range birds on the site. The remaining holding is used for arable and grazing. The site is outside of any development boundary.

4.2 This application proposes an additional poultry building which would be sited immediately to the west of and linked to the existing building. It would house a further 16,000 breeding birds and would bring the total number on the site to 28,000. The proposed building would have a footprint of 103.6 metres x 20.1 metres and a maximum roof height of 6.8 metres. Two additional feed silos are also proposed.

4.3 The applicant has submitted supporting information which outlines the proposed operation of the unit which would work on a 14 month cycle. Birds would remain within the buildings for 56 weeks followed by a 4 week period for cleaning and resting the facility. Existing and projected vehicle movements during this period have been submitted which comprise of delivery and removal of the birds, bulk feed deliveries and egg collection and removal of manure during the cleaning cycle.

Principle

4.5 Planning law requires that applications must be determined in accordance with the development Plan, unless material consideration indicate otherwise. the National Planning Policy Framework (NPPF) is a material consideration in determining planning decisions.

4.6 Policy DM 1.3 seeks to locate new development in sustainable locations. However, this policy identifies that permission will be granted for development out of development boundaries if specific development management policies allow. In this instance the relevant policy is Policy DM2.1 of the South Norfolk Local Plan 2015 (SNLP). This supports the expansion of existing businesses unless there are significant adverse impact in terms of other relevant local plan policies. It further states that proposals for the expansion of existing businesses in the Countryside should not have a significant adverse impact on the local and natural environment and the character of the Countryside and should protect the amenities of neighbouring occupiers. Therefore, this
proposal accords in principle with policy DM2.1, subject to no adverse impacts being identified.

Design and appearance

4.7 The proposed building would be larger in floor area than the existing unit but would be of similar design and proportions with a low overall height in relation to its footprint. It would be timber clad to match the existing building. It is considered that the design and external finish would relate satisfactorily to the adjacent modern farm buildings and its low overall height would minimise its visual impact on the open character of the surrounding area. This proposal therefore accords with the design considerations in policy DM3.8 of the SNLP.

Highways and Public Right of Way

4.8 The applicant has provided information regarding existing and projected vehicle movements to the site. Bulk feed deliveries would increase from 2 per month to 4 per month and frequency of egg collections from the site would remain the same. There would be an increase in movements at the beginning and end of this cycle for the movement of birds and the clean out phase. While there would be an increase in vehicle movements to the site, these are not considered to be significant and so would not harm existing highway conditions. Residents have expressed concern regarding existing highway problems in the area. However, it is not considered that the additional movements associated with this proposal will have a material impact on this and NCC Highways have raised no objections subject to the retention of sufficient turning area within the site.

4.9 A public footpath (FP21) runs north-south to the west of the application site. Norfolk County Council have raised no objection to the proposed building and advise that, as access to the site is via the Boudicca way, the route must remain available at all times. A condition is recommended in this respect.

Residential amenity

4.10 Objections have been received from residents that the proposed building and increased numbers of birds on site will have an adverse impact on amenity through increased noise, dust and flies and have expressed concern regarding risk of airborne infection including avian flu. These issues have been assessed by the Council's Environmental Protection Team who consider that, given the distance to the nearest residential properties, they would not expect the enlarged unit to give rise to a statutory nuisance providing it continues to operate as it does now and subject to restrictions on bulk feed delivery times, external lighting and implementation of a satisfactory fly management plan. Residents have commented that previous issues with dust and odour have abated since the free-range business ceased and all birds are now housed indoors. The applicant has submitted a detailed statement explaining how the enlarged poultry unit would continue to operate in this way and a condition is recommended requiring operation in accordance with these details unless otherwise agreed to retain control over the future operation of the site in the interests of residential amenity. A condition is also recommended to restrict the hours of bulky feed deliveries. On this basis, it is considered that this proposal accords with policy DM3.13 of the SNLP.
Heritage assets

4.11 S66(1) of the Listed Buildings Act 1990 provides: ‘In considering whether to grant planning permission 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’. Shimpling Hall farmhouse is a grade II listed building and St George’s Church, approximately 300 metres south east of the proposed building, is grade I listed. This proposal has been assessed by the Council's Senior Conservation & Design officer who considers that, as the new building would be sited with an existing group of modern farm buildings, it would not have any significant impact on the setting of these listed buildings. In addition, the Historic Environment Service have advised that there will be no requirement for any archaeological work in respect of this proposal. Therefore, it is considered that this proposal accords with policy DM4.10 of the SNLP and the Council has met its duties under the above Act.

Flood risk

4.12 The application site is within flood zone 1. The applicant has submitted proposals for surface water management and for the disposal of dirty water during the cleaning phase. These have been assessed by the Council's Water Management officer and the Environment Agency who, on the basis of the information submitted, have raised no objections subject to a condition requiring implementation of these management proposals.

Landscaping

4.13 When planning permission was granted for the existing poultry unit in 1999, an approved scheme of landscaping was implemented. Some trees have now been removed and so a landscaping condition is recommended to secure new planting and for the retention and management of existing natural features.

Ecology

4.14 NCC Ecology consider that the proposed development is unlikely to impact on County Wildlife Sites and there are no direct adverse impacts on ecology on site.

Environmental Impact Assessment

4.15 The application does fall within the criteria of Schedule 2 of the Environmental Impact Assessment regulations 2017. The application was screened to consider whether an Environmental Impact Assessment was required, but it was considered the environmental impacts could be adequately addressed through the planning application and appropriate mitigation. Taking account of the impacts of the proposal in terms of their magnitude and spatial extent, nature, intensity and complexity, probability, expected onset, duration, frequency and reversibility, the cumulative impact of the existing and proposed development and the possibility of effectively reducing the impact through mitigation measures, officers considers that there are not likely to be significant effects on the environment and an Environmental Statement is not required.

Other matters

4.16 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.
4.17 This application is liable for Community Infrastructure Levy (CIL)

5 Conclusion

5.1 The proposed development represents the expansion of an existing business and so accords in principle with policies DM 1.3 and DM2.1 of the SNLP. Conditions are recommended to control the operation of the proposed use on the site, hours of deliveries, water management, retention of the public footpath and requiring agreement to a fly management plan, vehicle turning, external lighting and landscaping of the site. On this basis, it is considered that this proposal will have an acceptable impact on residential amenity, local highway conditions and the landscape character of the area. As such the proposed development as outlined above accords with the NPPF, JCS and SNLP.

Contact Officer, Telephone Number and E-mail:  Blanaid Skipper 01508 533985  bskipper@s-norfolk.gov.uk
Other applications referred back to Committee

2  
Appl. No : 2016/2781/F  
Parish : LONG STRATTON

Applicants Name : Mr Matthew Davey  
Site Address : Land North of Wild Rose Farm Ipswich Road Long Stratton Norfolk  
Proposal : Erection of 1 no 2-storey dwelling with attached garage. (resubmission following refusal (2016/1741)

Recommendation : Approve subject to the imposition of a combination of conditions and S106 legal agreement in respect of agricultural occupancy as set out in paragraph 11 of the report.

Delegated authority is also sought to refuse planning permission if the S106 agreement is not completed within 3 months of this committee.

1. This proposal is being referred back to planning committee because the applicant disagrees with the proposed terms of the Section 106 agreement and is not prepared to enter into it on those terms. This does not change the contents of the previous written committee report and therefore this is attached to this updated information along with the relevant appeal decision (2010/0407).

2. This application was granted approval at planning committee on the 4th January 2017 subject to agreeing the Section 106 agreement (S106) to make the development acceptable in planning terms.

3. Since the last Planning Committee and to give effect to this decision, the S106 was drafted to include three covenants which are:

1) That with effect from first occupation the occupants of the dwelling (i.e. the proposed new dwelling the subject of the present application (2016/2781) shall be limited to a person solely or mainly working, or last working in the locality in agriculture or in forestry, or a widow or widower of such a person, and to any resident dependents.

2) That with effect from the date hereof the occupation of the existing farmhouse and annex shall be limited to a person solely or mainly working or last working in the locality in agriculture or in forestry or a widow or widower of such a person and to any resident dependents.

3) That neither the dwelling nor the existing farmhouse and annex shall be sold or otherwise transferred as a separate unit of residential accommodation not related to and concerned with the operation of the agricultural holding/farm known as Wild Rose Farm.

4. The appeal decision in relation to application 2010/0407 accepted the functional need for two agricultural dwellings to serve the farm holding. The Council still accepts that finding and does not attempt to depart from it. One of the functional needs already exist which is the farmhouse/annexe (but not presently tied to an agricultural occupancy condition). The other functional need would be this new proposed dwelling. This means both functional need dwellings need to be tied to the farm holding to ensure all needs of the farm holding are met.

5. In the 2011 appeal decision, the Inspector accepted the Council’s arguments that a planning obligation was required by means of a Section 106 Agreement to control the occupancy of the existing farmhouse/annexe thereby overcoming the Council’s concerns that without such control over the occupancy of the existing farmhouse /annexe there was a “serious risk” that it could be sold away from the farm in the future. It would then be difficult for the Council to resist pressure for a further dwelling (effectively to replace the existing farmhouse/annexe as the second agricultural dwelling to serve the farm holding).
6. The applicant through their Solicitors initially put forward a proposal to remove the second and third covenants in the S106 (see above) and secondly to deal solely with the new dwelling by imposing an agricultural occupancy condition. After further discussion with Officers and NPLaw the Applicants Solicitors then came back with a proposal for all three suggested covenants to be dealt with via appropriately worded conditions. After continued discussion, the Applicants Solicitors have now proposed that:
   i. the first covenant (relating to the proposed new dwelling) is dealt with via an appropriately worded condition;
   ii. that the second covenant (relating to the Existing Farmhouse/Annex) is dealt with via a Section 106 Agreement;
   iii. that the third covenant is not pursued by the Council on the basis that it does not meet the CIL tests.

This latest proposal from the applicant is now the subject for consideration by members, however, officers do not recommend we proceed in this way and this is further explained below.

7. The imposition of a condition (as set out in point i) restricting the occupation of the new dwelling would be in line with NPPF guidance. The imposition of a restriction via a Section 106 Agreement (as set out in point ii) restricting the existing Farmhouse/annex would mirror the approach taken by the Inspector in the 2011 appeal decision (paragraph 5 above). As such the Council is in agreement with the applicant on those two matters.

8. Officers consider that point iii (i.e. not to pursue the proposed covenant set out in paragraph 3.3 restricting the sale of dwellings separately) would leave the Council in a vulnerable position and would increase the risk of the Council being faced with pressure in the future to approve another new dwelling in open countryside, where development should be strictly controlled.

