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         

Please note that planning application Item Nos 1-4 will be heard from 10am

Planning application Item Nos 5-10 will be heard from 1.30pm onwards

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

Pre-Committee Members’ Question Time
9.00 am Blomefield Room

Agenda

Date
Wednesday 21 June 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.

Please arrive at the commencement of the meeting if you are intending to speak on items 1-4, and arrive at 1.30pm if you intend to speak on items 5-10.

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 full weight can now be given to policies within this plan when determining planning applications in Cringleford. 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.
AGENDA

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 7)

4. Minutes of the Meeting of the Development Management Committee held on
   24 May 2017;
   (attached – page 9)

5. Planning Applications and Other Development Control Matters;
   (attached – page 14)
   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>2016/0764/O</td>
<td>KESWICK AND INTWOOD</td>
<td>Land West Of Ipswich Road Keswick Norfolk</td>
<td>14</td>
</tr>
<tr>
<td>2</td>
<td>2017/0182/F</td>
<td>WYMONDHAM</td>
<td>Friarscroft Garage 2 Friarscroft Lane Wymondham NR18 0AT</td>
<td>47</td>
</tr>
<tr>
<td>3</td>
<td>2017/0413/O</td>
<td>KETTERINGHAM</td>
<td>Land To The East Of 5 High Street Ketteringham Norfolk</td>
<td>58</td>
</tr>
<tr>
<td>4</td>
<td>2017/0770/F</td>
<td>REDENHALL WITH HARLESTON</td>
<td>50 Redenhall Road Harleston IP20 9HE</td>
<td>76</td>
</tr>
<tr>
<td>5</td>
<td>2017/0848/F</td>
<td>MUNDHAM</td>
<td>Mundham House Thwaite Road Mundham NR14 6FD</td>
<td>82</td>
</tr>
<tr>
<td>6</td>
<td>2017/0999/F</td>
<td>BUNWELL</td>
<td>Tollgate Barn Tollgate Farm Barns The Turnpike Bunwell Norfolk</td>
<td>94</td>
</tr>
<tr>
<td>7</td>
<td>2017/1012/RVC</td>
<td>SAXLINGHAM NETHERGATE</td>
<td>Variation of Conditon 11 (Glazed Window) of Application 2015/1517 - Proposed demolition of cottage and rebuilding to match existing</td>
<td>98</td>
</tr>
<tr>
<td>8</td>
<td>2017/1116/RVC</td>
<td>WHEATACRE</td>
<td>Old Mill House Beccles Road Wheatacre Norfolk NR34 0BS</td>
<td>102</td>
</tr>
<tr>
<td>9</td>
<td>2016/1968/A</td>
<td>LONG STRATTON</td>
<td>Maple Park Cygnet Court Long Stratton Norfolk</td>
<td>110</td>
</tr>
<tr>
<td>10</td>
<td>2017/0881/RVC</td>
<td>PORINGLAND</td>
<td>Land North of Shotesham Road Poringland Norfolk</td>
<td>114</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. Enforcement Report;
   (attached – page 119)

8. Planning Appeals (for information);
   (attached – page 126)

9. Date of next scheduled meeting – Wednesday 19 July 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>Fire alarm</th>
<th>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</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mobile phones</td>
<td>Please switch off your mobile phone or put it into silent mode</td>
</tr>
<tr>
<td>Toilets</td>
<td>The toilets can be found on the right of the lobby as you enter the Council Chamber</td>
</tr>
<tr>
<td>Break</td>
<td>There will be a short comfort break after two hours if the meeting continues that long</td>
</tr>
<tr>
<td>Drinking water</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>CNDP</th>
<th>Cringleford Neighbourhood Development Plan</th>
</tr>
</thead>
<tbody>
<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.

<table>
<thead>
<tr>
<th>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.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Does the interest directly:</td>
</tr>
<tr>
<td>1. affect yours, or your spouse / partner’s financial position?</td>
</tr>
<tr>
<td>2. relate to the determining of any approval, consent, licence, permission or registration in relation to you or your spouse / partner?</td>
</tr>
<tr>
<td>3. Relate to a contract you, or your spouse / partner have with the Council</td>
</tr>
<tr>
<td>4. Affect land you or your spouse / partner own</td>
</tr>
<tr>
<td>5. Affect a company that you or your partner own, or have a shareholding in</td>
</tr>
<tr>
<td>If the answer is “yes” to any of the above, it is likely to be pecuniary.</td>
</tr>
<tr>
<td>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.</td>
</tr>
<tr>
<td>Does the interest indirectly affect or relate any pecuniary interest you have already declared, or an interest you have identified at 1-5 above?</td>
</tr>
<tr>
<td>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.</td>
</tr>
<tr>
<td>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.</td>
</tr>
<tr>
<td>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.</td>
</tr>
</tbody>
</table>

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

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

YES

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

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

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

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 24 May 2017 at 10.00 am.

Committee Members Present: Councillors: V Thomson (Chairman), F Ellis, C Gould, M Gray, C Kemp, G Minshull, J Mooney and A Thomas

Apologies: Councillors: Y Bendle, B Duffin and L Neal

Substitute Members: Councillors: N Legg for Y Bendle, L Dale for B Duffin

Officers in Attendance: The Development Manager (H Mellors), the Planning Decisions Team Leader (C Trett) and the Senior Planning Officer (C Curtis)

3 members of the public were in attendance

331. 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>2017/0582/CU (Item 2)</td>
<td>COSTESSEY</td>
<td>ALL</td>
<td>Local Planning Code of Practice Lobbyed by Objector</td>
</tr>
</tbody>
</table>

332. MINUTES

The minutes of the Development Management Committee meeting dated 26 April 2017 were confirmed as a correct record and signed by the Chairman.

333. PLANNING APPLICATIONS AND OTHER DEVELOPMENT CONTROL MATTERS

The Committee considered the report (circulated) of the Director of Growth and Localism, 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>2017/0706/O (Item 3)</td>
<td>WYMONDHAM 9</td>
<td>Mr M Thomson – Agent for Applicant</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 Growth and Localism.

334. ENFORCEMENT REPORTS

Members considered the report of the Director of Growth and Localism regarding the enforcement case at Swainsthorpe (ref 2016/8260).

It was RESOLVED that enforcement action be authorised to comply with condition 3 with a four-month compliance period with the hope that the developer submits a Remove/Vary Condition (RVC) application in that time.

335. PLANNING APPEALS

The Committee noted the planning appeals.

(The meeting closed at 11.20 pm)

_____________________
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 Growth and Localism’s final determination.

Other Applications

1  Appl. No :  2015/2009/F
Parish : HALES

Applicants Name : Hales And Loddon Cricket Club Committee
Site Address : Hales Cricket Club Green Road Hales Green Hales Norfolk
Proposal : To erect a cricket pavilion and provide a vehicular access off Green Road (revised application)

Decision : Members voted unanimously for Approval

Approved with conditions

1  Full Planning permission time limit
2  In accordance with amendments
3  Remove existing buildings on site within agreed time scale
4  External materials to be agreed
5  Use only by cricket club and bowls club and their associated activities.
6  Limited Hours of Use 10am to 10pm
7  No external lighting including any floodlights
8  Foul drainage to sealed system
9  Archaeological work to be agreed
10 No loudspeaker etc. outside building
11 Doors and windows kept shut if amplified or live music played after 7.00 pm.
12 New Access Construction over verge within 9 months
13 Private Access Road - Width
14 Access - Gradient
15 Access Gates - Configuration
16 Visibility splay, approved plan within 9 months
17 Highway Improvements – Offsite within 9 months

Updates to officer report

Further objection from Local Resident
• Concerns not addressed, new building is in a prominent position and will be visible from miles away
• Design should be improved, either so it has the appearance of a traditional barn or high quality properly designed building incorporating environmentally sensitive features

Members were advised and noted that the application included retention of the existing pavilion and that condition 3 would require its removal within 2 months of occupation of the new pavilion.
2  
Appl. No : 2017/0582/CU  
Parish : COSTESSEY  
Applicants Name : Mr Jetmir Kaceli  
Site Address : Land West Of 20 West End Costessey Norfolk  
Proposal : Change of use of land area for new car wash in the car park of west end Cue Club and new portacabin  
Decision : Members voted unanimously for Approval  
Approved with conditions  
1 Full planning permission time limit  
2 In accord with submitted drawings  
3 Surface Water Drainage Details  
4 Management and disposal of dirty water (filters and interceptors)  
5 Noise management scheme to be agreed  
6 Limited Hours of operation  
7 Washing of vehicles to only take place within surfaced area  

Updates to officer report  
Further objection from resident  
• Note redevelopment of former Slaughterhouse changed character of area from industrial/commercial to residential.  
• Car wash with associated adverts, flags and noise would now be inappropriate.  
• Additional neighbour objection (14 West End) raising issue relating to the noise of jet washers, traffic and the use of the site being an eyesore.  
• E-mail to Cllr Thomson from Mr King re lobbying material. Request site visit at school start/finish time.  

3  
Appl. No : 2017/0706/O  
Parish : WYMONDHAM  
Applicants Name : Mr & Mrs Roger & Cheryl Stevens  
Site Address : Land adj to Downham Barn Downham Grove Wymondham Norfolk  
Proposal : Outline permission with all matters reserved for two detached dwellings with associated gardens and parking  
Decision : Members voted unanimously for Approval  
Approved with conditions  
1 Reduced Time Limit 2 years – Land Supply  
2 In accordance with submitted drawings  
3 Standard outline requiring Reserved Matters  
4 External materials to be agreed  
5 Floor space restricted to below affordable housing threshold  
6 Contaminated land  
7 Water efficiency  
8 Surface water drainage  
9 Foul water disposal  
10 Slab level to be agreed  
11 Existing trees and hedging to be retained  
12 Boundary treatment to be agreed  
13 Bird and bat boxes
Applicants Name : Mr Keith Heazle
Site Address : Meadow View Brooke Road Shotesham NR15 1XN
Proposal : Variation of condition 2 of permission 2015/2896 (Replacement of a mobile home with a new three bedroom bungalow) - Addition of air source heat pump located on South East facing wall. Changes to bedroom windows from 3 to 2 pane on North West elevation and North West wall moved back 225mm from site boundary.

Decision : Members voted unanimously for Approval

Approved with conditions

1 In accord with submitted drawings
2 Mobile home to removed within one month
3 Levels in accordance with agreed details
4 Materials in accordance with agreed details
5 Windows in accordance with agreed details
6 Specific details in accordance with agreed details
7 Hedge planting
8 Retention trees and hedges
9 No PD for Classes ABCDE & G
10 No PD for fences, walls etc
11 Domestic Microgeneration Equipment
12 New Water Efficiency
13 Provision of parking, service
14 Ecology mitigation
15 Surface water in accordance with agreed details
16 Foul drainage to sealed system
## PLANNING APPLICATIONS AND OTHER DEVELOPMENT CONTROL MATTERS

### Report of Director of Growth and Localism

**Major Applications**

<table>
<thead>
<tr>
<th>No.</th>
<th>Appl. No</th>
<th>Parish</th>
<th>Applicants Name</th>
<th>Site Address</th>
<th>Proposal</th>
<th>Recommendation</th>
</tr>
</thead>
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| 1   | 2016/0764/O| KESWICK AND INTWOOD           | MAHB Capital      | Land West Of Ipswich Road Keswick Norfolk        | Outline Application for Proposed employment development consisting of B1, B2 and B8 uses, associated access and landscaping; and proposed link road between the A140 and the B1113 with some matters reserved | Authorise Director of Growth and Localism to approve with conditions:
                                                                                             | 1. Outline time limit                                                                 |
                                                                                             | 2. Reserved matters to be approved – appearance, landscape, layout, scale             |
                                                                                             | 3. Reserved matters substantially in accordance with Parameters plan 402, Landscape Strategy drawing 501; masterplan (to control building heights, strategic landscape buffers and B1 uses to north) |
                                                                                             | 4. Landscape scheme for whole site to be submitted with first reserved matters        |
                                                                                             | 5. Restrict total floorspace to 28,329sqm (max 9443sqm B1; max 9443sqm B2 and max 9443sqm B8) |
                                                                                             | 6. Restrict Permitted Development for change of use from the respective B1, B2 and B8 |
                                                                                             | 7. Renewable energy                                                                   |
                                                                                             | 8. Sustainable construction measures                                                  |
                                                                                             | 9. Water efficiency                                                                   |
                                                                                             | 10. Highway – turning area                                                             |
                                                                                             | 11. Highway – cycle parking                                                            |
                                                                                             | 12. Highway – construction parking                                                     |
                                                                                             | 13. Highway – wheel cleaning                                                           |
                                                                                             | 14. Highway – safeguarding of land for Bus Rapid transit route                         |
                                                                                             | 15. Highways – detailed off site highway scheme to be approved                         |
                                                                                             | 16. Highways – scheme for traffic calming of Low Road                                  |
                                                                                             | 17. Highways – scheme for advisory cycle lanes                                          |
                                                                                             | 18. Archaeology                                                                       |
                                                                                             | 19. Fire hydrants                                                                      |
                                                                                             | 20. Surface water drainage (including pollution prevention water quality)              |
                                                                                             | 21. Materials Management Plan (Minerals) to be submitted                               |
                                                                                             | 22. Ecological management plan                                                        |
                                                                                             | 23. Noise levels                                                                      |
                                                                                             | 24. Construction environmental management plan                                         |
                                                                                             | 25. Restriction of refrigeration units                                                 |
                                                                                             | 26. No plant or machinery without consent                                              |
                                                                                             | 27. No dust/grit/extraction system without consent                                      |
                                                                                             | 28. Details of external lighting                                                       |
                                                                                             | 29. Foul water to mains sewer only                                                    |
                                                                                             | 30. Contamination                                                                     |
                                                                                             | Subject to no new material planning issues being raised in remaining consultation period. |
1. **Planning Policies**

1.1 **National Planning Policy Framework**
   - NPPF 01: Building a strong competitive economy
   - NPPF 02: Ensuring the vitality of town centres
   - NPPF 03: Supporting a prosperous rural economy
   - NPPF 04: Promoting sustainable transport
   - 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
   - NPPF 13: Facilitating the sustainable use of minerals

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 16: Other Villages
   - Policy 20: Implementation

1.3 **South Norfolk Local Plan**
   - Development Management Policies
     - DM1.1: Ensuring Development Management contributes to achieving sustainable development in South Norfolk
     - DM1.2: Requirement for infrastructure through planning obligations
     - 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
     - DM3.10: Promotion of sustainable transport
     - DM3.11: Road safety and the free flow of traffic
     - DM3.12: Provision of vehicle parking
     - DM3.13: Amenity, noise, quality of life
     - DM3.14: Pollution, health and safety
     - DM4.2: Sustainable drainage and water management
     - DM4.3: Facilities for the collection of recycling and waste
     - DM4.4: Natural Environmental assets - designated and locally important open space
     - DM4.5: Landscape Character Areas and River Valleys
     - DM4.6: Landscape Setting of Norwich
     - DM4.8: Protection of Trees and Hedgerows
     - DM4.9: Incorporating landscape into design
     - DM4.10: Heritage Assets

1.4 **Site Specific Allocations and Policies**

   **KES 2: Land west of Ipswich Road**

   Policy KES: Land west of Ipswich Road
   Land amounting to some 4 Hectares is allocated for employment uses restricted to uses in classes types B1.
The developers of the site is required to provide the following:

- An access road across the site from the B1113 to A140 at Tesco Harford, to be agreed with the Highways Authority
- Right turn junction into site from B1113
- Landscaping/bunding to protect properties to the north
- Use restricted to light industrial/workshop type uses (B1)
- Norfolk Minerals and Waste Core Strategy Policy C16 applies, as this site is underlain by safeguarded mineral resources

1.5 Supplementary Planning Document
South Norfolk Place Making Guide 2012

**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.”

S72 Listed Buildings Act 1990 provides: “In the exercise, with respect to any buildings or other land in a conservation area, of any functions under or by virtue of [the Planning Acts], special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.”

2. Planning History

2.1 2014/2618 Proposed Employment Development Environmental Impact Assessment not required

3. Consultations

3.1 Keswick and Intwood Parish Council

Comments on original plans:
Object for the following reasons (summarised): contrary to the Local Plan given the extent of the site proposed and its location in the Landscape Protection Zone; The planning Act requires decisions to be taken in accordance with the Development Plan unless material consideration indicate otherwise. The Parish Council does not consider anything has been submitted with sufficient justification to depart from the Local Plan; there is no evidence submitted to justify the applicants suggestion that the allocated KES2 scheme was not viable; traffic predictions for Low Road require clarification and the Parish Council see no need for a junction and access on to the B1113 into the development; grave concerns about access and landscaping and assuring long term protection of the proposed buffer zones; use classes B2 and B8 objected to on grounds of possible round the clock heavy lorry movements and possible noise from B2 development; there is no rational assessment to justify the additional floorspace proposed over and above the JCS.

Comments on amended plans:
Object for the following reasons (summarised): maintain previous objections; impact on Low Road have been ignored in the re-submitted plans - Low Road is increasingly a rat run between the A11 and the A140; the traffic assessments to not make reference to
the implications for Dunston Cottages adjacent to the A140; the landscape assessment submitted has not assessed the visual impact for travellers accessing Norwich via the A140 gateway; larger site area compared to the allocation is unjustified and there are no material considerations justified for departure from the Local Plan; the viability assessment submitted has not been made available to the Parish Council - the information supplied to the PC by the developer in this respect does not give enough information; the Parish Council has been unable to find evidence of significant current demand for commercial sites in the Norwich area.

Caistor St Edmund Parish Council  
Objects. Concurs with Keswick PC response.

Cringleford Parish Council  
Comments on original plans:  
object (comments summarised): insufficient justification for uses other than the B1 allocated; the original allocation for B1 conflicts with the environmental policies in the South Norfolk Local Plan; dispute conclusions of the submitted landscape assessment that the proposal would have 'insignificant effects on the landscape character of the area'. The Yare Valley is sensitive to new development and the cumulative impacts need to be considered; the proposal conflicts with DM4.5, 4.6 and 4.7; concern with increase in both size of vehicles and volume of traffic using the road through Cringleford and Keswick from the A11 - resulting in highway safety issues; concern on the potential use of the road through the site between the B1113 and the A140 as a rat run.

Comments on amended plans:  
Maintain objection as per previous comments.

Stoke Holy Cross Parish Council  
Comments on original plans:  
Consider that the development will cause an increase in traffic on Markshall Labe and request therefore that as part of the conditions of planning that some mechanism is included to ensure that Markshall Lane is included by Norfolk County Council in the salting programme.

Comments on amended plans:  
No further representation received

3.2 District Councillor  
To be reported if appropriate

3.3 Anglian Water Services Ltd  
Comments on original plans:  
No objection subject to advisory notes. There are no Anglian Water assets crossing the site. The foul drainage from the development is in the catchment of Whitlingham Trowse Water Recycling Centre which has capacity for these flows. The sewerage system at present has available capacity for these flows. The proposed method of surface water management does not appear to relate to any Anglian Water assets and therefore no comment in respect of surface water. This discharge of trade effluent requires Anglian Water consent under their consenting regime.

Comments on amended plans:  
No further representation received
3.4 Highways England

Comments on original plans:
Holding response: More information/amendments are required to ensure that Highways England can be confident that the proposal will have a minimum and acceptable impact on the A47 in relation to background traffic data; Trip generation; Trip distribution; Traffic growth factors; and Mitigation at Harford interchange.

Comments on amended plans:
No objection. No conditions required. A Road Safety Audit (Stage 1) is a requirement of Highways England through their separate requirements.

3.5 NCC Highways

No objection subject to condition (comments summarised):

The Highway Authority has been in negotiation with the applicant’s transport consultants regarding the delivery of appropriate off-site highway infrastructure. The proposed off-site works are shown indicatively on Drawing No Create Consulting 731_03_020 Rev F. The off-site works include the removal of signals at the B1113/A140 junction with the prohibition of right turn movements and allows left turn only onto the A140, the provision of a new roundabout on the B1113 to provide a junction for the new link road, changes to the signalised Tesco junction where the new link road joins the A140 and the provision of two ahead lanes into Norwich from the Tesco junction to the Hall Road junction. The delivery of these off-site works is conditioned below. These works are only shown indicatively and will be subject to detailed design.

Resident concerns have been expressed regarding the impact on Low Road, Keswick. Low Road is subject to an environmental weight restriction so should not be subjected to an increase in Heavy Good Vehicles. The information supplied with the application does not indicate a substantial increase in traffic along Low Road as a result of this development and so the impact of the development on Low Road cannot be considered severe under the National Planning Policy Framework. Notwithstanding as the applicant is proposing a new footway and traffic calming measures on Low Road these are to be conditioned.

In terms of sustainable travel the following additional works are proposed and should be conditioned:

- A new footway link along Low Road which will be designed to ensure that there is an appropriate ‘landing pad’ at both ends to ensure that pedestrian safety is not compromised.
- On carriageway cycle facilities along the B1113.
- A pedestrian refuge south of Harford Bridge which provides a link to the Yellow Pedalway.
- Dedication of land along the A140/site boundary as highway in order to facilitate the future delivery of a Bus Rapid Transit scheme.

3.6 Historic Environment Service

Comments on original plans:
The submitted archaeological desk based assessment highlights the site lies in an area of very high archaeological potential. The geophysical survey carried out was not effective and its results cannot be relied upon. There is insufficient specific information available about the presence, form, surviving condition and significance of any heritage assets at the site for a fully informed
and reasonable planning decision to be made. Further trial trenching is required prior to the determination of the application.

Comments on amended plans:
No further representation received

3.7 District Valuer

Viability of three scenarios have been submitted:
1 – Allocated site - B1 office use
2 – Minimum site required – B1 Office Use
3 - Application Site – Mix of Uses – B1 B2 B8

The methods of the viability assessments submitted are sound and the assumptions and inputs used are reasonable. On the basis of our assessment, scheme 1 (i.e. as allocated) is not viable but both schemes 2 and 3 are viable.

3.8 Norfolk Fire Service

Comments on original plans:
Additional fire hydrants will need to be installed, the specific number and size of hydrants will depend on the type and mix of commercial units proposed. A condition is requested to address details and delivery of fire hydrants.

Comments on amended plans:
Comments remain as previous - fire hydrant condition required

3.9 SNC Community Services - Environmental Quality Team

No objection subject to condition with the following comments (summarised)

Note the following:

• The application is for Outline Planning Permission and as such the layout drawings, etc. may only be indicative.

• The application site does not have mains water or foul drainage provision but the applicant has indicated these can be provided.

• The are expected to be 1,009 people employed on the proposed site.

• No hours of use are given.

• The Noise impact assessment indicates that there should be no issues from the development once operational. However, this assumes the development takes place as indicated in the layout plans and does not consider noise from the tenants’ activities.

• The Noise impact assessment indicates that there could be issues from the construction activities that will need to be addressed.

• The Air Quality Assessment indicates that there should be no issues from the development once operational. However, this does not consider any emissions from the individual tenant’s activities.

• The Air Quality Assessment indicates that there could be issues from the construction activities that will need to be addressed.

No objection subject to conditions in respect of:

1. Detailed assessment of noise levels relevant to the proposed buildings at the site boundaries
2. Construction Environmental Management Plan 
3. Restriction on refrigeration units
4. No plant or machinery without consent
5. No dust/grit/extraction system without consent
6. Details of external lighting
7. Foul water to mains sewer only
8. Contamination

3.10 SNC Landscape Architect

Comments on original plans:
Initial observations are: The visual effect of the scheme in the views from the west (bridleway and church) which the LVIA states can be considered significant; the effect on undeveloped approaches to the city; impact on the openness of the Bypass Protection Zone.

Comments on amended plans: (summarised)
The application is supported by a Landscape and Visual Impact Assessment.

Note: The recent revision to the access arrangements (i.e. provision of a new roundabout on Mulbarton Road) has not been considered by the LVIA therefore the document requires revision if it is to be applicable for the current version of the scheme, especially as access is the only reserved matter for which approval is being sought. The effect of night-time lighting has not been covered in the LVIA and this will be an important consideration.

Landscape Impact

Policy DM 4.5 Landscape Character and River Valleys applies:

The site sits in the C1 Yare Tributary Farmland with Parkland landscape character area. It is adjacent to the F1 Yare Valley Urban Fringe landscape character area, and near to the B1 Tas Tributary Farmland. The site is not directly within a River Valley policy area (although it is near).

For the C1 Landscape Character Area, the most pertinent considerations to this proposal are:

Key characteristics and assets
- Shelving landform with a gently undulating topography
- Transitional landscape (between rural and urban landscape)
- Arable and pastoral farmland

Sensitivities and vulnerabilities
- Proximity to Norwich and loss of rural farmland character through expansion of the urban edge of the City beyond the Yare Valley
- Incremental change including upgrading of the rural lane network (e.g. kerbing and lighting) plus isolated developments (e.g. institutions) resulting in a more urban character.
- A gently shelving topography from the plateau and long views making this area especially sensitive to the location of any new development/infrastructure – and potential impact on views to the City.
Landscape strategy
The overall strategy is to conserve the peaceful rural character of the Yare Tributary Farmland and parkland landscape and to maintain the clarity and distinction with the urban edge of Norwich.