9. The Council considers that the whole of the Farm is the relevant planning unit, not (as appears to be contended by the Applicant) sub divided farming operations within that unit (e.g. a pig rearing unit). Taking the view that the whole of the Farm is the planning unit, Officers consider that it is important and appropriate in planning terms to tie the proposed new dwelling and the existing Farmhouse to the (whole) Farm and to ensure that neither become detached from it. To allow otherwise would potentially put the Council under pressure to approve a further new dwelling or dwellings in the future given that the Council accepts that there is a functional need for 2 dwellings to serve the farm holding (paragraph 4 of the assessment above) an approach supported by 2011 appeal decision.

10. Therefore notwithstanding the applicant’s request as set out in iii of paragraph 6 in the assessment above, Officer’s recommend that to comply with Local Plan Policy and to protect the Council’s interests in this regard that a S106 is a continued requirement in respect of obligation 3 set out in paragraph 3 of this assessment.

Recommendation:

11. Members previously resolved for all matters, as detailed above to be dealt with by S106. Following Council’s legal advice, it is considered the matters can reasonably be dealt with through the imposition of both a condition and S106 therefore it is recommended that:

Members approve the present application subject to the imposition of an agricultural occupancy condition in relation to the proposed new dwelling (i.e. the subject of the present application) and the completion of a Section 106 Agreement imposing an agricultural occupancy restriction on the existing farmhouse/annexe and a restriction imposed via the same Section 106 agreement that neither the (new) dwelling nor the existing farmhouse and annex shall be sold or otherwise transferred as a separate unit of residential accommodation not related to and concerned with the operation of the agricultural holding/farm (covenants 2 and 3 above).
It is also requested that members agree to delegate authority to refuse planning permission if the S106 agreement is not completed within 3 months of this committee.

Contact Officer, Telephone Number and E-mail:  
Elizabeth Thomas 01508 533793 ethomas@s-norfolk.gov.uk
Appendix 2

Development Management Committee

10 Appl. No : 2016/2781/F
Parish : LONG STRATTON

Applicants Name : Mr Matthew Davey
Site Address : Land North Of Wild Rose Farm Ipswich Road Long Stratton Norfolk
Proposal : Erection of 1 no 2 storey dwelling with attached garage.
(resubmission following refusal (2016/1741))

Recommendation : Refusal
1. Location inappropriate to fulfil the functional need
2. Impact on the undeveloped rural character
3. Inappropriate siting close to muck pad
4. Harm outweighs benefits of development

1. Planning Policies

1.1 National Planning Policy Framework
NPFF 06 : Delivering a wide choice of high quality home
NPFF 07 : Requiring good design
NPFF 11 : Conserving and enhancing the natural environment
NPFF 12 : Conserving and enhancing the historic environment

1.2 Joint Core Strategy
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

1.3 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
DM2.11 : Agricultural and other occupational dwellings in the Countryside
DM3.8 : Design Principles applying to all development
DM4.10 : Heritage Assets
DM3.11 : Road safety and the free flow of traffic
DM3.12 : Provision of vehicle parking
DM3.13 : Amenity, noise, quality of life
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

1.4 Supplementary Planning Document

1.5 Long Stratton Area Action Plan
Parking Standards for Norfolk
Development Management Committee

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

S66(1) Listed Buildings Act 1990 provides: "In considering whether to grant planning permission 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".

2. Planning History

There is a range of planning history in relation to this site. I have detailed the most relevant to this case.

2.1 2016/1741 Erection of 2no 2 storey dwellings with attached garages Refused

2.2 2016/1430 Proposed extension, conversion and associated alterations to annex. Approved

2.3 2015/0526 Retrospective change of use of holiday accommodation to residential annexe and erection of conservatory to extension. Approved

2.4 2010/0407 Proposed erection of single storey dwelling for poultry farm manager Refused

2.5 1989/0650 Erection of Agricultural Dwelling. Refused

Appeal History

2.6 2010/0407 Proposed erection of single storey dwelling for poultry farm manager Appeal dismissed

3. Consultations

3.1 Town / Parish Council To be reported

3.2 District Member Delegated decision unless recommended for refusal

3.3 SNC Community Services - Environmental Quality Team Cannot support the proposal due to lack of information and the significant potential for the applicants of the proposed dwelling to be adversely affected by insects, odour and noise.

3.4 NCC Highways No objection subject to parking and turning condition.

3.5 NCC Ecologist To be reported

3.6 Historic Environment Service Recommended conditions regarding:

- Written scheme of investigation
- In accordance with the written scheme of investigation and
- Development not occupied until site investigation and post investigation is completed
3.7 SNC Water Management Officer

Recommended advisory comments regarding:
- Foul drainage
- Surface water drainage
- Land drainage

3.8 Other Representations

No comments received to date

4 Assessment

4.1 This application is a resubmission of previously refused application 2016/1741. That application proposed two dwellings with garages within an agricultural field north east of the poultry farm. This application proposes one dwelling with an attached garage in a similar location.

4.2 The site is outside the development boundary within the Norwich Policy Area. The proposed property is considered to be isolated within an agricultural field (north of the farm) and would be accessed by vehicles via the main A140 highway route designated as a corridor of movement.

4.3 Every application must be assessed on its own merits, but it is relevant to consider whether the previous reasons for refusal under application 2016/1741 have been addressed by this resubmitted application 2016/2781.

4.4 The previous reasons for refusal (2016/1741) (in summary) were:
- There was not a functional need for two additional dwellings to serve the existing poultry farm
- The design failed to maintain or enhance the landscape character and setting
- Insufficient information regarding the impact of the adjacent muck pad in relation to insects, odour, noise and vehicle movements
- Impacts on the undeveloped rural character of the site and its setting would constitute unsustainable development

4.5 The main considerations in this case (2016/2781) are:
- Principle of development
- Impact on the character of the area (including design and paragraph 55)
- Highways
- Residential amenity
- Archaeological Importance
- Ecology
- Other matters
- Sustainable development

Principle of development

4.6 The inspector’s dismissed appeal decision in relation to appeal application 2010/0407 identified a need for two dwellings for the agricultural holding.

4.7 It is considered the existing farm house and annex on site can be considered as one planning unit, which allows for one additional new dwelling to make two agricultural worker dwellings on the site. In this case, the additional dwelling is to accommodate Hook 2 Sisters site manager.

4.8 The principle for one new additional dwelling is considered acceptable to fully address the functional need of the farm in accordance with Local Plan Policies DM2.7 and DM2.11.
4.9 The principle of development is contrary to the South Norfolk Local Plan DM 1.3 (sustainable location of development). This is because the site in question is outside the defined settlement boundary. An assessment must be made of any other material considerations, which may justify a departure from the development plan as the site is also situated within the Norwich Policy Area (NPA) where a 5 year land supply cannot be demonstrated.

Impact on the character of the area (including design and paragraph 55)

4.10 The proposed dwelling is considered to be isolated. This is because the proposal would be sited in the far north/east corner of the agricultural field close to the adjacent muck pad (same location as the previous refusal application 2016/1741). The proposed dwelling would be a significant distance away from the farm, existing farm house and associated annex. This would create a very poor relationship with the farm and would create a significant impact on the undeveloped rural countryside character. The proposed siting of the dwelling is considered an unacceptable separation distance.

4.11 It has been highlighted within the submitted Design and Access Statement that, prior to the submission of this application officers have raised concerns regarding the siting of the proposed dwelling.

4.12 It has been identified through pro-active working and pre-application advice (post refusal application 2016/1741) there are two alternative appropriate and suitable locations for a new agricultural worker dwelling that would be well related to the farm and would not create any landscape or character impacts. The proposed siting of this application does not address previous refusal reasons 2 and 4 of application 2016/1741.

4.13 The proposal presents a pedestrian and bike access that would cut across the agricultural field from the proposed new dwelling to Wild Rose Farm. This is not considered an efficient or effective use of land and would unnecessarily disrupt an existing agricultural field.

4.14 The design of the proposed dwelling is considered an improvement to the previous refusal application. In this regard the proposal is considered to comply with policy DM3.8. This is because the proposed principal elevation contains more detail and character from the previous bland dwelling aesthetic.

4.15 Paragraph 55 of the NPPF promotes sustainable development where development enhances or maintains the vitality of rural communities, but suggests isolated homes in the countryside should be avoided unless there are special circumstances. As set out in this report there is an identified need for one additional rural worker dwelling. However, the proposed location does not constitute the ‘near’ relationship with the existing farm. Pre-application advice has identified two alternative suitable locations. In addition, the design of the proposed dwelling does not meet the very high standard of a Paragraph 55 proposal and would fail to significantly enhance its immediate setting; and be sensitive to the defining characteristics of the local area.

4.16 In my opinion, the proposed location for the new dwelling is not suitable or appropriate in relation to the farm, it would significantly impact on the undeveloped landscape and rural character setting and impact on an existing agricultural field and does not address previous reasons for refusal. The proposal conflicts with Local Plan Policy DM4.5 and paragraph 55 of the NPPF.

Highways

4.17 The highways authority highlights that the proposed pedestrian walkway from the proposed dwellings to the poultry units, would help reduce vehicle movements between properties via the A140, which may well be the case if the future occupiers decided to walk or bike to Wild Rose Farm.
4.18 However, in visiting the site and surrounding area I am of the opinion the poor siting relationship of the proposed dwellings with the farm is not practically or suitably sited and on the balance of probabilities it is likely any future occupier(s) would travel by vehicle for work and private use, due to convenience, speed and comfort especially in winter months. This is not considered sustainable or suitable in accordance with policies DM1.1, DM1.3 and the NPPF.

4.19 The highways officer has no objection subject to parking and turning condition. Therefore, the application is considered to comply with Local Plan Policies DM3.11, DM3.12 and Parking Standards for Norfolk (2007).

Residential amenity

4.20 The proposed site would be isolated within the corner of an agricultural field. Therefore, the plot and proposal would be significantly separated and spaced from other surrounding properties, which would not cause overlooking or overshadowing issues and in this respect I consider the proposal complies with Local Plan Policy DM3.13. However, I have concerns there is a muck pad adjacent to the application site (north), which could cause odour issues especially in the summer to future occupiers of the new dwelling. The muck pad is not included within the blue line on the location plan, which suggests it is not in the ownership of the applicant. The Environmental Quality officer has confirmed they cannot support the proposal due to lack of information regarding the impact to future occupiers through insects, odour and noise from the large adjacent muck pad, unsocial hours of noise from HGV's that use the lay-by to the A140 and vehicles that use the corridor or movement along the A140. Therefore, in this respect I consider the proposal would be contrary to Local Plan Policy DM3.13 and fails to address previous reason for refusal 3.

Archaeological Importance

4.21 The site lies within the area of the Roman nucleated settlement on the Pye Road Roman road and numerous artefacts of Roman date have previously been recorded from the site and its immediate surroundings. There is a high potential that heritage assets with archaeological interests would be present at the site and would be adversely affect by the proposed development. Therefore, the Historic Environment Service has recommended three conditions, should the application be granted permission. In my opinion, the proposal complies with Local Plan Policy DM4.10, subject to the imposition of suitable conditions.

Ecology

4.22 No ecology report has been submitted with the application. At the time of writing no ecology comments have been received. However, the siting of this proposal is the same as the previous refusal application (2016/1741). As part of that application the ecology officer informed; due to the existing ditch that is blocked, the lack of water bodies and the location of the site within close proximity to the A140 it is considered unlikely that it will have potential for protected species including Great Crested Newts. As part of application 2016/1741 the ecology officer recommended relevant conditions should the application be favoured. In my opinion, the proposal complies with Local Plan Policies DM4.4 subject to the imposition of suitable conditions.

Other matters

4.23 This report has been written prior to the consultation period ending due to the date of the January 2017 committee. All information available at the time of writing has been considered in this report. However, any further consultation responses submitted after this report will be considered and included on the committee update sheet in preparation for the January 2017 committee.
4.24 If this application was supported it should be subject to a S106 agreement for an agricultural occupancy restriction to tie the existing farm house, annex and new proposed dwelling to the farm.

Sustainable development

Social

4.25 The NPPF confirms the social role as "supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being."

4.26 The social benefit of the scheme is that it would provide one dwelling within a location where a 5 year land supply cannot be demonstrated. Therefore, the dwelling would be contributing to the housing shortfall.

Economic

4.27 The NPPF highlights the economic role as "contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure."

4.28 The proposal is for a dwelling, in a location within the countryside outside the defined settlement boundary. The benefit of this proposal would be it would help enhance the local economy through local spending from future occupants of the dwelling. In addition, the scheme would also provide some short-term economic benefits from construction of the dwelling.

Environmental

4.29 The NPPF confirms the environmental role as "contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy."

4.30 The proposal would significantly impact on the character and landscape setting of the area as an isolated dwelling would be at odds within the dominant rural landscape setting. The poor siting and relationship of the proposal would be of significant environment harm and is considered to outweigh the limited economic and social benefits identified above and so the proposal cannot be regarded as sustainable development.

4.31 The scheme represents an unsustainable development in the context of the NPPF regard to paragraphs 14 and 49.

Other considerations

4.32 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.

4.33 This application would be liable for Community Infrastructure Levy (CIL) if it was supported.
5 Conclusion and reasons for refusal

5.1 In conclusion, the principle of one additional dwelling is considered acceptable. However, the proposed siting is not due to its significant distance away from the farm creating poor relationship with the existing farm and impact on the undeveloped rural countryside character. The proposed location would also not be an efficient or effective use of agricultural land. The proposal would also pose environmental quality concerns for future occupiers.

5.2 It has been identified there are two alternative suitable locations for the additional dwelling that would address the reasons for refusal in application 2016/1741.

Reasons for refusal:

5.3 Inappropriate location to fulfil the functional need: the proposed dwelling would be isolated in the corner of an agricultural field away from the poultry farm. This would create a poor relationship with the existing farm and would not be an efficient or effective use of agricultural land. The proposal is contrary to Local Plan Policies DM1.3 and DM2.11.

5.4 The proposed siting of the dwelling would create an adverse impact on the undeveloped rural character of the site and its setting due to its isolated nature, which would be at odds within the dominant rural landscape setting. Consequently, the proposed location of the dwelling would fail to maintain or enhance the landscape character and setting which would constitute significant and demonstrable harm that outweighs the benefits of the proposal, notwithstanding the lack of a 5 year housing land supply in the Norwich Policy Area. The proposal is contrary to Local Plan Policies DM4.5, DM4.8 and DM4.9 and paragraph 55 of the NPPF.

5.5 Inappropriate siting of the proposed dwelling close to the adjacent muck pad in relation to insects, odour and roise, the proposal is contrary to Local Plan Policies DM3.13 and DM4.5.

Contact Officer, Telephone Number Elizabeth Thomas 01508 533793 and E-mail: ethomas@s-norfolk.gov.uk
Development Management Committee

Appendix 3

The Planning Inspectorate

Appeal Decision

Hearing held on 1 December 2010
Site visit made on 1 December 2010

by Mr K L Williams  BA MA MRTP

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 4 January 2011

Appeal Ref: APP/L2630/A/10/2131450

Wild Rose Farm, Ipswich Road, Long Stratton, Norwich, Norfolk, NR15 2XA

- The appeal is made under section 72 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Mr M Davey against the decision of South Norfolk District Council.
- The application Ref: 2010/0407/F, dated 12 March 2010, was refused by notice dated 10 May 2010.
- The development proposed is the erection of a single storey dwelling for a poultry farm manager.

Decision

1. I dismiss the appeal.

Background and main issue

2. Wild Rose Farm is in the countryside to the south of Long Stratton. It includes a large broiler unit. The unit has a range of 14 large poultry sheds and produces about 3.85 million chickens a year. The proposal is for a two bedroom bungalow for a farm manager, as shown on drawing 10/951/001 (March 2010). It would be to the north of the main farm access road and close to the poultry sheds. The main issue is whether the proposal is consistent with policies for the control of development in the countryside, having regard to the control of the occupancy of agricultural dwellings.

Reasons

3. The submitted agricultural assessment supports the need for two dwellings for the farm, particularly in view of its expansion in recent years. The need for two dwellings is not disputed and the Council does not object to the principle of the proposed dwelling. I see no reason to take a different view. Nor is the imposition of an agricultural occupancy requirement on that dwelling in dispute. However, the Council considers that a planning obligation is also required to control the occupancy of the existing Wild Rose Farmhouse. It is sited to the east of the poultry sheds, outside the planning application site area. The need for that control is disputed by the appellant. In the absence of such an obligation, the application was refused. The Council is concerned that, without control over occupancy of the existing farmhouse, it could be sold away from the farm and that it would then be difficult to resist pressure for a further dwelling, which would conflict with policies restricting new housing in the countryside.
4. Annex A of Planning Policy Statement 7: Sustainable Development in Rural Areas (PPS7), deals with agricultural dwellings. Paragraph 16 says that "Where the need to provide accommodation to enable farm, forestry or other workers to live at or near their place of work has been accepted as providing the special justification required for new, isolated residential development in the countryside, it will be necessary to ensure that the dwellings are kept available for meeting this need for as long as it exists." It goes on to refer to the use of occupancy conditions. The South Norfolk Local Plan, 2003 (LP) strictly controls new dwellings in the countryside. Policy HOU8, deals with agricultural dwellings and refers to the control of occupancy where they are permitted.

5. Paragraph 85 of Circular 05/2005: Planning Obligations says that an obligation should only be sought where it meets a number of tests. It must be relevant to planning, necessary to make the proposed development acceptable in planning terms, directly related to the proposed development, fairly and reasonably related in scale and kind to that development and reasonable in other respects. The proposed development is one which is capable of being charged a Community Infrastructure Levy (CIL). The Community Infrastructure Levy Regulations, 2010 provide very similar tests where a development is capable of being charged CIL. A planning obligation should not be required unless it is necessary to make the development acceptable in planning terms, directly related to the proposed development and fairly and reasonably related in scale and kind to the development.

6. The farm is owned by P J Davey and Co but the poultry unit is operated under contract by another company, known as Vion UK. The proposed dwelling would be occupied by a Vion UK farm manager, enabling close, on-site supervision of the unit’s operation. P J Davey and Co retains responsibility for some aspects, including aspects of site maintenance, the provision and maintenance of buildings, and of related systems. In the absence of another on-site dwelling they also help to safeguard animal welfare, although that is not a contractual requirement. The occupants of Wild Rose Farmhouse include Mr Davey senior, who is retired, and his three sons. One son, Mr Matthew Davey, works on the farm and also has another business. The other two sons have businesses unrelated to the farm.

7. The farmhouse is a substantial, detached house close to the A140. It is a listed building, having been listed at Grade II in 1976. In addition to residential accommodation it includes a farm office. Extensive gardens and a meadow are associated with the house. The farmhouse is served by a spur road off the farm access road, close to farm entrance from the A140. An access road extends from a parking area at the rear of the house to some farm buildings.

8. Although the agricultural appraisal said that there was no existing dwelling associated with the farm, the appellant’s evidence for this appeal is that the farmhouse has always been an integral part of the farm. He points out that the house could have been sold away from the farm at any time in the past but has not been. The family has invested heavily in improving the house and have no intention of selling it. In view of the nature of the farm operation, the layout of the house and farm and the risks associated with doing so, the appellant considers that there is no risk of its sale and therefore no justification for planning control over its occupancy.

9. While I do not doubt the appellants’ current intentions, it seems to me that the introduction of a second dwelling on the farm would result in a serious risk of
the farmhouse being sold away in the future. In conjunction with other employees, the on-site manager would be able to deal with immediate needs arising from the poultry unit. The manager would also be on hand to respond to any animal welfare needs which arose at short notice and would provide an on-site presence to respond to emergency situations which might arise. While the appraisal identified the need for two on-site dwellings, I am not convinced that the roles played by the occupiers of the farmhouse would necessarily be sufficient to avert its sale. Moreover, farm ownership and contractual arrangements may change in the future in a manner which increased that risk.

10. Nor would the physical layout of the site inhibit the sale of the farmhouse. It is at the periphery of the farm, adjacent to the road. While it is reasonably close to some of the farm buildings, there is sufficient separation for the house to be used separately. Access arrangements could be changed without undue difficulty so that farm traffic did not pass close to the rear of the house. Occupiers of the house could share the main access onto the A140 so that no new access was created. While this would mix domestic and farm traffic, that occurs at present. In addition, there is a further access onto the A140 to the south of the house, although it does not appear to be in use for vehicles at the moment.

11. There would be a degree of disturbance to occupiers of the house from noise and odour related to the farm. However, while that might affect the property's sale price, it would not be sufficient to inhibit a sale. The appellant also refers to a potential bio-security issue of, for example, future occupiers of the house were to keep their own chickens. However, there is already a residential use in place and any necessary restrictions on the use of the house and the associated land could be addressed in a sale agreement.

12. A limitation on the occupancy of the farmhouse to that of an agricultural dwelling would reduce its market value by about 25-30%. The appellant is concerned that this would limit the ability to secure loans, either for the upkeep of the farmhouse or for investment in the business, at a time when finance is increasingly difficult to obtain. He observes that, unlike the poultry sheds, the farmhouse is an appreciating asset. It is a large house and a listed building. Its ongoing maintenance and repair requires resources and it is consistent with national and local policies to protect the historic heritage. There is also a need for ongoing investment in the farm, for example to renew buildings or to meet changing regulations, which is consistent with sustaining the rural economy. These matters weigh in the appellant's favour. However, nothing has been submitted which demonstrates the likely extent of this effect or its likely significance in the overall farm business. This limits the weight I attach to these matters. The agricultural appraisal refers to the holding as financially sound, with every prospect of remaining so.