Development considerations
- Ensure that the rural character of the landscape of the Norwich Southern Bypass Protection Zone is maintained and that differential development North and South of the road do not erode the unity of the Character Area

With regards to the Sensitivities and Vulnerabilities, whilst the site is "beyond the Yare Valley", the fact that a proportion of it is already allocated for development in the Local Plan makes avoiding the expansion of the urban edge very difficult. The additional, non-allocated, site extent does increase the adverse effect on the landscape.

 Whilst the B1113 is not regarded as a lane as such, and is a much-used route to the City, it is identified as an 'undeveloped approach' and at present is only kerbed to one side. The introduction of a new roundabout and highways works will undoubtedly have an urbanising effect, but this will be as part of a development that, by its very nature, will add to the urban fabric.

Views to the city are limited and the site is not within an identified 'viewing cone' (see NSBLPZ below).

With regards to other landscape features not explicitly mentioned in the Landscape Character descriptions, the main consideration is loss of hedgerows, which are all potentially subject to the Hedgerows Regulations due to the existing land use. Where the breaches of hedgerow are required for the connecting road between Mulbarton and Ipswich Roads, these are contained within the allocated site for KES 2 and as such my view is that the proviso within DM4.8 is satisfied. The proposed roundabout requires loss of existing hedgerow outside of the allocated site boundary and as such DM4.8 could have more weight. However, the presumption is for the retention of 'important' hedgerows and site observations reveal that the hedge to the west of Mulbarton Road is comparatively young and is therefore unlikely to be 'important'; I therefore do not consider that the proposed loss can be resisted, especially as replacement planting could be secured via planning condition.

The general conclusion of the LVIA is that the landscape effects will be localised to the site and whilst at site-scale they are significant, the effect on the wider landscape characters will not be significant. I do not dispute this conclusion.

Visual Impact
The LVIA has considered the effects from a range of viewpoints. It concludes that for the viewpoints 7, 8 and 9, which are from the west, the visual effects can be considered significant and I agree with this. Whilst not stated explicitly in the LVIA, the effect will be adverse with new buildings visible from the approach to Keswick Church, a public bridleway and Marston Marsh Nature Reserve. In time the visual effect of these will be lessened by the proposed planting, but
this in itself will be a visual change too. One of the key visual changes from these viewpoints will be a reduction in visibility across the site to the rising land beyond, which could be argued will lessen the openness of the NSBLPZ (see below).

From other viewpoints considered the LVIA the effects will be less.

Overall my judgement is that there is a significant harm, but in terms of landscape effect from the selected viewpoints 7, 8 and 9.

**Norwich Southern Bypass Landscape Protection Zone**

The element of the application site that is not part of the allocated KES 2 site is also within the NSBLPZ; policy DM 4.6 (Landscape Setting of Norwich) states in relation to undeveloped approaches and the NSBLPZ in which the site is located:

*All development proposals will not harm and where possible should enhance the landscape setting of Norwich with regard to the following considerations:*

**NSBLPZ**

*All development proposals within the Norwich Southern Bypass Landscape Protection Zone (NSBLPZ), as shown on the Policies Map, should have regard to protecting the openness of the Zone and, where possible, enhancing the landscape setting of the southern bypass, including the practice of wild flower planting and management regimes.*

*Undeveloped Approaches - All development proposals within the visual zone of influence viewed from the identified Undeveloped Approaches to Norwich should reinforce and avoid undermining the rural character of the Undeveloped Approaches to Norwich.*

*Development which would significantly harm the NSBLPZ or the landscape setting of the Norwich urban area will not be permitted.*

Both the Ipswich Road (A140) and Mulbarton Road (B1113) are identified as ‘undeveloped approaches’. From the submitted LVIA it is clear that the visual effect of the proposed development will be less from Ipswich Road, however the effect on the Mulbarton Road approach will be more apparent; the introduction of a new roundabout and highways works will have an urbanising effect, and the introduction of buildings and associated block planting will, in time, change the field of view from this route and reduce the ‘openness’ of the NSBLPZ at this point.

In conclusion, I maintain my original concerns, which were:
- the visual effect of the scheme in the views from the west (bridleway and the church) which the LVIA states can be considered significant.
- the effect on undeveloped approaches to the city
- impact on the openness of the Bypass Protection Zone

There will be significant harm in terms of visual effect, but that this will from the west only. Furthermore, there is an un-assessed potential further impact from night-time lighting, which has not been considered by the LVIA.
Comments on updated LVIA:
The Addendum to the original LVIA considers the effects of the proposed new roundabout on Mulbarton Road and also attempts to consider the effects of lighting. The former is easier to assess as definite proposals are available, whereas a certain level of assumption has had to have been made regarding the anticipated lighting provision due to the ‘outline’ nature of the application.

The Addendum concludes that, in terms of landscape and visual effects of the roundabout, there is no change to the conclusions of the original LVIA. I had already considered the effects of the roundabout in my previous comments and also agreed with the findings of the LVIA.

With regards to the consideration of night-time lighting, I accept that full consideration is not possible without a designed scheme. There is the potential for lighting to increase the landscape and visual effects, but a strategy is set out for minimising negative effects of the lighting. However, much of the required lighting will be an inevitable consequence of the allocation of KES2.

Overall my conclusion therefore remains the same;

I maintain my original concerns, which were:
- the visual effect of the scheme in the views from the west (bridleway and the church) which the LVIA states can be considered significant.
- the effect on undeveloped approaches to the city
- impact on the openness of the Bypass Protection Zone

There will be significant harm in terms of visual effect, but that this will be from the west only. Furthermore, there is an un-assessed potential further impact from night-time lighting, which has not been considered by the LVIA.

3.11 NCC Lead Local Flood Authority

Comments on original plans:
Object as there is a lack of information on how flows discharged from the site will connect to a wider watercourse. The current strategy relies on a connection to a wider network that has not been identified in the FRA or been demonstrated as feasible. Evidence is required that discharge by this method is possible, considering how this would be achieved and land ownership. Also required is further information as to why the discharge rate cannot match greenfield rates. A strategy should be provided that provides rates as close to the greenfield runoff as possible, in line with National Standards.

Comments on amended plans:
No objection subject to conditions. The applicant has now supplied a revised FRA which has addressed previous concerns. Therefore, given the above adjustment to the FRA we have no objection subject to condition (detailed surface water drainage scheme).

3.12 Environment Agency

No comments to make

3.13 NCC Ecologist

Comments on original plans:
No objection subject to a Landscape and Ecological Management Plan being required by condition.
Comments on amended plans:
Amendments reviewed and they are not material to the original Ecological Constraints and Opportunities Assessment. Our original comments continue to apply which is no objection subject to a condition requiring a Landscape and Ecological Management Plan.

3.14 SNC Conservation and Design

Comments on original plans:
Concern at the proposal and the submission as an outline - The impact on the landscape is Key (a matter of the Council’s Landscape Architect to comment), also affected by the proposal is the setting of All Saints church which is in close proximity to the west which is currently viewed in an isolated setting. Being an isolated historic round tower church in an open landscape, views and appreciation of the church as seen with the openness of surrounding rural landscape in is a key element of the building’s overall significance. It is likely that the development over the larger area will result in harm to the character of the area and the setting of the nearby listed C12 church – although the degree of harm is difficult to substantiate without more detailed proposals.

Comments on amended plans/details:
To some extent agree with the Heritage Statement that potentially the proposal is likely to result in less than substantial harm on the setting of the church, however to enable an assessment of the degree of harm and balancing this with benefits as required by the NPPF, this is harder to quantify with an outline application unless the size, scale and height of the development can be firmly set as parameters. Even then a more utilitarian development may result in a greater degree of harm than a well-designed and sympathetic one. The significance of the church is more from being seen within the wider landscape context which can be seen as contributing to its rural isolation. Because of the Grade II Listed status of the church and the ruin and the character of the assets, the assets can be judged as contributing to the wider landscape character. If the impact on the landscape is considered acceptable, then I consider it is likely to be acceptable in terms of setting of the church.

3.15 NCC Minerals and Waste Planning Officer

Comments on original plans:
Holding objection. The majority of the site is underlain by an identified mineral resource (sand and gravel) which is safeguarded as part of the adopted Norfolk Minerals and Waste Core Strategy. Partial site investigations have been undertaken but these are insufficient to understand the resources and whether these are viable to extract. Objection unless: 1. The applicant carries out investigations/assessment across the site including particle size distribution testing to confirm the viability of the resource for mineral extraction, and; 2. If the mineral resource is proved to be viable, the applicant considers whether it could be extracted economically prior to the development taking place.

Comments on amended plans:
No objection subject to condition - comments (summarised): The ‘Mineral Safeguarding Appraisal’ submitted by the applicant does accept that a sand and gravel resource occurs across the site, and in paragraph 4.16 recognises that there is insufficient borehole information to map or quantify the resource. Therefore, additional site investigations and testing would need to be carried out to inform any ‘Materials Management Plan – Minerals’.
Therefore, a detailed assessment would be required to determine the quantities of material which could be recovered as part of the reserved matters and this could take the form of Materials Management Plan – Minerals (MMP-M). The MMP-M will assess the mineral resource by reference to the material class types, and quantify the amount of mineral to be reused. The MMP-M will put in place a suitable methodology, to record information on the amount of mineral extracted and reused, and submit this information to the Local Planning Authority and Mineral Planning Authority at an appropriate frequency.

Due to the limited level of detail available on the proposed development at this outline stage, it is considered by the Mineral Planning Authority that further detail will be required as part of the reserved matters. This could be addressed by way of condition in any grant of planning permission for this site.

The use of a planning condition for outstanding mineral resource safeguarding issues is not the preferred method set out in national guidance; however, should the Local Planning Authority consider it appropriate to grant permission, it is considered that it would be a suitable and pragmatic approach in this case.

A ‘Materials Management Plan-Minerals’ (MMP-M) should be submitted to South Norfolk Council at the reserved matters stage. The LPA, in consultation with Norfolk County Council as Mineral Planning Authority, will determine whether the MMP-M appropriately addresses mineral safeguarding and if so approve it. While there is the potential that significant amounts of material recovered could be used on site, there is likely to be a need for some grades of material from traditional sources. Material recovered from the site which is ‘Out of Grade’ for on-site use could be sent to the supplier of aggregate as a return run, where it could be processed and used. This has been an approach taken by other developments in Norfolk.

3.16 NCC Lead Local Flood Authority

Comments on original plans:
Object as there is a lack of information on how flows discharged from the site will connect to a wider watercourse. The current strategy relies on a connection to a wider network that has not been identified in the FRA or been demonstrated as feasible. Evidence is required that discharge by this method is possible, considering how this would be achieved and land ownership. Also required is further information as to why the discharge rate cannot match greenfield rates. A strategy should be provided that provides rates as close to the greenfield runoff as possible, in line with National Standards.

Comments on amended plans/details:
No objection subject to conditions. The applicant has now supplied a revised FRA which has shown the outfall route from the basin to the River Yare and a less conservative SPR value considered. Given the above adjustment to the FRA we have no objection subject to condition (detailed surface water drainage scheme).

3.17 Yare Valley Society

Objects on following grounds (summarised):
- Contrary to local plan.
- Impact on the river valley.
- Traffic impact.
3.18 Norfolk Rivers IDB

No objection however consent to discharge to the Yare will be required from the IDB and will be considered once detailed drainage scheme is submitted.

3.19 Norwich Cycling Campaign

Object on the following grounds (summarised):

- Recognition of a need for connectivity between the site and the Keswick Bridleway is welcomed. However the connectivity proposed uses an on-road cycle land that is only advisory and the cycle lane could be a serious safety hazard.
- Removal of traffic lights on B1113/A140 junction and closure of right turn and left hand turn lane access from A140 and B1113 is welcomed.
- Strong objection to the amendment the scheme removing the previously proposed off road cycleway from Harford Park and Ride to the B1113/A140 junction.
- Overall the plan lacks adequate provision for safe cycling connectivity between the site and Norwich.
- There is no safe connection for cyclists between the yellow pedalway to the north of Harford Bridge and the advisory cycle lanes on the B1113.
- The three-lane A140 travelling north will be disincentive to cyclists commuting between the new employment area, Tesco and Norwich.
- Will erode the attractiveness of the Yare Valley Corridor and so inhibit cycling.
- Ad hoc development further increase the unsustainability of transport arrangements in the Greater Norwich area.