13. The appellant has submitted two other appeal decisions concerning agricultural dwellings where the Inspector found that it was not justified to control the occupancy of an existing dwelling. In a decision concerning Alma Farm, Toddington (APP/N0220/A/07/2062138) the Inspector found, at paragraph 10, that the proximity of the farmhouse to a knackers yard and its close relationship to that use would make it very difficult to separate them in a practical sense to facilitate occupation by other persons. In a decision concerning Westfield Farm, Market Drayton (APP/P3420/A/06/2030094), the Inspector concluded, at paragraph 7, that he could find no reason for extending control beyond the proposed dwelling. These decisions are not binding on my
own decision. While I take them into account, it seems to me that they turn on the particular circumstances of each case, as does my own decision.

14. Prior to the Hearing I drew the attention of the Council and the appellant to the judgement in MacKinn v Secretary of State for the Environment, 1995. It concerned a challenge to an Inspector’s decision to impose an occupancy condition on an existing farm dwelling. The judge dismissed the challenge and upheld the Inspector’s position. He commented that the condition “seeks to close the stable door before the horse has bolted.” However, that judgement predated current national and local planning policies by some years and this limits the weight I attach to it.

15. As the appellant observes, whereas previous planning policy guidance referred specifically to the scope for imposing occupancy conditions on any existing dwellings on the unit under the control of the applicant, there is no such reference in Annex A of PPS7. However, such control is not ruled out the annex. It refers in more general terms, at paragraph 16, to granting permission subject to the imposition of “appropriate occupancy conditions”. Moreover, the underlying objectives of PPS7 include the avoidance of abuse of the system which could lead to an unjustified increase of dwellings in the countryside. I take into account that some of the current residents of the farmhouse may be unable to comply with an agricultural occupancy requirement if it was put in place. I also appreciate that a sale of the farmhouse would be a material consideration if the Council was subsequently faced with a proposal for a further agricultural dwelling. However, the Council would then be in the invidious position of weighing that consideration with the acknowledged need for two dwellings for the holding, perhaps in a situation where ownership of the farm as a whole had changed.

Conclusions

16. Having regard to the above and to all other matters raised, I conclude that the increased risk of sale of the farmhouse arising from the proposed development outweighs the considerations in favour of the appellant, to which I refer above. The requirement for an obligation arises from the effects of the proposed dwelling. I find the need for an obligation to be relevant to planning and necessary to make the proposed development acceptable. In the absence of such an agreement, the development would not be consistent with the objectives underlying policies for the strict control of development in the countryside. An obligation would affect only the proposed dwelling and the existing farmhouse. In the light of my conclusions above, it would be reasonably related in scale and kind to the proposed development and reasonable in other respects. I conclude that the appeal should not succeed.

K Williams
INSPECTOR
Appeal Decision APP/L2630/A/10/2131450

APPEARANCES

FOR THE APPELLANT:
Mr B Barrow BSc (Hons) MRICS Acorus Rural Property Services
Mr M Davey The appellant

FOR THE LOCAL PLANNING AUTHORITY:
Mrs C Curtis Senior Planning Officer, South Norfolk Council
Miss Helen Bowman Planning Officer, South Norfolk Council

DOCUMENTS SUBMITTED AT THE HEARING:
Document 1. Appendix A of agricultural assessment, site plan
Dear Sir/Madam,

**Town and Country Planning Act 1990**

**Appeal by Mr Matthew Davey**

**Site at Wild Rose Farm, Ipswich Road, Long Stratton, Norwich, NR15 2XA**

I enclose a copy of our Inspector’s decision on the above appeal.

If you have queries or complaints about the decision or the way we handled the appeal, you should submit them using our “Feedback” webpage at www.planning-inspectorate.gov.uk/pins/agency_info/complaints/complaints_dealing.htm. This page also contains information on our complaints procedures and the right of challenge to the High Court, the only method by which the decision can be reconsidered.

If you do not have internet access, or would prefer hard copies of our information on the right to challenge and our complaints procedure, please contact our Quality Assurance Unit on 0117 372 8252 or in writing to the address above.

Please note the Planning Inspectorate is not the administering body for High Court challenges. If you would like more information on the strictly enforced deadlines for challenging, or a copy of the forms for lodging a challenge, please contact the Administrative Court on 0207 947 6655.

Yours sincerely,

Stephen Adgey

COVERDL1
You can use the Internet to submit documents, to see information and to check the progress of this case through the Planning Portal. The address of our search page is:
http://www.pcs.planningportal.gov.uk/pccportal/caseSearch.asp
You can access this case by putting the above reference number into the 'Case Ref' field of the 'Search' page and clicking on the search button.
Other applications

3  
Appl. No : 2017/1596/F  
Parish : COSTESSEY

Applicants Name : The Royal London Mutual Insurance Society Ltd  
Site Address : Longwater Retail Park Car Park Alex Moorhouse Way Costessey  
Norfolk

Proposal : Two pod units with provision for outdoor seating, bin store

Recommendation : Approve with conditions
1. Full time limit
2. In accordance with drawings
3. Materials
4. Surface water drainage

1. Planning Policies

1.1 National Planning Policy Framework  
NPPF 01: Build a strong competitive economy  
NPPF02: Ensuring the vitality of town centres  
NPPF 03: Supporting a prosperous rural economy  
NPPF 07: Requiring good design  
NPPF 08: Promoting healthy communities  
NPPF 10: Meeting the challenges of climate change, flooding and coastal change

1.2 Joint Core Strategy  
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 9: Strategy for growth in the Norwich Policy Area  
Policy 10: Locations for major new or expanded communities in Norwich Policy Area  
Policy 12: The remainder of the Norwich urban area, including the fringe parishes

1.3 South Norfolk Local Plan  
Development Management Policies  
DM1.1: Ensuring Development Management contributes to achieving sustainable development in South Norfolk  
DM1.3: The sustainable location of new development  
DM1.4: Environmental quality and local distinctiveness  
DM2.1: Employment and business development  
DM2.4: Location of main town centre uses  
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  
DM4.9: Incorporating landscape into design

1.4 Supplementary Planning Document  
Parking Standards for Norfolk (2007)
2. **Relevant Planning History**

2.1 There is a range of planning history at Longwater Retail Park, but nothing specific regarding the middle of the car park location.

3. **Consultations**

3.1 **Town / Parish Council**

   Recommend refusal for the following reasons:
   - Longwater interchange already at capacity
   - No mitigation measures
   - Car park already at capacity
   - Dangerous crossing between Sainsbury’s and Pizza Hut
   - Already café/take away in the vicinity
   - Part removal of pedestrian pathway and outside furniture will impede on this

3.2 **District Councillor**

   Request for the application to go to DMC
   - Inadequate parking
   - Wrong location
   - Internal safety issues
   - Other retail units asking for refusal

3.3 **SNC Community Services - Environmental Quality Team**

   No comments received

3.4 **NCC Highways**

   **Amended comments:**
   Application has been considered at the development team. The latest parking information shows that the peak parking demand is between 12:00 and 13:00 on a Saturday with 508 vehicles parked. It is indicated that allowing for the new development will remove 40 parking spaces, which still leaves 80 spaces at the peak time.

   The proposal will increase demand and increase the dwell time. However, based upon the car park survey there is not considered a highway issue.

   The proposed development appears poorly located within the parking area and it is preferred to see the site located on the periphery of the site. However, the location is not going to cause a highway safety issue on the public highway therefore cannot recommend a highway refusal.

   **Original comments:**
   Concerns regarding the loss of the car parking that will occur as a result of the siting of the pods within the car park. Inconsistent figures provided. The nature of the proposal will encourage customers to remain on site for longer than just shopping trips, which may mean parking spaces are taken up for longer periods than might otherwise have been the case. The proposed outdoor seating could be a problem. It may be more appropriate for the development to be sited off the car parking area.
3.5 SNC Water Management Officer

Existing hard surfacing at the site. Therefore, there will be no increase in surface water run-off from the site. Application form advises that the surface water drainage is to discharge to the main surface water sewer. It is requested for confirmation of the existing arrangements for surface water drainage and that the proposals are in accordance with existing arrangements.

3.6 Other Representations

Seven objection representations received raising the following matters:
- Existing convenient A3 uses exist within 5 minutes walking distance
- Economic harm to existing surrounding retailers
- Transport survey is not a true representation
- Parking issues
- Traffic issues

4 Assessment

4.1 The proposal seeks full planning permission for two new pod units/buildings to accommodate for an A1/A3 use (Costa Coffee and Greggs) with outdoor seating and bin storage located within the existing car park of Longwater Retail Park, Costessey. The site is situated within the development boundary and within the Norwich Policy Area (NPA).

4.2 Additional information has been submitted as part of this application with regard to vehicle parking and sequential assessment in accordance with Local Plan Policy DM2.4.

4.3 This application is submitted on behalf of the Royal London Mutual Insurance Society Limited (the 'Applicant').

4.4 The matters most pertinent to this proposal are:
- Principle of development
- Design, layout and materials
- Highways and parking
- Residential amenity
- Other
- Assessment of sustainable development

Principle of development

4.5 Local Plan Policy DM2.4 directly applies in this case as the proposal is for new commercial development within the expanded community and main retail centre of Costessey in accordance with the strategic vision, which is also a location known for major new development in accordance with JCS policy 10.

4.6 Local Plan Policy DM2.4 encourages new development at a scale appropriate to the form and functions in Costessey. The proposal contains a total floor area of 278.8sqm in accordance with drawing ref 11843-113 Rev B – Proposed GA Plan in context. This means the proposal is below the impact assessment threshold (500sqm), but is above the sequential assessment threshold (200sqm). This means all new retail, leisure and office development of 200sqm (which this proposal is) is required to submit a sequential assessment of any availability of sequentially preferable locations for potential alternative sites.
4.7 The purpose of a sequential test is to ensure there are no other sequentially preferable premises that are suitable or available to accommodate the application proposal. Paragraph 24 of the NPPF (2012) is clear when considering edge of centre and out of centre proposals (which this proposal is), preference should be given to accessible sites that are well connected to the town centre. Applicants and local planning authorities should demonstrate flexibility on issues such as format and scale.

4.8 The sequential assessment has been submitted during this application and has assessed all centres within a 10 minute drive time of the application site. The sequential assessment is set out in four main sections:
1) Introduction setting out the site and the proposal
2) The local and national policy background applicable to the proposal
3) An assessment of premises and sites within relevant local town centres, which includes Hethersett, New Costessey, Taverham (Broadland DC), Bowthorpe (Norwich City Council), Eaton (Norwich City Council), Larkman Centre (Norwich City Council), Earlham West Centre (Norwich City Council). An additional map has been submitted to show where these locations are in relation to the application site.
4) Conclusion of assessment

4.9 The sequential assessment identifies there are no available sites that are suitable for the proposed development either in or at the edge of other relevant centres.

4.10 The proposal would be situated in a location that is surrounded by existing retail uses to support the vitality and viability of the retail centre and will improve the shopping experience for customers visiting the retail park. Although this proposal may increase the dwell time customers spend in the retail park given the scale and proportion of the proposal (below the requirement for an impact assessment) and the fact the highway authority cannot justify a refusal as it is demonstrated even at peak parking times with 508 vehicles parked and with the indication of the loss of 39/40 spaces – it still leaves 80 spaces at the peak time.

4.11 With no vacant premises, available to meet the specific needs of the proposal the Local Planning Authority have a duty to be flexible for new employment opportunities and inward investment in accordance with Local Plan Policy DM2.1. It is also apparent this concept of additional commercial activity within existing retail car parks is not new as similar proposals can be seen at Sweet Briar Norwich and Norwich Riverside that are in successful operation.

Design, layout and materials

4.12 The proposal would be located central of the existing car park that currently serves existing retails units on the Longwater Retail Park. The layout of the proposal would consist of two units outdoor seating area and bin store. The design of the building would resemble similar characteristics of existing retail units in the immediate vicinity insofar as rectangular form, glazed and brick frontage, standing seam construction for roof and walls. Overall the design of the new building would be within keeping with the area and comply with Local Plan Policy DM3.8.

Highways and parking

4.13 Additional parking information has been provided to clarify the parking spaces. There are 692 existing spaces (plus 10 informal spaces). The proposed development would see the loss of up to 39/40 spaces leaving remaining spaces of 663 (692+10-39=663).

4.14 The highway authority has confirmed the proposal is likely to increase demand and dwell time within the retail park, but there is not considered to be a highways issue. The highway authority would prefer to see the proposed units on the periphery of the site. However, the location as proposed is not considered to cause highway safety issues.
4.15 It is also acknowledged in relation to the above that it would be difficult to extend the existing ‘L’ shaped retail park building. The proposal is considered to comply with Local Plan Policies DM3.11 and DM3.12.

Residential amenity

4.16 The proposed development is likely to generate additional activity on the retail park, but it is not considered significant enough to justify refusal for the reasons previously discussed in this report. The proposed development would face the majority of existing retail units. The proposal is not considered to cause any significant residential amenity impacts in accordance with Local Plan Policy DM3.13.

Other

4.17 There have been seven third party objection representations made to this proposal raising matters of convenience, economic harm and transport survey, parking issues and traffic issues all of which have been addressed within this committee report.

Assessment of sustainable development

4.18 The proposal would be located within a sustainable location where existing commercial activity exists in a major growth area. This proposal would enhance further commercial business without giving rise to significant adverse impact. The scale and proportion of the proposal is considered acceptable for its location as demonstrated through the sequential assessment and additional parking information that the highways authority have responded to via their additional comments. The proposal would significantly enhance social and economic dimensions to justify sustainable development.

Community Infrastructure Levy

4.19 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.

4.20 This application is liable for Community Infrastructure Levy (CIL).

5 Conclusion

5.1 In conclusion, the proposal has addressed highways and sequential related matters. The proposal would support the vitality and viability of the existing retail centre and will improve the shopping experience for customers visiting the retail park.

Contact Officer, Telephone Number and E-mail: Elizabeth Thomas 01508 533793 ethomas@s-norfolk.gov.uk
4 **Appl. No**: 2017/1806/A  
**Parish**: HETHERSETT

Applicants Name: Miss Louisa Carter  
Site Address: Land Off Norwich Road Hethersett Norfolk  
Proposal: Erection of temporary free standing sign  
Recommendation: Approval with Conditions  
1 – 5 Standard advertisement conditions  
6 In accord with submitted drawings

1. **Planning Policies**

1.1 National Planning Policy Framework  
NPPF 01: Building a strong competitive economy  
NPPF 07: Requiring good design

1.2 Joint Core Strategy  
Policy 2: Promoting good design

1.3 South Norfolk Local Plan  
Development Management Policies  
DM3.9: Advertisements and signs  
DM3.11: Road safety and the free flow of traffic

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

S66(1) Listed Buildings Act 1990 provides: “In considering whether to grant planning permission 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.”

2. **Planning History**

2.1 2016/2879 Retrospective application for two identical directional signs for a new development at Ketts Meadow. Withdrawn

3. **Consultations**

3.1 Town / Parish Council  
Recommend refusal:  
- inappropriate in this location being nowhere near the development it will advertise  
- detracts from the amenity views in an important area of the village  
- the sign will be a distraction to motorists  
- the sign will encourage motorists to enter the village via Queens Road in search of the development

3.2 District Councillor  
Needs to be determined by DMC because it detracts from the countryside setting at this location and is nowhere near, or on a direct road to the site being advertised.

3.3 NCC Highways  
No objection
3.4 Other Representations 1x objection

- The proposed sign is some way from the advertised development
- Detracts from the rural scene and serves only to worsen the environment the developer promotes for living in Hethersett
- It will be an eyesore for years to come

4 Assessment

4.1 The application relates to a parcel of land located adjacent to the B1172 at Hethersett. The land is outside the defined Development Boundary. To the north east of the site boundary is an area of mature trees and vegetation whilst the site itself is open land with clear views to the Norwich Road to the rear. A Public Right of Way (PROW) runs parallel to the north east of the land on which the sign would be sited.

4.2 The application seeks advertisement consent for a sign which seeks to promote a housing development currently under development within the village of Hethersett. The sign is 3 metres in overall height from ground level and 1.5 metres wide. The sign is not illuminated. Advertisement consent is sought for a temporary period of five years.

4.3 Development Management Policy 3.9 refers to the erection of advertisements and signs. The policy sets out the following requirements:

(1) advertisements and signs are to be well designed and sympathetic to the character and appearance of their location and not have a detrimental impact on highway safety or the amenities of the area;
(2) advertisements and signs located off the site will be permitted where they give directional information for an enterprise or site which is difficult to find by reference to conventional highway signs. Favourable consideration may also be given to suitable signs where they refer to businesses dependent on passing trade and which are bypassed by through traffic routes; and
(3) illuminated advertisements will not be permitted where the safety and amenity of the surrounding area is adversely affected.

4.4 The key issues to be assessed are therefore the principle of the advertisement and the amenity and highway issues relating to the proposal.

4.5 The application was submitted following the earlier erection of two signs that were located more centrally along the road frontage and on the same site. These earlier signs had been the subject of withdrawn application 2016/2879 which sought retrospective consent for the advertisements. These signs were removed following concerns raised by the Local Planning Authority principally relating to their siting, the number of signs and their impact on the listed buildings to the rear of site.

4.6 The applicant has advised that the purpose of the sign is to draw attention to Ketts Meadow, a residential development site to the north east of Hethersett located between Back Lane and Burnthouse Lane. The developer has confirmed that they are seeking to target specific groups of customers and that the signs are also used to inform members of the public of new phases of development opening on development sites. The sign would particularly be the focus of Norwich bound traffic the sign and would not be significantly visible to Wymondham bound traffic due to the trees associated with Hethersett Hall.

4.7 The Ketts Meadow development site has limited opportunities for on-site signage that would be clearly visible to passing traffic.

4.8 Concerns have been raised about the proposal, principally relating to the visual impact of the sign and its impact on the local amenity.
4.9 The sign proposed is not unusual and is of a scale and design commonly associated with development sites. The sign is of simple form and design and is functional in terms of the information that it seeks to convey to passing drivers.

4.10 There are a number of listed buildings located along Norwich Road to the rear of the site however these are set some distance from the proposed sign and due to the siting of the sign in the corner of the parcel of land views of both the advertisement and the listed buildings are restricted. It is considered that the Council has met its duties to consider the special architectural and historic interest of listed buildings in the vicinity under the above 1990 Act.

4.11 The Highways Officer has not raised an objection to the proposal although he has noted that wording is rather excessive and a direction sign would have been preferred. It is therefore considered the proposal complies with part 1 of policy DM 3.9.

4.12 The advertisement is not strictly compliant with part (2) of Policy 3.9 as set out above in that it is not a directional sign. It is however intended to draw attention to the Kett's Meadow development site within the village and provide information that would be difficult to communicate by other means. The sign is intended to refer to a development site that is by-passed by key traffic routes. As advertising the development is key to the commercial success of the site (and delivery of the homes granted) and is unlikely to be as effective elsewhere it is reasonable to consider this as an alternative location for promotion of the site, despite not being on the application site itself.

4.13 Overall therefore given the justification for the need for the location of the sign on this trafficked route it is considered the proposal complies with part 2 of policy DM 3.9.

4.14 The proposed advertisement is not illuminated and therefore part 3 of policy DM3.9 is not applicable. Overall therefore is it considered the proposal accords with policy DM 3.9.

4.15 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.

4.16 This application is not liable for Community Infrastructure Levy (CIL)

5 Conclusion

5.1 The proposed advertisement is located outside the development boundary of Hethersett, on an open parcel of land which has clear views towards Norwich Road. The sign is simple in form and design and is functional in its purpose, providing information about a residential development site within the village.

5.2 Due to the separation between the sign and the buildings set along Norwich Road as well as its position adjacent to the existing trees along the boundary of the amenity land it will not have a significant impact on the openness of the site and will therefore not be detrimental to the amenities of the area. It will also not be detrimental to highway safety.

5.3 The sign is not a directional sign however it is intended to convey information about a significant residential development site within Hethersett to a wider target audience. As advertising the development is key to the commercial success of the site and is unlikely to be as effective elsewhere it is reasonable to consider this as an alternative location for promotion of the site.
5.4 Therefore, despite its location relatively remote from the site, the proposal is considered to be acceptable and to accord with policy DM 3.9.