3.20 Other Representations

52 letters of objection from 34 separate objectors on the following grounds (summarised):

Comments on original plans:

- Highway safety – concern of pedestrian safety for those residents crossing the A140 to Tesco will get worse.
- Highway safety – traffic through the village of Keswick will increase causing danger to residents given the narrow roads with little pedestrian facilities.
- The traffic assessment is incomplete and flawed.
- The transport assessment does not include impacts on Low Road, Keswick where traffic would increase, including from HGVS from the development, as would be a rat run between the A11, Cringleford and Eaton to the A140.
- The predicted increase in traffic volume along Keswick Low Road is undesirable due to narrow roads, blind bends, concerns of HGV use and the affect this will have on pedestrians (including children) and horse riders.
- Concern whether the B1113 can handle more traffic.
- The speed limits from the Holiday Inn and the A47 junction on the A140 should be reduced to 20mph.
- Existing HGV restriction on Low road is often already ignored.
- The allocation of car parking spaces appears to be significantly understated which will lead to overspill, unsightly environment, and safety issues.
- The prediction that many visitors to this site will walk, cycle or use public transport is still fanciful in the extreme.
- Keswick and Intwood Parish have previously been identified as a ‘parkland’ and this proposal for light industrial is not inkeeping.
• The ongoing development of the Norwich cattle market will cater for the areas needs for light industrial
• Application is contrary to Southern bypass protection zone and policy DM4.6. The proposal would harm the landscape quality and openness of the zone.
• The application is financially motivated and driven by a council aspiration to improve the A140/B1113 junction. The Council has already made a decision on the appropriate size/use of this development for the KES2 allocation process – nothing has changed but finance so the council position should not change
• Pre-application public consultation by the applicant was inadequate
• There are existing vacant B1, B2 and B8 premises in close proximity
• Brownfield land should be used
• KES2 criteria were so strict (i.e. B1 only) due to the rural nature of the location with insufficient transport links to support anything more substantial – this has not changed
• Increase in site area from the KES2 area of 4Ha is not appropriate or consistent with impacts Planning Inspector considered
• The B1113 currently functions as a green corridor and not convinced that this would remain
• If amount of development is to fund the junction improvement, would rather no development and keep existing junction
• Would harm gateway to Norwich and conflicts with countryside policies
• The rural character of the field helps with the transition from cityscape to countryside. The proposal, with extensive landscaping and partial views of buildings would be very out of character with its immediate vicinity
• Would harm setting of listed church
• Noise and light pollution
• Drainage concerns due to the changing level of the proposed site
• Merging of neighbouring villages and towns due to Keswick expansion

Comments on amended plans:
• Original objections remain
• There is no case from the developer that the need for the development justifies conflict with the Development Plan
• The financial viability to the developer of this application cannot be used as a rationale to approve an application that is completely contrary to the Council’s Policies and Development Plan.
• Maintain concern of impact on Low Road – major safety improvements should be required on Low Road
• Impact on health and quality of life as a result of noise, light and air pollution and further urbanisation of the area
• Will increase risk to life at the rail crossing as a result in increase of traffic
• Poses significant increased flood risk to land, roads and surrounding property
• Even with proposed roundabout consider highway impacts will be significantly adverse
• The proposed highway improvements are over engineered and unnecessary. Simpler cheaper options are available that would not affect the rural character of the site
• Approving this development will weaken case to resist further development of the area
• The proposed right of Way on Low Road needs to be hard all weather surfaced and graded to be suitable for all users
• Don’t consider the footpath proposed on Low Road or proposed traffic calming measures would work
• Proposed improvements on Low Road don’t address the dangers of increased traffic flow
• Proposed highway markings on the A47 east bound slip are poorly thought out.

At the time of writing the report a re-consultation is pending (expiring on 19th June) on the application relating to updated highway plans (foot and cycle strategy) and updated Landscape Visual impact assessment (to consider impact of new roundabout and lighting). Members will be updated on any additional comments received.

4 Assessment

The site

4.1 The site comprises a parcel of arable land of approx. 10.94Ha, triangular in nature bounded by the A140 to the east and the B1113 to the west. There is an existing field access from the B1113 on to the site.

4.2 In terms of topography there is a marked change in levels across the site rising from the north of the site to the south with the southern part of the application site sitting on a natural high brow.

4.3 To the east of the site lies a supermarket with farmland beyond; to the west farmland; to the south arable farmland immediately adjacent to the site with the A47 and the Harford Park and Ride further south. To the north of the site are 5 residential dwellings as existing with a recent planning permission (ref 2016/1973) which would result in 8 dwellings in total here if implemented. The B1113/A140 junction is beyond.

4.4 The village of Keswick is located to the south-west via the B1113 with the nearest properties of Keswick village being approx. 560m away.

4.5 There is a Grade II Listed church approx. 180m to the west of the site served from the B1113 which sits in an elevated position.

4.6 The River Yare runs east-west and is located approximately 240m to the north of the site, beyond the B1113 and A140 junction. There are also a number of field drainage channels in land to the north of the B1113 approximately 100m to the north of the site which drain towards the River Yare.

4.7 A pit (assumed to be a former marl/borrow pit) is noted on the topographical survey in the south western corner of the site.

4.8 A County Wildlife Site is located approx. 170m to the north-east of the application site between the Tesco supermarket and the River Yare.

4.9 There are a number of trees on the site but limited to the field boundaries and small wooded area to the south-west corner.

4.10 The east and west boundaries are delineated by hedgerow with trees interspersed.
4.11 The application seeks outline planning permission with only access for formal consideration.

4.12 The site area is 10.94Ha with proposals for B1 (office), B2 (General industrial) and B8 (warehousing) across the site together with a proposed link road from the A140 to the B1113 and necessary planting and drainage.

4.13 Floor space proposed total 28,329sqm (2.8Ha) being made up of 9443 sqm of B1; 9443 sqm of B2 and 9443 Sqm of B8. The application suggests that this would equate to approximately 1009 jobs (525 from the B1; 295 from the B2 and 189 from the B8).

4.14 Whilst only indicative at this stage the northern area of the site is proposed to form a green buffer/attenuation basin and a secondary access to the development.

4.15 The submitted parameters plan indicates three areas of operational development are proposed across the site. Area 1 having the largest area to the north and central part of the site and which is indicated to have a maximum building height of 13m. Area 2 being to the south of the site and having maximum building heights of 11m. Area 2 being the proposed link road and access roads.

4.16 Green planted buffers are also proposed around the edge of and in the two southern corners of the site. All green buffer and attenuation basin areas on the parameters plan equate to approx. 2.94Ha.

4.17 The application is supported by the following documents:
- Design and Access Statement
- Landscape and Visual Impact Assessment and Addendum
- Statement of Community Involvement
- Archaeology and Heritage Assessment
- Arboricultural assessment
- Transport Assessment and addendum
- Energy, water and Construction Statement
- Flood Risk Assessment and Drainage Strategy
- Noise Assessment
- Air Quality Assessment
- Utilities Assessment
- Phase 1 contamination report
- Viability Assessment
- Phase 1 Ecology report
- Planning statement
- Suite of plans including context plan; site contours plan; development parameters plan; landscape strategy plan; access and road details and drawings

4.18 The application has been amended following consultation responses received to the first round of public consultation. The revisions comprise the following changes:
- Amendments to the Highway junction proposed to include a roundabout on B1113, and limiting vehicular movement at the current B1113/A140 junction to north bound only
- Additional Highway technical note on the highway and transport impact on Low Road, Keswick
- Amendments to the proposed cycle and pedestrian linkages from the site
- Amendments to the drainage strategy
4.19 **Key issues for consideration**

- Principle and policy considerations
- Access, highway and parking considerations
- Landscape and visual impact
- Ecology
- Amenity, noise and pollution
- Flood risk and drainage
- Heritage
- Pollution, health and safety
- Other material considerations

**Principle and policy considerations**

4.20 Planning law requires that applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise. The National Planning Policy Framework (NPPF) is a material consideration in determining planning applications.

4.21 Paragraph 197 of the NPPF requires that in assessing and determining development proposals local planning authorities should apply the presumption in favour of sustainable development.

4.22 Policy DM1.3 has regard to the sustainable location of new development. It is a positively worded policy supporting new development where it positively contributes to the sustainable development of South Norfolk as led by the Local Plan.

4.23 The policy advises the council will work with developers to promote and achieve proposals that are:

a) Located on allocated sites or within development boundaries of settlements; and

b) Of a scale proportionate to the level of growth planned in that location and the role and function of the settlement within which it is located.

The policy continues to set out that permission for development in the countryside outside of the defined development boundaries of settlements will be only be granted if:

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

d) otherwise demonstrates overriding benefits in terms of economic, social and environment dimensions addressed in Policy DM1.1.

4.24 The part of the site which is allocated falls to be considered by parts a and b of Policy DM1.3. The proposal is acceptable in principle under part a of policy DM1.3.

4.25 Part b of the policy requires that all development is of a scale proportionate to the level of growth planned in that location and the role and function of the settlement within which it is located.

4.26 In respect of this policy part of the application site forms the site allocation KES2 (4Ha) the remainder (6.94Ha) is additional to the allocation land and is submitted to be required to enable the allocation to come forward. The scale of the development is therefore significantly greater than that allocated, however this includes areas of land for drainage and structural landscaping (approx. 2.94Ha) and so the area of land available for employment uses would be 8Ha.

4.27 Whilst the site lies in the parish of Keswick where Keswick development limit as an ‘other village’ defined by Policy 16 of the JCS where small scale business is considered acceptable, the site lies outside of the development limit but is allocated for development by site allocation KES2. The site is located along the A140 which is the main highway corridor between Ipswich and Norwich and in close proximity to the Norwich boundary. This was recognised when the site was allocated for employment (B1) in the site allocations and
policies document (KES2). It is considered that the additional land and use classes required above that already allocated, subject to compliance with other policies of the development plan, can be considered to be proportionate given its location and need to be delivered to enable the employment allocation to come forward and the proposal complies with part b of policy DM1.3.

4.28 The part of the site which is not allocated falls to be considered by parts c and d of Policy DM1.3.

4.29 In relation to part c) Policy DM2.1 has specific regard to employment and business development and advocates positive consideration to proposals for new sites in the countryside where they meet specific criteria. Assessment against that specific policy is set out in the employment section below where it is considered that the principle of the proposal complies with Policy DM2.1 which allows for employment development outside of development boundaries. The proposal therefore accords with part c of policy DM1.3. Part d of the policy is therefore irrelevant as requires only part c or d to be complied with.

4.30 The proposal is therefore considered to comply with Policy DM1.3 in principle subject to viability and employment considerations below along with other policies of the development plan.

Employment policies

4.31 In relation to the general principle of employment and business development, Policy DM2.1 is supportive of proposals which provide for or assist the creation of new employment opportunities, inward investment and or provide for the adaptation and expansion of an existing business unless there are significant adverse impacts.

4.32 It supports proposals for employment on allocated employment areas and in part 7 sets out the criteria for proposals in the countryside where positive consideration will be given.

4.33 The principle of employment land on the area of land forming the KES2 allocation is established through that allocation and is also acceptable in principle under part 1) and 2) of Policy DM2.1 subject to considerations of other policies of the development plan.

4.34 Part of the site is not covered by the allocation (approx. 6.94Ha) and as such falls in the countryside designation. Assessment of Part 7) of policy DM2.1 is set out below in regards to whether the additional employment is appropriate in the countryside.

4.35 Policy DM2.1 part 7 advises that:

Proposals for new sites in the countryside will be assessed against the policies of the Local Plan, with positive consideration given to proposals that:

a) Re-use redundant rural buildings and hardstandings; and/or
b) Are located on sites well related to rural towns and villages and it is demonstrated that there are no sequentially preferable sites available; and or
c) Create accessible jobs and business opportunities in the rural area.

4.36 The additional employment land proposed in the countryside designation is submitted on the basis of this being a package to enable the land allocated by KES2 to come forward. As such the elements of the proposal in the countryside designation are intrinsically linked to and assist the creation of the KES2 allocation and cannot therefore reasonably be located elsewhere. Therefore, in respect of part b of the policy there would be no sequentially preferable sites that could be considered to fulfil the same function. Further consideration of the case for the need for the larger area of land and use classes based on viability are set out in the viability section below.
In respect of part c of the policy, the proposal would create accessible jobs and business opportunities in the rural area by virtue of its location adjacent to the site allocation, close to public transport routes and to the city with improved cycle/pedestrian links from the site to the wider area. The proposal is therefore considered to comply with Part 7 of Policy DM2.1.

Overall therefore subject to there being no significant adverse impacts in respect of the three roles of sustainability, which is assessed elsewhere in the report, and accordance with other policies, the proposal would accord with Policy DM2.1.

Access, highway and parking considerations

Policy DM3.10 advises that new development should be designed to reduce the need to travel and to take advantage of sustainable forms of travel. Policy DM3.11 advises that development will not be permitted which would have a negative impact on the local highway network. Para 32 of the NPPF also requires decision takers to take into account that opportunities for sustainable transport modes have been taken up; safe and suitable access to the site can be achieved for all people and; improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development.

The site is located on a Corridor of Movement (the A140) where Policy DM3.11 requires that development involving the formation or intensified use of a direct access onto a corridor of Movement will be granted providing it would not:

a) Prejudice the safe and free flow of traffic or planned proposals for sustainable transport initiatives along the corridor of movement;
b) Be practical to gain access from the site to the corridor of movement via a secondary road; and
c) Facilitate the use of the Corridor of Movement for short local journeys

KES2 site allocation was made on the basis of delivering an improved junction. The site allocation therefore requires this to form part of any application for employment on the site.

The application is supported by a Transport Assessment (TA) which includes an addendum submitted during the course of the application.

The application as amended proposes the following in terms of highway improvements:

- Proposed revised traffic signal junction on the A140 at the Tesco supermarket junction to facilitate the access onto the proposed development and to link the A140 to the B1113 with a new link road.
- Proposed 34.6m ICD roundabout on the B1113 to serve the development/link to the A140
- Stopping up of and prohibiting both right turn movement from the B1113 on to the A140; and right hand turn movement from the A140 on to the B1113 at the existing B1113/A140 junction thereby allowing a single movement at the junction of left turn from the B1113 on to the A140 towards Norwich
- The provision of two ahead lanes into Norwich from the Tesco junction to the Hall Road junction
- Safeguarding of land to the west of the A140 along the length of the development for potential Bus Rapid Transit Route.
- Provision of footpath along the northern side of the B1113 between the site access and Low Road (Keswick).
- Footpath from site access on the A140 for to connect to the existing bus stop/crossing opposite Tesco.
- Advisory cycle lane along the B1113 between the site access and the B1113/A140 junction.
- New island crossing on the A140 south of the Harford Bridge to ensure safe and appropriate crossing from the site towards the Yellow Pedalway to the north
- Minor amendments to the A47 east slip road marking
In response to concerns of the proposals on Low Road for existing users and residents, a further technical highways note was submitted to further consider impacts on Low Road and propose further mitigation. As amended the improvements on Low Road proposed are a right of way for pedestrian users on Low Road to be provided to bypass a pinch point on the road; a traffic calming scheme – details to be secured by condition; promotion of a reduction in speed limit on Low Road would be supported by the applicant, should the highway authority consider that to be an appropriate measure; Whilst the applicant recognises in planning terms the limited enforceability of a restriction of users of the proposal utilising Low Road to access the A11, it is proposed to include this is the Travel Plan and require through exchange of contracts and lease for this restriction on the use of Low Road in the travel plan to be stipulated.

4.44 In terms of the proposed highway junction, the Highway Authority raise no objection to the proposals as amended. The proposal creates a new junction which accords with the requirements of site allocation KES2. It creates an appropriate access to the new development, makes a significant contribution in alleviating existing congestion issues at the junction, and aides traffic flow along the A140 corridor of movement. Furthermore, provision is made in the proposals to safeguard land for a potential future bus corridor along the A140 and so ensures that these sustainable transport initiatives along the corridor would not be compromised by the proposals.

Concern has been raised by residents in respect of the impact of the proposals on Low Road, Keswick. The Highway Authority has confirmed that Low Road is subject to an environmental weight restriction so should not be subjected to an increase in heavy goods vehicles. They also advise that the transport assessment submitted also indicates that the proposal would not result in a substantial increase in traffic on Low road as a result of this development. They advise that the impacts of the development on Low Road cannot be considered to be severe under the NPPF, they therefore have no objection to the proposal on this basis. As the applicant is offering improvements to Low Road in respect of a new footway on part of the road at an existing pinch point together with traffic calming, these are to be conditioned to be secured/promoted.

It should be noted that Highways England raise no objection to the application subject to a road safety audit (Stage 1) being carried out as a matter of course at the detailed highway design stage.

On the above basis the proposal is considered to comply with Policy DM3.11 subject to the imposition of conditions.

In respect of sustainable forms of travel to/from the site as required by policy DM3.10, a number of amendments have been made through the course of the application following discussion between the Council and applicants to ensure that sufficient measures are proposed in respect of pedestrian and cycle connectivity from this employment site to its surroundings, in particular towards the north (Norwich) and a likely accessible workforce.

As amended, advisory cycle lanes are proposed along the B1113 between the new roundabout and the B1113/A140 junction (advisory cycle lanes at between 1.2m and 1.5m in each direction). In this instance these are considered acceptable (as an alternative to a dedicated foot/cycleway) given that there would only be infrequent occasions where there is opposing vehicles using this section of the road (as a result of the proposed changes to the highway) and as such there would only be temporary encroachment of the advisory lane. As the road has a straight alignment and there is good intervisibility between vehicles and cyclists a temporary encroachment of an advisory cycle lane is not considered to result in any significant safety issue.

A new pedestrian refuge south of the Harford Bridge is proposed and whilst there would not be a dedicated cycle lane to connect the site to this and beyond to the yellow pedalway to the north, it is considered that the use of the advisory cycle lane and the existing footpaths.
off site to connect the site to the Harford bridge crossing and pedalway beyond are acceptable.

4.51 The existing footpath along the B1113 from Low Road to the B1113/A140 junction would be reinstated along the northern side of the carriageway and this would facilitate pedestrian movements from the site to the north and to Keswick.

4.52 Overall therefore in respect of pedestrian and cycle connectivity from the site, given the proposed mix of uses, the reduction of traffic on the stretch of the B1113 between the B1113 junction and the new site roundabout, and the constraints of width of the Harford Bridge, it is considered that the level and type of cycle/pedestrian facilities proposed are reasonable and proportionate to ensure there are suitable sustainable travel options. On that basis the Highway Authority raise no objection to the application and subject to the imposition of conditions the proposal is considered to accord with Policy DM3.10.

Parking

4.53 The site is of a sufficient size to ensure that adequate parking for the proposed uses can be accommodated on site. Precise levels of parking and their arrangement will need to be considered in further detail on submission of the reserved matters for the buildings.

Viability

4.54 The application has been submitted on the basis of viability in so far as the site as allocated is suggested to be unviable to deliver and the extent of the proposals submitted are therefore required to make the allocation viable. In this context it is important to re-visit the allocation and its rationale.

4.55 The allocation is for some 4 Hectares for employment uses restricted to uses in class type B1, but specifically requires a new junction connecting the B1113 and A140 to be agreed with the Highway Authority.

4.56 The policy pre-text advises that Keswick is a very rural parish despite abutting Norwich, with development concentrated on Low Road. It confirms that the parish of Keswick stretches along the B1113 linking with the A140 Ipswich Road into Norwich. The traffic light junction where these roads converge has become increasingly busy, with queuing traffic waiting to turn right towards Tesco (Harford Bridge) and the A47, often blocking those wanting to turn left toward Norwich City Centre. It therefore advises that whilst Keswick is not an identified employment location the overriding need to make improvements to the junction of the B1113/A140 could be achieved through the allocation of land for employment uses restricted to use class B1 workshops and light industrial uses. This would facilitate the provision of an alternative access route from the B1113 through to the A140 at Tesco Harford.

4.57 Viability assessments were requested to demonstrate, given the known landscape sensitivities of the site, that only the minimum amount of land necessary for the delivery of employment on the site and the highway improvements required by KES2 was being proposed since this was greater than the site allocation envisaged.

4.58 Viability appraisals for three scenarios were submitted by the applicant following discussion with the Council and these were:
1. The viability of the scheme as proposed (11 Ha of B1, B2 and B8 use classes).
2. The viability of the site as allocated (4Ha of B1 only) and
3. The minimum land take and floor space required for an extended B1 only (2Ha of B1 floorspace on an approx. 6Ha site area (excluding necessary strategic landscaping areas)
The viability assessments set out the cost of the project including the infrastructure (highway improvements, internal link roads, drainage, strategic landscaping and drainage) and CIL set against development land values.

As submitted by the applicant and verified by independent assessment by the District Valuer, the employment uses and potential quantum of development specified in the site allocation KES2 will not deliver the highway improvements as required by that policy and is not therefore viable.

The district valuer has confirmed that the two other options submitted i.e. the application as proposed and the extended B1 site are both viable. It is clear therefore that in order to deliver a scheme that is viable and capable of delivering the highway improvements, a larger land take is required, however further consideration needs to be had, given the landscape sensitivities of the site, whether the scheme as proposed (B1, B2, B8) is acceptable when there is another option viable with a lesser land take (extended site of B1 only).

In respect of the extended B1 option whilst acknowledging that this would result in lesser landtake (approx. 6Ha) than the proposal as submitted thereby to some degree reducing the landscape/visual impact, this has to be balanced with the impacts such a proposal would create and the benefits of the mixed use application as proposed.

Officers consider that a mix of use classes as proposed is preferred to the B1 only option given that this delivers a wider, more resilient to the market, employment offer thereby having more certainty of delivering jobs as required by the JCS and is likely to have less impact on the existing office stock of Norwich. In addition, it is considered that the B2/B8 uses suited for the location and its proximity to key routes of the A140 and A47. Furthermore the highway impacts of a B1 office only proposal at the scale required to deliver the highway works, would likely have a severe impact on the highway network due to the increased vehicular movements of a B1 use with its likely heavier traffic volumes at peak periods; and there would likely be issues with the ability of the site to accommodate high parking levels for a B1 only site and the resultant likely on street parking.

Therefore, whilst there is an alternative viable option of B1 only on the site, for the above reasons it is considered that the mix of B1, B2 and B8 proposed is the best option in planning and highway terms for the site, and any reduced landscape visual impact resulting from the B1 scheme, would not likely be of such a degree as to outweigh the above identified benefits of the proposal/harms of B1 only use.

Therefore, as evidenced through the submission of the viability assessment and verified by the District Valuer the scheme proposed is that which is necessary to bring forward the employment and highway improvements on the site. Without the scale of development proposed the site would not be viable and the creation of jobs and the highway improvements required by the allocation would not be delivered.

Therefore, to conclude in respect of the policy and principle considerations, the development is considered acceptable as the highway costs require the amount of land and use classes proposed as shown in the viability assessment. Extension into the open countryside is therefore acceptable in principle subject to other policy considerations.

Landscape and visual impact

NPPF Paragraph 61 requires development to address the connections between people and places and the integration of new development into the natural, built and historic environment.
Policy 2 of the JCS relates to design and includes requiring development to respect local distinctiveness including landscape character and the wider countryside. Policy 12 of the JCS sets out more detailed objectives for areas of growth in the Norwich Policy Area (NPA) which cover the protection, maintenance and enhancement of green infrastructure and the protection of the landscape setting of the urban area.

Policy DM4.5 requires all development to respect, conserve and where possible enhance the landscape character of its immediate and wider environment. It advises that development that would cause significant adverse impact on the distinct landscape characteristics of an area will be refused. Particular regard will be had to protecting the distinctive characteristics, special qualities and geographical extents of the identified Rural River Valleys and Valley Urban Fringe landscape character types.

Policy 4.6 has regard to the landscape setting of Norwich which includes the sites location within the Norwich Southern bypass protection zone and on two undeveloped approaches to Norwich (A140 and B1113).

The specific aims of policy DM4.5 are the protection of the landscape character at a wider level. DM4.6 specifically seeks protection of the setting of Norwich and maintaining the rural approach to Norwich.

In respect of Policy DM4.5 the site sits in the C1 Yare Tributary Farmland with Parkland landscape character area It is adjacent to the F1 Yare Valley Urban Fringe Landscape Character Area and near to the B1 Tas Tributary Farmland. The site is not directly within a River Valley Policy Area although it is near.

The application is submitted with a Landscape Visual Impact Assessment (LVIA) as amended to include an assessment of the impact of the highway proposals as amended and impact of lighting.

For the C1 Landscape Character Area the most pertinent consideration to this proposal are:

Key characteristics and assets
- Shelving landform with a gently undulating topography
- Transitional landscape (between rural and urban landscape)
- Arable and pastoral farmland

Sensitivities and vulnerabilities
- Proximity to Norwich and loss of rural farmland character through expansion of the urban edge of the City beyond the Yare Valley
- Incremental change including upgrading of the rural lane network (e.g. kerbing and lighting) plus isolated developments (e.g. institutions) resulting in a more urban character.
- A gently shelving topography from the plateau and long views making this area especially sensitive to the location of any new development/infrastructure – and potential impact on views to the City.

Landscape strategy
The overall strategy is to conserve the peaceful rural character of the Yare Tributary Farmland and parkland landscape and to maintain the clarity and distinction with the urban edge of Norwich.

Development considerations
- Ensure that the rural character of the landscape of the Norwich Southern Bypass Protection Zone is maintained and that differential development North and South of the road do not erode the unity of the Character Area
The Council’s Landscape Architect, having regard to the allocation of part of the site for employment and the key landscape character area considerations, concludes that the landscape effects will be localised to the site and whilst at a site-scale they are significant, the effect on the wider landscape character will not be significant.