5.5 For the reasons set out above the application is recommended for approval.

Contact Officer, Telephone Number and E-mail: Kate Fisher 01508 533832 kfisher@s-norfolk.gov.uk
5  Appl. No  :  2017/1828/RVC  
Parish  :  ALDEBY  

Applicants Name  :  Mr Akerman  
Site Address  :  Aldeby Business Park Common Road Aldeby NR34 0BL  
Proposal  :  Variation of Condition 4 (Hours of Use) of 2000/0917 - Change of Use from B2 (General Industrial) use to mixed B2 (General industrial) and B8 (Storage/Distribution) use - to allow permanent change to hours of use (following temporary change to hours of use under Permission 2015/1994)  

Recommendation  :  Approval with Conditions  
1  Specific use  
2  Restricted hours of use  
3  No extraction / fan system  
4  No outside manufacturing  
5  No retail sales  
6  No vehicle repairs or maintenance  
7  Retention of fencing  
8  Highway signs to be agreed  
9  Management plan  

1.  Planning Policies  

1.1  National Planning Policy Framework  
NPPF 01 : Building a strong competitive economy  
NPPF 03 : Supporting a prosperous rural economy  

1.2  Joint Core Strategy  
Policy 5 : The Economy  
Policy 16 : Other Villages  
Policy 17 : Small rural communities and the countryside  

1.3  South Norfolk Local Plan  
Development Management Policies  
DM2.1 : Employment and business development  
DM3.11 : Road safety and the free flow of traffic  
DM3.13 : Amenity, noise, quality of life  
DM3.14 : Pollution, health and safety  

2.  Planning History  

2.1  2015/1994  Variation of Condition 4 of planning permission 2000/0917- to vary the hours of use (temporary)  

2.2  2000/1367  Erection of fencing to secure site  

2.3  2000/0917  Change of Use from B2 (General Industrial) use to mixed B2 (General industrial) and B8 (Storage/Distribution) use  

2.4  2014/1410  Change of use from office to day centre for Sense and construction of access ramp and platform  

Approved  
Approved  
Approved  

 Approved  

58
3. Consultations

3.1 Town / Parish Council
Recommend approval
- Positive local employer
- Improvements to the site
- Have given small local businesses the opportunity to rent some of the smaller buildings

3.2 District Councillor
If the applicant is unwilling to re-site the gates and amend their operation then this application will need to be determined by the committee due to the particular impacts on the amenity of the next door neighbour and to allow time for Environmental Health to carry out an investigation on site of the changed layout and its impact on the neighbour.

3.3 NCC Highways
The Highway Authority have received a number of comments from local residents and the Parish Council concerning increased numbers of vehicles entering the business park via Dun Cow Road and Common Road rather than the signed route along Rectory Road/Beccles Road.

Recommend condition that directional signs should be agreed and an informative note on works to the public highway.

3.4 SNC Community Services - Environmental Quality Team
No objection subject to submission of a management plan.

3.5 Other Representations
Four letters of support
- Concerns over traffic - lost traffic turns at Dun Cow Road, would suggest traffic direction signs as the application is for a permanent change
- Small road but is used by a number of people

Three letters of objection
- Security gate at the entrance to the site, emits additional noise and disturbance - would not be heard 24/7
- Lights and pollution
- Seagulls causing mess and noise
- Noise caused by engines and reversing alarms
- Security - if entrance gates are left open there would be a greater risk of burglary
- Increased use of traffic
- Issues with traffic - no footpath or speed restrictions
- Noise and disturbance from drivers late at night
4 Assessment

4.1 The application relates to a site forming 'Aldeby Business Park' that adjoins the development boundaries of Aldeby. Permission was granted in 2000 for use of the site for B2 and B8 uses with an hours of use condition that prevented use in the evenings and at the weekends other than Saturday morning. A further application was submitted under application ref. 2015/1994 to vary the condition which restricted hours of use of the site, so that the opening hours could be extended. This permission was granted for a temporary period of 18 months from the date of permission.

4.2 This application seeks consent to vary condition 4 of application ref. 2015/1994, so that the previously temporarily agreed opening hours are granted permanently. The condition would allow for the use of the site between Monday to Friday 07:00 to 22:00, with no power tools or machinery used between 19:00 and 22:00, Saturday 07:00 and 22:00, with no power tools or machinery used between 13:00 and 22:00 and Sundays and Public Holidays 07:00 and 22:00 hours inclusive with no power tools and machinery to used. Also, between the hours of 22:00 and 07:00 inclusively, five specified HGVs of Hamilton’s Removals are permitted access to the site.

4.3 The applicant (Hamilton’s Removals) originally sought for the condition controlling hours of use to be altered for the benefit of their own operational needs, to allow some vehicles, typically those doing long-distance European removals, to be allowed to return to the site over a longer period of time. Flexibility is also sought for other smaller units which are rented out to local businesses and would benefit from access at evenings and weekends.

4.4 The principle of the application has already been assessed and approved, and temporary permission was granted so that in the event of unexpected disturbance during the 18 months, that this would be considered in any forthcoming application.

4.5 Policy DM3.13 of South Norfolk Local Plan directs that all development should ensure a reasonable standard of amenity reflecting the character of the local area. Although SNC Environmental Quality Team have not reported any complaints within the 18 month period, I acknowledge a number of concerns raised during the consultation period on this application. These include issues of noise, light pollution and disturbance, specifically in regards to vehicle movement, noise from drivers late at night and disturbance from movement of the security gate.

4.6 Following consultation with SNC Environmental Quality Team, although it is not considered that there are sustainable grounds to recommend refusal of the proposal, it has been recommended that a condition is imposed that the applicant must submit a management plan to the local planning authority, to be agreed and complied with. This would be considered a reasonable condition to address the concerns raised, given the distance to the neighbouring residential occupiers of Common Road.

4.7 With regard to the noise disturbance from the use of the security gate, I acknowledge comments from a local resident and the District Councillor concerning the impact on amenity through constant access to the site. Although I fully appreciate this concern, as the application relates to the change in operational hours only, it would not be considered reasonable to require the gate to be re-sited, however it is considered that issues of noise could be dealt with by the recommended management plan.
4.8 In regards to highway safety, a number of residents have raised concerns with the increase in the number of vehicles entering the business park via Dun Cow Road and Common Road rather than the signed route along Rectory Road/Beccles Road. Following consultation with NCC Highways officer, although it is appreciated that reliance on satellite navigation systems is likely to contribute to this, the extended hours are considered likely to increase traffic movements on the small country roads. As such, minor changes to the existing signage has been suggested, and a condition to this effect has been recommended and would be added to any subsequent permission.

4.9 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.

4.10 This application is not liable for Community Infrastructure Levy (CIL) – No additional floor space.

5 Conclusion

5.1 Overall, the revised hours of use granted under the temporary period have not been considered to give rise to such a significant level of unexpected disturbance, from the business use of the site, as to warrant refusal of this application.

Contact Officer, Telephone Number Lucy Smith 01508 533821 and E-mail: lsmith@s-norfolk.gov.uk
Other applications where Council is applicant

6  Appl. No : 2017/1876/F  
Parish : WYMONDHAM

Applicants Name : Mr Mark Heazle  
Site Address : Wymondham Town Council Ketts Park Community Centre Harts Farm Road Wymondham NR18 0UR
Proposal : Installation of new Artificial Grass Pitch with team shelters and associated perimeter fencing, adjoining hard standing areas, installation of new floodlight system and new maintenance/sports equipment store.

Recommendation : Approval with Conditions
1  Full Planning permission time limit
2  In accordance with submitted drawings
3  Limited hours of use
4  Lighting to accord with submitted detail
5  Surface water drainage to be submitted
6  Archaeological works to be agreed
7  Retention of trees and hedging
8  Tree Protect plan to be submitted

1.  Planning Policies

1.1 National Planning Policy Framework
NPPF 03 : Supporting a prosperous rural economy
NPPF 07 : Requiring good design
NPPF 08 : Promoting healthy communities

1.2 Joint Core Strategy
Policy 1 : Addressing climate change and protecting environmental assets
Policy 2 : Promoting good design
Policy 6 : Access and Transportation
Policy 5 : The Economy
Policy 8 : Culture, leisure and entertainment
Policy 13 : Main Towns

1.3 South Norfolk Local Plan
Development Management Policies
DM3.8 : Design Principles applying to all development
DM3.11 : Road safety and the free flow of traffic
DM3.13 : Amenity, noise, quality of life
DM3.14 : Pollution, health and safety
DM3.15 Outdoor play facilities and recreational space
DM4.8 : Protection of Trees and Hedgerows

Wymondham Area Action Plan
1.4 WYM 12 : Protecting existing Recreation of Amenity Land in Wymondham

2.  Planning History

2.1 2011/0293 New changing room building for the use of Wymondham Town Football Club Approved

2.2 2009/0579 New sports pavilion Approved
2.3 2002/1109 Extension to existing leisure centre, new sports changing pavilion, tennis courts with flood lights, fencing and associated external works

2.4 2001/1755 Change of use and expansion of existing community car park to constabulary car parking

3. Consultations
3.1 Town Council Approve
3.2 District Councillor To be reported if appropriate
3.3 SNC Water Management Officer No objections subject to conditions
3.4 SNC Community Services - Environmental Quality Team No objections subject to conditions
3.5 NCC Highways No objections
3.6 Historic Environment Service No objections subject to conditions
3.7 NCC Ecologist No comments received
3.8 Sport England No comments received
3.9 Arboricultural Officer No objections subject to conditions
3.10 Other Representations 1 letter of concern
                     • Impact on residential properties due to hours of operation
                     • Request the development is moved towards the industrial units to reduce effects of noise and light pollution

                     1 letter of comment
                     • Do not see this affecting me at all

4 Assessment
4.1 This application seeks consent for the installation of new Artificial Grass Pitch with team shelters and associated perimeter fencing, adjoining hard standing areas, installation of new floodlight system and new maintenance/sports equipment store, at Ketts Park Community Centre, Harts Farm Road, Wymondham. The site is within the development boundary of the Wymondham Area Action Plan. The proposed site is located to the south of the existing building and tennis courts. To the east/southeast beyond the tree belt are residential properties; to the south is the County Wildlife Site; and to the west/southwest commercial/industrial premises.

4.2 The application has been referred to the Development Management Committee as the Council is the applicant.
The Proposal

4.3 The proposal seeks permission for a new 3G artificial grass pitch (AGP), erection of perimeter ball-stop fencing, installation of hard standing areas around the AGP for pedestrians, goals storage, spectator viewing space, maintenance and emergency access, installation of an artificial (flood) lighting system and installation of outdoor store for maintenance equipment.

4.5 The artificial lighting system will include 6 masts at a height of 15m high. Lighting details have been provided to show optimisation and lighting projections.

4.6 The main issues in this case are: the principle of the development; impact on residential amenity, highway safety, ecology and trees.

Principle

4.7 Policy 3.15 of the local plan seeks to ensure development must not result in a net quantitative or qualitative loss of existing open space (unless it can be demonstrated that there is a surplus of amenity space. The National Planning Policy Framework (NPPF) Section 8: promotes healthy communities and Section 3: Supporting a prosperous rural economy supports growth and expansion of business and promotes development in the rural areas. The South Norfolk Local Plan (SNLP) and Joint Core Strategy (JCS) policies support both leisure/recreation facilities and employment subject to normal planning requirements. The site is within the development boundary of Wymondham and the site has been used for recreational and leisure purposes for a significant number of years. It is considered the development will increase physical activity, provide a qualitative improvement to the use of the open space and contribute to the local economy and accords with accords with the NPPF, JCS and SNLP.