Mitigation is proposed in the form of structural planting around the site including additional woodland in the south east and south west corners, around the perimeter of the site, a buffer to the dwellings to the north together with landscape/open space corridors within the development to break up the mass of the development. Also proposed to mitigate landscape impacts is limiting the scale of the development in two zones to 13m max ridge height to the northern (lower lying area) and 11m to the north (to elevated part of the site).

Policy DM4.5 advises development proposals that would cause significant adverse impact on the distinctive landscape characteristics of an area will be refused. In this case the effect on the wider landscape character is not considered to be significant adverse and the proposal does not therefore conflict with Policy DM4.5.

It is acknowledged in the updated LVIA that given the outline nature of the proposals and the assumptions on lighting that therefore must be made, that an assessment of the impact of lighting in landscape and visual terms is difficult. Officers consider in respect of lighting that there will be a change as a result of lighting which could be a harm although can’t be quantified at this stage, however harm will be able to be mitigated through design, layout and lighting specifications.

In respect of Policy DM4.6, the Council’s Landscape Architect confirms that there will be significant visual effects from viewpoints 7, 8, and 9 to the west which would affect the openness of the bypass protection zone. This is not only as a result of the proposed buildings but also any additional planting proposed as part of the development which in itself would also affect the openness of the landscape in this area. It is acknowledged that this is a localised impact, significant from one viewpoint only as there would be no other viewpoints including from the A47 or from a wider distance where the openness would be visually harmed to a significant degree.

Having acknowledged that the impact on the openness of the bypass protection zone is at a localised level, it is none the less identified to result in a significant adverse effect, accordingly the proposal would conflict with policy DM4.6. This policy conflict is weighed with all other material considerations later in this report.

Tree implications

Policy DM 4.9 advises that the Council will promote the retention and conservation of significant trees, woodlands and traditional orchards.

The proposal necessitates the removal of 5 no. category B trees (poplars) and 2 no. category C trees (Field maples). These are required to enable the new road required by KES2 allocation to be realised.

Mitigation for the loss of trees is proposed with replacement tree planting across the site to result in no less than 14 new trees within the available remaining space along the A140 roadside.

Tree protection is proposed during construction for the remaining trees on site.

The proposals are considered acceptable in respect of impact on trees on the site and subject to condition in respect of tree protection and replacement planting as mitigation for the loss of trees is proposed the proposal is considered to comply with Policy DM4.9.
Ecology

4.86 Policy 1 of the JCS requires the development to both have regard to and protect the biodiversity and ecological interests of the site and contribute to providing a multi-functional green infrastructure network.

4.87 The application is supported by a Phase 1 Habitat Survey which assessed the proposed development site for notable habitats and species.

4.88 The site is mainly arable land however is reasonably close to Depot Meadow CWS, though this is separated from the site by the A140. The report recommends that the woodland, hedgerow and grass field margins on-site are retained and that a 2m buffer is constructed to protect them. We support this as whilst the arable land may support some species, the boundary areas clearly have the biggest potential for ecology.

4.89 The proposed Landscape Strategy shows the proposed buffer, in addition to the extension of woodlands and the location of the attenuation pond.

4.90 Further information on the proposed landscaping, in terms of the planting and also the timetable of works together with proposed ecological enhancements to the site would need to be agreed by condition.

4.91 On that basis, the Council’s Ecologist advises no objection to the proposal in principle subject to a condition requiring a Landscape and Ecological Management Plan (LEMP).

4.92 Therefore, in respect of ecology and biodiversity, subject to conditions as set out above, the proposal would accord with JCS policy 1.

Amenity, noise and pollution

4.93 Policy DM3.13 requires development to have regard to the impacts on residential amenity. Furthermore, Policy DM3.14 has regard to pollution and emissions in respect of air quality, water quality, land quality and condition and the health and safety of the public.

4.94 In respect of mitigating impacts of construction, the application suggests construction hours and movement of construction related traffic should be restricted to 8-6pm Mon to Fri and 8-1pm Saturdays with no working on Sundays and bank holidays. This would need to be secured by condition by a construction management plan. This would need to include matters such as activity at site boundaries and site management practices to mitigate impacts on residential properties as far as is practicable in respect of noise, vibration, dust etc. A construction Management Environmental Plan would need to be secured by condition to fully assess and control the impacts of the construction.

4.95 In terms of the impacts from the operation of the proposed development from noise, lighting, dust, air quality whilst the application is in outline form and specific impacts cannot therefore be assessed, it is accepted that the principle of the uses on the site is or can be made acceptable through the imposition of conditions as set out in the Environmental Quality Officer comments above. This acknowledges the B1 office uses would be those located nearest residential properties which would be separated by a landscape and drainage buffer and the need for conditions as stated.

4.96 As such subject to the imposition of conditions it is considered that the proposal accords with Policy DM3.13 and DM3.14.
Flood risk and drainage

4.97 JCS Policy 1 requires development to be located to minimise flood risk, mitigating any such risk through design and implementing sustainable drainage. Paragraph 103 of the NPPF advises that Local Planning Authorities should ensure that flood risk is not increased elsewhere and only consider development appropriate in area at risk of flooding where informed by site specific flood risk assessment and give priority to the use of sustainable drainage systems. Policy DM4.2 requires sustainable drainage measures to be fully integrated within the development to manage any surface water arising from the development proposals and to minimise the risk of flooding on the site and surrounding area. It advises that development must not cause any deterioration in water quality and measures to treat surface water runoff are to be included in the design of the drainage system.

4.98 The site is located with Flood Zone 1 (low probability). The EA Surface Water Flood Risk Maps indicate the majority of the site to be at ‘very low’ risk of flooding in the event of extreme rainfall. A narrow corridor along the north-eastern side of the site is shown to be at ‘low’ risk of surface water flooding, whilst the pit in the south-western corner is shown to have areas of ‘medium’ and ‘high’ risk. The River Yare, a major River defined by the EA, lies approx. 240m to the north of the site.

4.99 The application is submitted with a Flood Risk Assessment as required by the size of the site in Flood Zone 1. This includes the surface water drainage strategy.

4.100 The key issues for consideration are therefore surface water drainage.

4.101 The proposed surface water drainage strategy comprises of surface water flows being attenuated using SuDS such that runoff from impermeable areas is either retained on site and infiltrated or restricted prior to a discharge into the River Yare to the north.

4.102 The submitted FRA acknowledges that infiltration is a viable form of drainage for part of the site, however given the presence of shallow structureless chalk across the northern side of the site and low infiltration rates across the south east it is not possible to drain all buildings and hard standings to infiltration features.

4.103 The FRA indicates that further site investigation at the detailed design stage will determine the structural properties of the chalk to a sufficient depth to fully ascertain whether this can be used for infiltration drainage.

4.104 The FRA advises that Sustainable drainage methods have been included where practicable to provide the required attenuation in accordance with the SuDs hierarchy. The following SuDs are proposed:

- An attenuation basin (split either side of the access road) of approx. volume 4048 m³ and an area of approx. 5750sqm in the northern part of the site with a gravity connection flowing from the north of the site into the River Yare (controlled at a flow rate of 5l/s) which will drain the southern part of the site, the approx. 50% of the roofs of the northern part of the site and all highways.
- All other roof areas on the northern part of the site will drain to cellular soakaways
- The northern part of the site will have permeable paving.
- Appropriate pollution control measures will be incorporated at the detailed design stage.

4.105 The Lead Local Flood Authority has assessed the proposals as amended and confirm subject to condition (which includes a surface water drainage scheme addressing the following matters: surface water runoff rates are attenuation to the existing rate of 5l/s; attenuation is designed to 1:100 event; detailed design and calculation at 1:30 and 1:100 events; management and maintenance; suitable treatment stages for water quality prior to discharge; exceedance flow paths) the proposal is considered
acceptable. Subject therefore to the imposition of conditions, the proposal is considered to accord with JCS1 and DM4.2.

Water Framework Directive

4.106 Subject to conditions in respect of pollution prevention from the proposed uses and sustainable drainage incorporating sufficient water quality measures it is considered that there would be no significant adverse impact on the water quality of the River Yare and accordingly the proposal would not conflict with the aims of the water framework directive.

Foul water

4.107 In respect of foul water, Anglian Water has confirmed that there is available capacity in the foul sewerage network and at the waste water treatment centre (Whitlingham Trowse Water Recycling Centre) for these flows. They advise an application will be required to them to discharge trade effluent and to connect to the foul sewerage network.

Archaeology

4.108 NPPF paragraph 128 and policy DM4.10 have regard to the archaeology of the site.

4.109 The desk-based assessment highlighted that the site has a high potential to contain heritage assets with archaeological interest, and that their significance would be adversely affected by the proposed development. The geophysical survey predominantly identified modern features but did not reveal any evidence of archaeological features previously recorded at the site from cropmarks. This suggests that the survey was not entirely effective in identifying buried archaeological remains, possibly due to an insufficient difference in the magnetic susceptibility of the fills of the archaeological features and the soils/geology into which they are cut. Consequently, the lack of anomalies of possible archaeological origin recorded by the geophysical survey cannot, in this instance, be taken as evidence that no significant buried archaeological remains are present at the site.

4.110 Norfolk County Council Historic Environment Survey requested trial trenching be carried out. The trial trenching would ensure that sufficient information was available about the presence, form, surviving condition and significance of any heritage assets at the proposed development site for a fully informed and reasonable planning decision to be made. Trial trenching has not been carried out.

4.111 However, the HES have advised that whilst this is preferable to be considered prior to determination, this can be included as a condition of the permission, which is the usual process on smaller scale sites.

4.112 Therefore, subject to an archaeological mitigation condition, the proposal would accord with Paragraph 128 of the NPPF and policy DM4.10.

Heritage assets


4.114 There are no designated heritage assets including Listed Buildings, Conservation Areas, Scheduled monuments within the site. There are a number of Grade II Listed buildings in the vicinity of the site the majority of these are not deemed to be sensitive to the proposed development due to the distance, topography and intervening features (vegetation and buildings). There are two heritage assets namely the Church of All Saints and the remains
of Church of All Saints (Grade II) which lie approximately 160m to the west of the site on the opposite side of the B1113.

4.115 The key issue for consideration in respect of heritage assets is therefore the impact of the proposal on the setting of these two listed buildings and the extent to which the site and proposals impact on their significance.

4.116 The submitted Heritage Statement considers that the significance of the All Saints Church lies in the retention of a limited amount of medieval fabric and its manifestation as a late 19th Century restoration. It advises that the church tower is most certainly prominent as viewed from the south and this constitutes the most significant part of the church’s setting.

4.117 It advises that the application site (to the east of the listed building) has limited intervisibility between it and the church particularly in spring and summer when vegetation precludes views. It acknowledges that whilst the application site contributes to a sense of openness around the Church, it does not constitute a significant part of the building’s setting owing to high traffic movements along the B1113 which separate it acoustically from its tranquil environment.

4.118 It suggests that the application site is a transitional zone, being on the edge of the built up area of Norwich and does not share the same strong rural rolling setting which prevails to the south of the Church. It suggests that the application site does not constitute a significant part of the setting of the listed buildings and development on the site would equally share limited inter-visibility with these listed buildings due to intervening dense tree cover. It concludes therefore any harm to the significance of the church will be negligible falling well below the ‘less than substantial’ threshold as paragraph 134 of the NPPF is applicable.

4.119 The Council concurs with this assessment and conclusion.

4.120 Paragraph 134 of the NPPF advises that where, as is the case here, the proposal leads to ‘less than substantial harm to the significance of the heritage asset’ this harm should be weighed against the public benefits of the proposal.

4.121 In this case there are significant public benefits in respect of the creation of employment and highway improvements that are considered to outweigh the identified level of harm.

4.122 The proposal is therefore on balance considered to comply with Policy DM4.10, Section 12 of the NPPF and fulfils the Council’s duties in respect of S66 of the Listed Buildings Act 1990 having due regard to the desirability of preserving the building or its setting.

Sustainable construction/renewable energy

4.123 Policy 3 of the JCS requires the sustainable construction of the building, water conservation measures to be included in addition to requiring 10% of the predicted energy requirements to be delivered by on site decentralised and renewable or low carbon energy. JCS policy 3 is consistent with NPPF paragraphs 95, 96 and 97, which includes supporting the transition to a low carbon future in a changing climate and encouraging the use of renewable resources. Paragraph 96 of the Framework specifically indicates that Local Planning Authorities should expect new development to “comply with adopted Local Plan policies on local requirements for decentralised energy supply unless it can be demonstrated by an applicant… that it is not feasible or viable”.

4.124 The application is submitted with a sustainable design and construction statement which sets out an energy efficiency strategy and low and zero carbon technologies assessment which suggests that 10% of the schemes expected energy requirement can be secured on site with the use of air source heat pumps.
Compliance with sustainable construction, renewable energy and water efficiency would need to be secured by condition.

Other matters

Norfolk County Council Planning Obligations have confirmed that fire hydrants would be required, the number, type and location dependent on the scheme that comes forward at reserved matters. This would need to be secured by condition.

Concerns have been raised by Norfolk County Council in respect of minerals safeguarding on the site and the information available with the application in order to understand the resource available. Whilst considering the preferred option in line with the NPPF is to have the details available to consider the resource which could be recovered at this outline stage, NCC Minerals and Waste have confirmed that a condition could be imposed to require this detail as part of the reserved matters as a suitable and pragmatic approach in this case. It is considered that a condition for a materials management plan (minerals) is, in this case, a suitable and appropriate solution to enable the mineral and materials resources available on this site to be assessed for extraction/use.

Scope of the application and conditions

Whilst the application is in outline form only with only access for formal consideration, the applicant has submitted an indicative masterplan, parameter plans etc. to inform assessments such as the noise reports, landscape impact etc. These have been used to base the acceptability of the proposal in these contexts.

Therefore, as set out in the amenity section above, notwithstanding that layout is a reserved matter, to inform the acceptability of the proposals in principle and based on the noise assessment submitted, the B2/B8 uses will need to be located away from the northern boundary where there are residential properties. It is therefore considered necessary to require by condition that the parameter plan in respect of general zones of use class is substantially followed in the submission of the reserved matters application.

Similarly in forming a view on the principle of the development in respect of landscape impact, it is evident that the landscape visual impact assessment submitted is based on the principles set out in the masterplan/parameter plans in respect of general scale of buildings across the site. The parameter plan establishes the overall maximum scale of building by zones and also the structural landscaping around the site. Therefore it is considered necessary to condition the landscape plan and parameter plan in respect of scale to be substantially followed in the submission of the reserved matters application to ensure that the proposal in landscape impact terms continues to follow the impacts as assessed.

Material considerations

It is evident in the above assessment that whilst the proposal complies with the majority of the policies of the development plan including the strategic policies it would not accord with landscape policy DM4.6 due to the identified significant adverse visual impacts when viewing the site from the west on the openness of the landscape.

S38(6) Planning and Compulsory Purchase Act 2004 and S70(2) of the Town and Country Planning Act 1990 gives primacy to the development plan advising planning applications should be determined in accordance with the development plan unless other material considerations indicate otherwise. The NPPF is one such material consideration. Furthermore, Para 12 of the NPPF clarifies that the NPPF does not change the statutory status of the development plan as the starting point for decision making, reinforcing that proposed development that conflicts with a Local Plan should be refused unless material considerations indicate otherwise.
In this case there are a number of material considerations that are apparent and need to be considered. Weight to be attributed to material considerations is a matter for the decision maker and it should be assessed and determined whether these are objective and substantial reasons to outweigh the conflict with the Development Plan taking into account why the development has found to be in conflict with the plan.

In this case the material considerations are:

4.134 Approx. 1/3 of the site is already allocated for employment as part of the employment growth strategy for the district. The ability to deliver this employment site as allocated is fundamentally compromised (on viability grounds) without the grant of this application for the larger site area and extended use classes. To deliver development as allocated by KES2 or that of the larger scale as proposed, there will inevitably be harm to the landscape and this needs to be balanced against the strategic aims of the Development Plan and the presumption in favour of sustainable development.

4.135 The number of jobs that the proposed development would create are in the region of 1000 which is not insignificant. This is to be balanced with the level of harm identified in landscape and visual terms.

4.136 One key reason for the allocation of the employment on this site was the identified need to improve the junction of the A140/B1113. Again, as supported by the assessment of the district valuer, without the extent of development proposed, and therefore the landscape/visual harm identified, the delivery of the highway improvements funded by the developer would not be viable and would not therefore be delivered.

4.137 The presumption in favour of sustainable development provided by the NPPF. Paragraph 17 of the NPPF identifies one of the core planning principles to proactively drive and support sustainable economic development to deliver business and industrial units and infrastructure that the country needs. Paragraph 19 of the NPPF is the Government’s commitment to ensuring the planning system does everything it can to support sustainable economic growth, advising that planning should act to encourage not impede sustainable growth.

4.138 It is considered that these material considerations are both objective and substantial. This needs to be weighed against the specific conflict with the development Plan namely the conflict with the landscape setting of Norwich Policy.

4.139 It is material that there would have already been some harm to the landscape/visual impact from the delivery of the allocation by virtue of the urbanisation that would result from the allocation and highway infrastructure. This was accepted to be at an acceptable level by the Planning Inspector as part of the allocation of the site.

4.140 Therefore, whilst the allocation doesn’t stop policy DM4.6 being applicable, reduced weight is afforded to the landscape/visual harm as this needs to be balanced against the harm the site allocation would have resulted in as allocated, in addition to being balanced against the strategic aims of the Development Plan for economic growth and jobs and also the aims of the site allocation for employment on this site.

4.141 It is therefore considered that the material considerations are of such significance that they are considered to outweigh the identified conflict of policy DM4.6 of the Development Plan.

Sustainable Development

4.142 Sustainable development is defined by the NPPF as the NPPF when taken as a whole. It has three overall dimensions of social, economic and environmental roles which are not to be undertaken in isolation, because they are mutually dependent.
There is a level of harm in the environmental role which is the identified significant landscape visual harm from the west of the site however there are significant and demonstrable benefits in respect of the economic and social role by virtue of the employment creation and highway improvement which is considered to outweigh the harm in the environmental role.

Therefore, when balancing all three roles of sustainable development and having due regard to sustainable development being considered as the NPPF when taken as a whole, it is considered on balance the proposal would represent a sustainable development.

Crime and disorder

In relation to the Council’s duties under Section 17 of the Crime and Disorder Act 1998, the application raises no significant crime and disorder issues. It is considered that a scheme can be submitted at reserved matters that takes all opportunities as far as is practicably possible to ‘design out crime’.

EIA

The application was screened by Screening opinion 2014/2618 issued in January 2015. This remains valid for this proposal and the Council’s conclusions of the screening therefore remain that the proposal is not EIA development.

Appropriate assessment

The proposal would not affect the integrity of any internationally protected sites (Special Protection Areas, Special Areas of Conservation) individually or in accumulation with other permitted development and extant consents in the surrounding area and therefore, in accordance with Regulation 61 of the Conservation of Habitats and Species Regulations 2010, it is considered that the development would not have a significant impact on any protected habitats and accordingly no Appropriate Assessment of the development is required.

Financial considerations

This application is liable for Community Infrastructure Levy (CIL) which would be calculated at the reserved matters stage when floor areas are submitted and approved.

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.

Conclusion

Whilst the proposal complies with the majority of the policies of the development plan, subject to condition, including the strategic policies of the Development Plan, it would not accord with landscape policy DM4.6 due to the identified significant adverse visual impact on the openness of the landscape when viewing the site from the west.

It is considered that acknowledging S38(6) Planning and Compulsory Purchase Act 2004; S70(2) of the Town and Country Planning Act 1990 and para 12 of the NPPF, the material considerations of the need for the scheme to enable the employment allocation and highway improvements to be viable and deliverable are of such significance that they are considered to outweigh the identified conflict of policy DM4.6 of the Development Plan.
5.3 On that basis the application is recommended for approval subject to the imposition of conditions as set out in the report.

Contact Officer, Telephone Number and E-mail: Tracy Lincoln, 01508 533814 tlincoln@s-norfolk.gov.uk
Other Applications

2. **Appl. No** : 2017/0182/F  
   **Parish** : WYMONDHAM

   **Applicants Name** : Morven Homes  
   **Site Address** : Friarscroft Garage 2 Friarscroft Lane Wymondham NR18 0AT  
   **Proposal** : Demolition of commercial building. Erection of 6No 2 storey dwellings

   **Recommendation** : Approval with conditions
   1. Full Planning permission time limit
   2. In accordance with amendments
   3. External materials to be agreed
   4. Specific details to be agreed
   5. Window details to be agreed
   6. Provision of parking, service
   7. No PD for Classes ABCDE & G
   8. Domestic Microgeneration Equipment
   9. No PD for fences, walls
   10. Landscaping scheme to be submitted
   11. Surface Water
   12. New Water Efficiency
   13. Contaminated land - submit scheme
   14. Implement of approved remediation
   15. Reporting of unexpected contamination
   16. Tree protection
   17. Levels

1. **Planning Policies**

1.1 **National Planning Policy Framework**
   NPPF 06 : Delivering a wide choice of high quality home
   NPPF 07 : Requiring good design
   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 3 : Energy and water
   Policy 4 : Housing delivery
   Policy 10 : Locations for major new or expanded communities in the Norwich Policy Area

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
   DM2.2 : Protection of employment sites
   DM3.8 : Design Principles applying to all development
   DM3.11 : Road safety and the free flow of traffic
   DM3.12 : Provision of vehicle parking
   DM3.13 : Amenity, noise, quality of life
   DM3.14 : Pollution, health and safety
   DM4.2 : Sustainable drainage and water management
   DM4.9 : Incorporating landscape into design
   DM4.10 : Heritage Assets
1.4 Supplementary Planning Document
South Norfolk Place Making Guide 2012

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

S72 Listed Buildings Act 1990 provides: “In the exercise, with respect to any buildings or other land in a conservation area, of any functions under or by virtue of [the Planning Acts], special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.”

2. Planning History

2.1 No relevant planning history

3. Consultations

3.1 Town Council Refuse
- Inappropriate design for the Conservation Area
- Inadequate number of car parking spaces
- Not in keeping with the streetscene

3.2 District Member To be reported if appropriate

3.3 NCC Highways Support with conditions
- The layout only provides for one parking space per each of the six dwellings.
- A larger parking allocation would have been preferred. However, the site is located very centrally within the town centre, with some on street and public car parking available, in addition to good access to public transport.
- It is not therefore considered that a highway objection is necessary for this proposal.

3.4 Historic Environment Service No Objection
- No significant impact on the historic environment no archaeological work required

3.5 SNC Community Services - Environmental Quality Team Support with conditions on contamination

3.6 SNC Water Management Officer Support with conditions
- Site is at low risk from fluvial and surface water flooding
- Proposed to discharge surface water drainage into the combined foul/ surface water flooding. The use of SuDS has been investigated as required by the hierarchy but given the constrained urban nature of the site and the surrounding area, together with the historic usage of the site means that soakaways are not a viable option for the disposal of surface water.
It is proposed to attenuate the flow of water from the site to a lower rate than currently exists.

Subject to confirmation to the agreement from Anglian Water to discharge into the sewer strategy can be conditioned.

### 3.7 SNC Conservation And Design

**Amended proposal**

Support with conditions

- The architects have responded to comments on the massing/roofline/silhouette, the materials, and the cycle storage, with amendments, which from a conservation and design point of view I am satisfied with.

**Original scheme**

Support with conditions

- Friarscroft was historically on the periphery of the settlement
- Conservation Area context, the key neighbouring areas are the rear warehouses, workshops along Brewery Lane, the late C19 Queen Street terrace to the west, and the older Friarscroft terrace and Penny Brick Hall to the south west.
- Other building can be considered neutral or in some cases the detached suburban style housing slightly incongruous in the modern day context being so close to the historic centre.
- Conservation Area Appraisal states “Development in the eastern section is less noteworthy; a contrasting grain of detached houses and bungalows set back from the road and dating from the early to mid 20th century.”
- Views along Friarscroft, buildings will be seen within the context of this more modern development along Friarscroft than the setting of the more historically important buildings to the south west.
- The setting of the Queen Street properties to the west will be affected, but it should be noted that it will be to the rear of these properties – characterised by rear projection long gardens with various sheds
- The existing buildings are C20 and are not of architectural or historic merit and can be considered to be detrimental to the character and appearance of the conservation area rather than neutral.
- There is a remaining flint and brick wall which are of historic merit. The wall to the north should be retained, and part of the wall to street will be reduced in size.
- The site is in a transitional area which historically was on the periphery of the historic settlement, but in the modern development context part of the town’s centre,
- Higher density sustainable urban development is desirable,
- Car use in such a sustainable and accessible location should be discouraged, and hence from an urban design point of view limiting car parking spaces is desirable.
- Unfortunate that the parking spaces provided will be to the front of the site, but most pragmatic option.
- Landscape areas need to be designed to provide some definition to the space to the front of the properties.
- Materials soft orangery red brick and timber weatherboarding above. Soft orangey/red brick is characteristic of the area. Many examples of weather boarding in the local area including some horizontal
• Although weatherboarding is being applied here quite extensively to the first floor, it is not the case that it does not relate to the local vernacular use of materials, especially in the historically more peripheral ‘back areas’ of the town.
• Black weatherboarding does increase bulkiness of the south end of the building, which can be slightly overbearing of the neighbouring bungalow to the south.
• The existing tree does however offset this to some extent in street views.
• A slightly softer charcoal stain may be considered appropriate rather than what may be contextually considered ‘more assertive and aggressive’ deep black – this would also soften the appearance of the rear elevation in views from Queen Street properties.
• On the front elevation, the weatherboarding will be broken up quite extensively by large windows which will in effect create a more ‘animated’ frontage
• In terms of form, the pitched roofs are slightly unusual in terms of profile and silhouette, but the design does allow a lower profile, and this to some extent ‘grounds’ the building.
• The form of the roof also helps to break up the massing of the building, and define individual properties
• Inappropriate to only consider a traditional roof form in terms of architectural style, prohibiting a more contemporary version of historic roof.
• Paragraph 60 of the NPPF promotes contemporary design
• In terms of form, the pitched roofs are unusual in terms of profile and silhouette, but the design does allow a lower profile, and this to some extent ‘grounds’ the building. The form of the roof also helps to break up the massing of the building, and define individual properties, which is a positive aspect of the design in terms of legibility of dwellings for occupiers.
• Within this context I consider that it would not be appropriate to only consider a traditional roof forms.
• Design reflects buildings that may be found in the back street areas of Wymondham rather than what would be expected in more prominent higher status street scenes.
• Design has references to historic building style, form and materials that exist in the peripheral parts of the settlement.
• Will enhance the character and appearance of the conservation area,
• Not appropriate to dictate a particular architectural style in this location.