4.8 The Wymondham Area Action Plan 2015 section 8 contains recreation objectives and aspirations to improve the Health, well-being and quality of life of people living in Wymondham. This vision coincides with the Local Plan. I consider that this proposal to enhance the existing faculties complies with the Policy WYM 12.

Design and layout

4.9 Both JCS Policy 2 and Section 7 of the NPPF require high quality design with importance being attached to the design of the built environment, with it seen as a key aspect of sustainable development.

4.10 The proposed development has been prepared in accordance with published Design Guidance Notes (The Football Association (FA) / Sport England) pertinent to external artificial sports facility provision. The 3G Artificial Grass Pitch (AGP) design is in accordance with The FA Guide to 3G Football Turf Pitch Design Principles and Layouts.

4.11 The proposed siting is located to the rear of the existing building and floodlit tennis courts, on the existing grass playing pitch. It is considered that whilst the floodlights will be clearly visible due to their height, the proposal has been sited so it will be read with the existing facilities and will not adversely affect the character and appearance of the area to an unacceptable degree. On this basis, it is considered that the proposal is acceptable and would accord with Policy 2 of the JCS and Section 7 of the NPPF.

Highways

4.12 Policy DM3.11 of the South Norfolk Local Plan states that planning permission will not be granted for development which would endanger highway safety or the satisfactory functioning of the highway network.
There is an existing carpark serving the site locate to the site frontage. It is considered that there is sufficient parking, turning, circulation space and safe access to serve the proposal and equally the Highway Officer has raised no objections. As such, it is considered that the scheme would accord with Polices DM3.11 and DM3.12.

Lighting

The installed appearance of the new artificial lighting system will include 6no. 15m high sectional octagonal mid-hinge steel masts finished galvanised (Z275) self-coloured, mounted with sixteen (16no.) luminaires c/w 2kW lamps and fittings finished raw aluminium.

The Environmental Quality Officer has raised no objections to the lights and in view of the separation of the lights from residential properties and the designs proposed, the proposals are acceptable and will not cause unacceptable light pollution.

Residential Amenity

Policy DM3.13 Residential amenity directs that development should not be approved if it would have a significant adverse impact on nearby resident's amenities.

In addition to lighting, a potential impact on residential amenity could be noise from the use of the facility. In view of the existing recreational/leisure use of the site, it is considered that whilst there will be a degree of noise it is unlikely to prove unreasonable. The Environmental Quality Officer has requested an hours of use condition to control the impact of noise. The proposed hours of use recommended to be conditioned are as follows:
Monday to Friday 08:00 - 22:00
Saturday, Sunday and Bank Holidays 09:00 - 20:00

Concerns have been raised as set out above regarding impacts of the proposal on the amenities of local residents, whilst these are fully appreciated in view of the above, the proposal will not give rise to a situation so detrimental to the amenities of the neighbouring properties as to warrant refusal on amenity grounds. As such, the scheme would accord with the requirements of Policy DM3.13.

Ecology and trees

The NCC Ecologist has assessed the proposal and considers that impacts on biodiversity are likely to be negligible. They have considered potential impacts on protected species, however the pitch and the associated lighting is sufficiently distant to the trees/boundary hedges and the adjoining County Wildlife Site for there to be a negative impact on ecology.

There are trees on the site between the main road and the existing building that are protected by The Norfolk Wymondham Tree Preservation Order 1994 No 1. To prevent accidental damage to the root systems or branches during activities associated with construction work and storage of materials, these trees will require protection and an appropriate condition has been proposed.

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.

This application is not liable for Community Infrastructure Levy (CIL).
5 Conclusion

5.1 It considered that the proposal will provide improved facilities without detriment to the character of the area, without impact on the residential amenities of neighbouring properties, and has no adverse impact on the highway safety of the locality. The scheme as proposed accords with the above policies.

Contact Officer, Telephone Number and E-mail: Claire Curtis 01508 533788 ccurtis@s-norfolk.gov.uk
### Other applications on Council owned land

<table>
<thead>
<tr>
<th>#</th>
<th>App. No</th>
<th>Parish</th>
<th>Applicants Name</th>
<th>Site Address</th>
<th>Proposal</th>
<th>Recommendation</th>
</tr>
</thead>
<tbody>
<tr>
<td>7</td>
<td>2017/1914/F</td>
<td>WYMONDHAM</td>
<td>Mr Robert Slade</td>
<td>Barley Chalu Ltd Ayton Road Wymondham Norfolk NR18 0QH</td>
<td>Retrospective application for retention of canopy to south of existing unit</td>
<td>Approval with Conditions 1. In accordance with submitted drawing</td>
</tr>
</tbody>
</table>

#### 1. Planning Policies

1.1 National Planning Policy Framework
- NPPF 01: Building a strong competitive economy
- NPPF 03: Supporting a prosperous rural economy
- NPPF 10: Meeting the challenge of climate change, flooding and coastal change
- NPPF 07: Requiring good design

1.2 Joint Core Strategy
- Policy 1: Addressing climate change and protecting environmental assets
- Policy 3: Energy and water
- Policy 5: The Economy
- Policy 6: Access and Transportation
- Policy 10: Locations for major new or expanded communities in the Norwich Policy Area
- Policy 13: Main Towns
- Policy 2: Promoting good design

1.3 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
  - 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
  - DM3.8: Design Principles applying to all development

1.4 Wymondham Area Action Plan
- No specific policies

#### 2. Planning History

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<thead>
<tr>
<th>#</th>
<th>App. No</th>
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<td>2.1</td>
<td>2017/1600</td>
<td>Change of use from Warehouse to General Industrial</td>
<td>under consideration</td>
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<tr>
<td>2.2</td>
<td>2013/0303</td>
<td>Proposed Replacement of Reception with new Reception and extension to process area to the rear of Existing Building</td>
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<tr>
<td>2.3</td>
<td>2007/2543</td>
<td>Elevation of roof of factory building</td>
<td>Approved</td>
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<tr>
<td>2.4</td>
<td>2001/1126</td>
<td>Infill extension to factory between existing buildings</td>
<td>Approved</td>
</tr>
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</table>
This application seeks retrospective permission to retain a canopy to the south of the existing building/warehouse forming part of the Barley Chalu premises at Ayton Road, Wymondham. The site has been established for a significant number of years and forms one of the many industrial/commercial buildings on Ayton Road Industrial Estate. The canopy is located to the rear of the site, adjacent to the Norwich to Cambridge railway line and surrounded by other commercial buildings. There are residential properties located to the south on the other side of the railway line.

The application has been referred to the Development Management Committee as the Council owns the ground lease of the site.

The main issues in this case are: the principle of the development; design; impact on highway safety and residential amenity.

Principle of development

The National Planning Policy Framework (NPPF) Section 3: Supporting a prosperous rural economy supports growth and expansion of business and promotes development in the rural areas. The South Norfolk Local Plan (SNLP) and Joint Core Strategy (JCS) policies support employment subject to normal planning requirements. The site is located within an employment area, the development boundary of Wymondham and the site has been used for industrial/commercial purposes for a significant number of years. The principle of the use is therefore acceptable and the proposal to retain the canopy accords with the NPPF, JCS and SNLP as it as it supports sustainable growth through the
expansion of existing business and sustain an economic and social activity in a rural community.

Design, layout and impact on the character of the area

4.5 Both JCS Policy 2 and Section 7 of the NPPF require high quality design with importance being attached to the design of the built environment, with it seen as a key aspect of sustainable development.

4.6 The canopy materials match the existing building and it is read with the existing buildings when viewed from the south. The canopy is not visible from Ayton Road. The site is of sufficient size to accommodate the canopy and its parking, turning and associate spaces. The proposal is considered acceptable in respect of its design, siting and impact on the surrounding area. On this basis, it is considered that the scheme would accord with DM3.8 of SNLP, Policy 2 of the JCS and Section 7 of the NPPF.

Highway safety

4.7 Policy DM3.11 of the South Norfolk Local Plan states that planning permission will not be granted for development which would endanger highway safety or the satisfactory functioning of the highway network.

4.8 The canopy does not impact on any of the existing parking, turning, circulation space or access and equally the Highway Officer has raised no objections. As such, it is considered that the scheme would accord with Polices DM3.11 and DM3.12.

Residential amenity

4.9 Policy DM3.13 Residential amenity directs that development should not be approved if it would have a significant adverse impact on nearby resident's amenities.

4.10 The nearby neighbours are some distance from the existing site and separated by the railway line. The canopy will not give rise to a situation so detrimental to the amenities of the neighbouring properties as to warrant refusal on amenity grounds. As such, the scheme would accord with the requirements of Policy DM3.13.

Other matters

4.11 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.

4.12 This application is liable for Community Infrastructure Levy (CIL).

5 Conclusion

5.1 The principle of the use of the site has already been accepted and approved. The retention of the canopy will not adversely affect the character of the area; it supports sustainable growth of the existing business; sustains an economic and social activity in a rural community and will not have a significantly detrimental impact on the residential amenities of neighbouring properties or highway safety. As such the proposed development as outlined above accords with the NPPF, JCS and SNLP.

Contact Officer, Telephone Number Claire Curtis 01508 533788 and E-mail: ccurtis@s-norfolk.gov.uk
Enforcement

8 Appl. No : 2017/1737/F
Parish : WYMONDHAM

Applicants Name : Mr Freeman
Site Address : Little Dial Farm Station Road Spooner Row NR18 9SP
Proposal : Retrospective application for the retaining of 1 no. holiday let.

Recommendation : Refuse
1 Detrimental to setting of a listed building

Authorise enforcement action for the removal of the holiday unit

1. Planning Policies

1.1 National Planning Policy Framework
NPPF03. Supporting a prosperous rural economy
NPPF12. Conserving and enhancing the historic environment

1.2 Joint Core Strategy
Policy 2 : Promoting good design
Policy 5 : The Economy
Policy 15 : Service Villages

1.3 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
DM2.12 : Tourist accommodation
DM3.11 : Road safety and the free flow of traffic
DM3.12 : Provision of vehicle parking
DM3.13 : Amenity, noise, quality of life
DM4.10 : Heritage Assets

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

S66(1) Listed Buildings Act 1990 provides: “In considering whether to grant planning permission 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.”

2. Planning History

2.1 2014/1903 Change of use of Land for Self Storage Purposes (B8 usage) and the siting of Storage Containers Refused

2.2 2017/1587 Change of use of Land for proposed siting of 39 storage containers used for self-storage purposes (B8 Use) and ancillary works Approved

2.3 2003/1250 Proposed replacement of existing window with french doors. Approved
2.4 2002/2233 Proposed replacement windows and replacement rear door Approved

Appeal History

2.5 2014/1903 Change of use of Land for Self Storage Purposes (B8 usage) and the siting of Storage Containers Allowed

3. Consultations

3.1 Town / Parish Council Object. Inappropriate form of development

3.2 District Councillor To be reported if appropriate

3.3 NCC Highways No objection

3.4 SNC Community Services - Environmental Quality Team No objection

3.5 SNC Water Management Officer Require further information in respect of both foul water drainage and surface water drainage arrangements for the proposal

3.6 SNC Conservation And Design Object. Although there are existing trees and landscaping within the grounds of the house, the setting of the farmhouse includes its immediate curtilage, and the design of this development is very insensitive to the historic character of that setting. It is quite different from the application for containers that I have also commented on, which are too some extent detached within the wider setting, being in an adjacent field which historically did not provide the main access to the farm and was separated by a boundary with vegetation.

I therefore consider that the proposal is harmful to the setting of the listed farmhouse, and I do not consider that there are any benefits that would outweigh or negate the resulting level harm.

3.7 Other Representations None received.

4 Assessment

Site description and proposal

4.1 The application seeks full planning permission for the retention of a single holiday let unit in the curtilage of Little Dial Farm. The unit is a converted truck body.

4.2 Little Dial Farm lies within a rural location within Spooner Row and it is Grade II listed. It is accessed via a long drive which adjoins Station Road to the north-east. To the south of the site is the A11 and to the north-west is the B1172 (London Road). The site is well screened with no immediate neighbouring residential properties. To the south-west is the Holbrook Business park and to the north-east is A11 Self Storage.
4.3 Principle of development

Policy DM2.12 of the South Norfolk Local plan is directly applicable to tourist accommodation, and in particular parts (1) and (2) which states:

“(1) Proposals for new built permanent or semi-permanent tourist and holiday accommodation will be required, unless specific justification is provided, to locate within development boundaries or on sites well related to settlements with development boundaries, and at a scale appropriate to the settlement.

(2) In the countryside, proposals for new tourist accommodation will be permitted in accordance with policies for the enhancement of rural tourist and recreation destinations (Policy 2.9) or the conversion of rural buildings (Policy 2.10)."

4.4 With regard to (1) whilst the site is not within a development boundary, it is evident that the site lies in relatively close proximity to Spooner Row which is designated as a Service Village, and furthermore, Wymondham is also relatively close. The consideration of what can be considered to be "well-related" should reflect the fact that the proposed use is one of holiday let rather than as a permanent residential dwelling. It is considered that the site would be too remote in the context of permanent residential use. For the above reasons part 1 of the Policy can be considered to be met.

4.5 With regard to (2), the scheme could not be considered in the context of Policy DM2.9 as this would be applicable where accommodation is being provided in association with a tourist destination/facility nor could it be considered in the context of DM2.10 as this applies to the conversion of buildings.

4.6 In summary, the scheme is not considered to conflict with Policy DM2.12 of the South Norfolk Local Plan.

4.7 Impact upon the Listed Building

The unit does lie within the immediate curtilage and setting of Little Dial Farmhouse which is a grade II listed 18th Century (remodelled in the 19th Century) Farmhouse.

4.8 With this in mind, regard must be given for S66(1) Listed Buildings Act 1990 which requires the Council to 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.

4.9 Consequently, the Council's Senior Conservation and Design Officer has assessed the proposal and confirmed that the setting of the farmhouse includes its immediate curtilage, and the design of this development is very insensitive to the historic character of that setting, and therefore harmful to the setting of the listed farmhouse. It is not considered that there are any public benefits that would outweigh or negate the resulting level of harm experienced.

4.10 I agree that the proposal would cause harm to the setting of Little Dial Farmhouse and that the benefit of creating a single holiday unit would not outweigh this harm, having regard to the contents of Para of para 134 of the NPPF which states "Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use." Furthermore, the proposal also fails to meet the requirements of Policy DM4.10 of the South Norfolk Local Plan as there is insufficient public benefit to outweigh the harm caused to the listed building.
4.11 For the above reasons the scheme is contrary to Policy DM4.10 of the South Norfolk Local Plan.

Residential amenity

4.12 It is evident that the unit is satisfactorily distanced from the main dwelling so as to avoid any significant concerns with regard to disturbance and likewise there are no immediate residential properties which could be significantly affected. Likewise, the adjacent commercial uses (A11 self-storage and Holbrook Business park) are sufficiently distanced away from the proposed holiday unit. The Council’s Environmental Quality Team has confirmed that they have no objection to the proposal. For these reasons, Policy DM3.13 has been met.

Highway safety

4.13 The vehicle movements associated with the proposal would be limited, the Highway Authority has assessed the proposal and confirmed that they have no objection. For these reasons the scheme complies with the requirements of Policies DM3.11 and DM3.12.

Drainage

4.14 The Council’s Water Management Officer has been consulted and confirmed that they would wish to see further information in respect of the drainage arrangements for the building. It is considered that given the nature, scale and location of the development it would be reasonable to agree the full details via suitably worded conditions.

4.15 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.

This application, if acceptable, would be liable for Community Infrastructure Levy (CIL).

5 Conclusion

5.1 In summary, the scheme would be in conflict with Policy DM4.10 of the South Norfolk Local Plan and paragraph 134 of the NPPF and as such is recommended for refusal.

5.2 It should also be noted that as the application is retrospective, enforcement action should be pursued to ensure the removal of the building from the site in order to safeguard the setting of Little Dial Farmhouse as a Grade II listed building.

Reason for Refusal:

5.3 The proposal results in harm to the setting of Little Dial Farm (Grade II Listed) where no public benefit exists to outweigh the less than substantial harm caused to the designated heritage asset. For this reason the proposal is contrary to Policy DM4.10 of the South Norfolk Local Plan and paragraph 134 of the NPPF.

Contact Officer, Telephone Number and E-mail: Chris Raine 01508 533841 craine@s-norfolk.gov.uk
### Planning Appeals
**Appeals received from 1 September 2017 to 29 September 2017**

<table>
<thead>
<tr>
<th>Ref</th>
<th>Parish / Site</th>
<th>Appellant</th>
<th>Proposal</th>
<th>Decision Maker</th>
<th>Final Decision</th>
</tr>
</thead>
<tbody>
<tr>
<td>2017/0024</td>
<td>Hethersett 7 Whitegates Close Hethersett Norfolk NR9 3JG</td>
<td>Mr Nicholas Ross</td>
<td>Fell pine tree in rear garden because of safety concerns.</td>
<td>Delegated</td>
<td>Refusal</td>
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### Planning Appeals
**Appeals decisions from 1 September 2017 to 29 September 2017**

<table>
<thead>
<tr>
<th>Ref</th>
<th>Parish / Site</th>
<th>Appellant</th>
<th>Proposal</th>
<th>Decision Maker</th>
<th>Final Decision</th>
<th>Appeal Decision</th>
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<tbody>
<tr>
<td>2016/2186</td>
<td>Wicklewood High Oak Works High Oak Road Wicklewood Norfolk NR18 9QP</td>
<td>Mr Chris Mannion</td>
<td>Two detached dwellings with garages and gardens.</td>
<td>Delegated</td>
<td>Refusal</td>
<td>Appeal dismissed</td>
</tr>
<tr>
<td>2016/2753</td>
<td>Costessey Land Adj To 21 West End Costessey Norfolk</td>
<td>Mr &amp; Mrs A Irving</td>
<td>Proposed new dwelling with single storey garage</td>
<td>Delegated</td>
<td>Refusal</td>
<td>Appeal dismissed</td>
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</table>
This report schedules progress on outstanding enforcement cases

<table>
<thead>
<tr>
<th>LOCATION</th>
<th>ALLEGED BREACH</th>
<th>DATE OF COMMITTEE AUTHORITY</th>
<th>ACTION TAKEN</th>
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</thead>
<tbody>
<tr>
<td>WORTWELL</td>
<td>Standing and occupation of a residential caravan</td>
<td>20.06.2006</td>
<td>Enforcement Notice complied with NFA required</td>
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<tr>
<td>Station Farm</td>
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<tr>
<td>High Road</td>
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<td>2004/0254</td>
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<td>DICKLEBURGH</td>
<td>Material change of use - Breach of a condition -</td>
<td>24.04.2007</td>
<td>Enforcement Notices served and initially complied with. Ongoing negotiation to secure future of the listed building</td>
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<tr>
<td>Beeches Farm</td>
<td>Operational development</td>
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<td>Norwich Road</td>
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<td>2007/8036</td>
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<tr>
<td>HEMPNALL</td>
<td>Unauthorised works to a listed building</td>
<td>12.04.2010</td>
<td>Listed Building Enforcement Notice served and Enforcement Notice served</td>
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<tr>
<td>Pevensey House</td>
<td>Erection of lean to structure</td>
<td>12.04.2010</td>
<td>Further applications for new scheme submitted</td>
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<td>The Street</td>
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<td>2009/8010</td>
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<tr>
<td>CARLETON RODE</td>
<td>Change of use of land</td>
<td>21.07.2010</td>
<td>Enforcement Notice served</td>
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<td>Land adj. to</td>
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<td>Compliance date 29.12.2011</td>
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<tr>
<td>Fen Road</td>
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<td>Further Environment statement submitted and proposed scheme of works for compliance with enforcement considered at DMC 16/08/17 scheme now being progressed</td>
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<td>2006/0269</td>
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<td>CARLETON RODE</td>
<td>Standing and Occupation of Residential Caravan</td>
<td>04.03.2015</td>
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<td>Fenlakes Fishery</td>
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<td>Compliance date within 3 months of first occupation of the permitted dwelling house</td>
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<td>2009/8199</td>
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</table>
| CROWNTHORPE  
Land adjacent to The Drift  
Crownthorpe Rd 2011/8025 | Formation of Access | 16.11.2011 | Enforcement Notice served  
Compliance date 27.10.13  
Owner previously unable to comply due to personal circumstances but further action to comply agreed within next planting season |
| WYMONDHAM  
Copper Beeches  
Crownthorpe Road 2015/8005 | Standing of residential mobile home | 22.07.2015 | Enforcement Notice served  
Compliance date 4 months after the mobile home is no longer occupied by specified occupier |
| EASTON  
The Old Post Office  
8 Marlingford Road 2016/8165 | Change of use of dwelling  
To create a second independent dwelling | 20.07.2016 | Complied with NFA |
| DENTON  
Rainbows End  
Norwich Road 2016/8183 | Change of use of land for the keeping of dogs | 07.12.2016 | Enforcement Notice served  
Appeal submitted |
| LONG STRATTON  
The Red House  
Norwich Road 2015/8319 | Change of use of land for the storage of vehicles and parts | 07.12.2016 | Enforcement Notice served  
Complied with NFA |
| TIVETSHALL ST MARGARET  
Cherry Tree Barn Lodge Road 2016/8282 | Breach of planning condition, not built in accordance with approved plans | 26.04.2017 | Enforcement notice served  
Compliance date 05.01.2018 |
## Enforcement Statistics

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ENF-PROC
28.09.2017