3.8 Wymondham Heritage Society Refuse
• Note the design is meant to complement the buildings in nearby Brewery Lane.
• However, the streetscape in the immediate area is predominantly red brick
• Agree the removal of the garage will be a benefit but do not consider that the proposed entirely reflects the vernacular architecture of Wymondham town centre.
• As they are 2 or 3 bedroom properties likely to be more than one car.
• Parking restricted in Friarscroft and Queens Street and use of ex-servicemen club carpark is restricted to their use.
• Noise element from servicemen’s club opposite needs to be taken into consideration
• Flint wall has is to be reduced this has streetscape value and as much shall be retained as possible

3.9 Other Representations

Amended scheme

One letter of objection
• Do not feel that my objections have been addressed
• Scheme still results in over development
• Significant lack of car parking
• Design conflicts with other buildings in the immediate area

Original scheme

One letter of support

Three letters of objection
• Loss of privacy from glass in the rear of the property
• Loss of natural light into property
• Inadequate parking already an issue
• Increased traffic
• Out of character with the area
• Should reflect the immediate area rather than being quasi industrial
• No objection to single storey properties in keeping with the area
• Too many houses, two family homes would be better
• Too many homes going up in Wymondham infrastructure can’t cope.
• Stark elevations which will become dated
• Industrial roof light does not reflect existing roofscape
• Rear elevation impact on Queen Street properties roof form makes it taller than necessary
• Stark elevation onto Queen Street properties is harsh appearance which needs to be broken up by using other materials
• Gapped boarding to rear wall to provide light to court yard, concern could cause overlooking to and from the site as rear to the rear is actively used.
• Friarscroft frontage has not been softened in any way
• Design could be seen on an industrial park
• Vertical cladding not consistent with area, horizontal boarding, brick and flint are.
• Brick plinth should be incorporated on rear elevation.
• Support principle of redevelopment of the site just not the current proposal

Wymondham and District ex services club
• Our car working spaces and access must not be blocked by the development.
• Vibrant active club with regular functions, potential residents need to be made aware of potential disturbance.
The application relates to The Friarscroft garage, which is a historic garage site which has also been used as car sales. The area has a mixed commercial / residential character the site is surrounded by a number of residential properties and there is the Ex servicemen social club located on the opposite side of the road. There is a significant change in level with the site being located lower than the existing properties in Queen Street and the bungalow to the south. There are existing poor quality flat roof garage buildings on the site, which is located just outside the main town centre of Wymondham and within the Conservation Area. The site is also within the development limit for Wymondham as defined by the Wymondham Area Action Plan.

It is proposed to re-develop the site and create 6 two storey dwellings, with internal courtyards and associated car parking and landscaping.

Principle of development

The site is within the development boundary where the principle of the development is acceptable subject to compliance with the development plan policies and other material considerations.

Site is in Norwich Policy Area (NPA) where the Council only have a housing land supply of 4.7 years and as such policies for the supply of housing cannot be considered up to date and paragraphs 14 and 49 of the NPPF are invoked which require a presumption in favour of sustainable development unless the impacts of doing so would significantly and demonstrably outweigh the benefits.

In the first instance policy DM2.2 in the development management policies seek to protect employment sites. Proposals leading to the loss of such sites and buildings will be permitted where:

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

The site is located on a narrow road with residential properties located to the south and east of the site. The existing building are architecturally poor quality and detract from the character and appearance of the Conservation Area. The garage has been vacant for some time. It is considered that in principle the re-development of the site would result in social and environmental benefits to the area which justifies the loss of the employment use of this site in this instance.

Design

Section 7 of the NPPF, policy 2 of the JCS, policy DM3.8 of the Development Management policies and the South Norfolk Place Making Guide all require new development to achieve a high standard of design and reflect the local distinctiveness of the area. Ensuring that new development responds to the scale, form and proportions of existing vernacular buildings in the historic areas of the town, reflecting their distinctive character.
4.8 In addition paragraph 60 of the NPPF states “Planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles and “ the Place Making guide also states (p174) Good architecture is not a question of style - it can be of any era, or architectural character, and it does not depend upon copying the appearance of what is immediately around it.”

4.9 The site is within the Conservation Area S72 Planning (Listed Buildings and Conservation Areas) Act 1990 provides: “In the exercise, with respect to any buildings or other land in a conservation area, of any functions under or by virtue of [the Planning Acts], special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.” This requirement is supported by section 12 of the NPPF, policy 1 and policy DM4.10 of the Development Management policies, which requires new development not to harm heritage assets unless there are overriding public benefit.

4.10 Concern has been raised about the proposed design, that it is too industrial and does not reflect the local vernacular architecture and the materials are inappropriate.

4.11 The site is located just outside the historic core of the settlement and is part of a transitional area which was on the periphery of the historic settlement. Friarscroft was not historically a principal street in the town and this part of the street remained relatively undeveloped until the 20th century.

4.12 In terms of the conservation area context and historic character, the key neighbouring areas are the rear warehouses, workshops along Brewery Lane, the late 19th century Queen Street terrace to the west, and the older Friarscroft terrace and Penny Brick Hall to the south west. Other neighbouring buildings can be considered to be neutral or, in the case of the detached suburban style housing, slightly incongruous in the modern day context being so close to the historic centre. As the Conservation Area Appraisal states “Development in the eastern section is less noteworthy; a contrasting grain of detached houses and bungalows set back from the road and dating from the early to mid-twentieth century.”

4.13 The current buildings on the site are not of any architectural or historic merit and are considered to be detrimental to the character and appearance of the conservation area rather than neutral. The flint and brick wall to the north east is of some historic merit and is proposed to be retained although reduced in size.

4.14 Given the nature of this part of the Conservation Area being a transitional area, away from the historic core there is potential to take a more contemporary design approach to the development.

4.15 The proposed design has a contemporary approach which includes vertical weather boarding at first floor level with red brick at ground floor and the blocks designed to have varying roof slopes. The principle of this approach using materials such as timber cladding and brick which are prevalent within the local area is considered acceptable in principle and the vertical direction of the cladding rather than the more traditional horizontal approach adds a contemporary twist to the use of traditional materials. There has been further discussion on materials so the proposed cladding has a lighter charcoal stain appearance which is not so harsh and bricks are more red, which has helped to reduce the bulk of the development.
Although unusual, the roof form does allow a lower profile and this to some extent ‘grounds’ the building. The form of the roof also helps to break up the massing of the building, and define individual properties, which is a positive aspect of the design in terms of legibility of dwellings for occupiers. Details of an indicative landscaping scheme have been provided showing how the scheme will be landscaping which will help to soften the development. As a result the proposed development would enhance this part of the Conservation Area and therefore complies with section 7 and 12 of the NPPF, policies 1 and 2 of the JCS and policy DM3.8 and DM4.10 of the Development Management Policies, as well as section S72 of The Planning (Listed Building and Conservation Areas) Act

Residential amenity

The southern block is deeper than the existing block at the south end of the site. The roof form has been amended to reduce the bulk of the built form on the adjacent bungalow to the south. The relationship between the bungalow and the proposed development is now considered acceptable.

Concern has also been raised from properties in Queen Street located to the rear site regarding loss of light, dominance of the rear elevation and loss of privacy to and from the site. The Queen Street properties are located at a higher level than the site. The area immediately to the rear of the site appears to be a shared garden area which provides access to the individual gardens. The proposed development would result in a taller wall than what currently exists, which does vary in height. Given the area adjacent to the wall is not private amenity space and is a considerable distance from the actual dwellings, it is not considered that the scale development would be unacceptably dominant.

In terms of the overlooking, the first floor windows in the internal courtyard area have been positioned so they would not be overlooked or overlook adjacent properties.

Concern has been raised about noise from the ex-service man club opposite the site. Given the mixed character of the area and existing residential properties adjacent to the club it is not considered that proposed development would result in an unacceptable conflict between the uses in terms of noise disturbance.

In terms of the level of amenity achieved by the dwellings, all the properties have small private internal courtyards and plot 6 has a small garden. The area to the front of the properties although dominated by car parking has been design to provide an additional shared amenity area. Although the level of amenity space is limited, given the very urban context of the development this is not considered unacceptable.

It is considered that the proposed development complies with policy DM3.13 of the Development Management Policies which requires a good standard of amenity for existing residents and protects the amenity of existing residents.

Highways

One car parking space has been provided for each dwelling, which is below the County car parking standard. Concern has been raised about the level of parking being provided and the Highway Officer has stated in his comments that it would have been preferable for more car parking to have been provided. Amendments have been made to improve the secure cycle storage on the site and cycle parking has also been provided for visitors. Given, it is in a town centre location with access to services and public transport, on balance it is not considered that a refusal could be substantiated on car parking grounds.
4.24 Given the existing use of the site as garage/ car sales it is not considered that the proposed development would result in a situation detrimental to highway safety and the Highway Officer raises no objection to the application as required by policy DM3.11 of the Development Management policies.

Density

4.25 Concern has been raised over the density of the development, but given the very urban context of the area on the edge of town centre it is considered that the density is acceptable.

Trees

4.26 The proposed development would result in the loss of two small sycamore trees which are category c trees of limited townscape value. There is no objection to their removal. The proposed category B lime tree in the neighbouring garden to the south is to be retained. The development has been designed to avoid the Root Protection Zone of the tree which will form a small amenity area for plot 6. A wall is proposed to enclose this area and one of the cycle stores is now within this area, but could be suitably designed to minimise the impact on the tree.

Drainage

4.27 The site is at low risk from fluvial and surface water flooding. In accordance within the hierarchy in the PPG the use of SuDs has been considered but due to the constrained urban nature of the site and contamination risk infiltration drainage has been ruled out. The Water Management Officer is satisfied with the principle of attenuated drainage into the combined foul and surface water sewer which will represent an improvement in the current situation subject to confirmation from Anglian Water that they will accept the discharge into the sewer. As confirmation has not been received surface water drainage will be conditioned.

Contamination

4.28 As a former garage and car sales site is at risk from contamination. An initial report has been carried out which required further investigation and potential remediation, which Environmental Quality Officer is happy to be conditioned which will ensure that the scheme complies with policy DM3.14 of the Development Management Policies.

Ecology

4.29 An ecology report has been submitted. The site is of of low ecological value. The incorporation of landscaping has the potential to provide ecological enhancement to the site.

Sustainable development

4.30 The proposed development represents a sustainable development having regard to the three tests set out in the NPPF as the site is located in the settlement boundary with access to facilities and services, will enhance the Conservation Area, deal with any contamination of the site and is not considered to result in any harm to the amenity of the area, residential amenity or highway safety.

4.31 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.
4.32 This application is liable for Community Infrastructure Levy (CIL) as it is for new dwellings.

5. **Conclusion**

5.1 In conclusion, the proposed development would enhance this part of the Conservation Area without adversely affecting highway safety or residential amenity to a significant degree and is considered to be sustainable development as defined by the NPPF.

Contact Officer, Telephone Number Helen Bowman 01508 533833
and E-mail: hbowman@s-norfolk.gov.uk
3. **Appl. No**: 2017/0413/O  
**Parish**: KETTERINGHAM

Applicants Name: Mr Michael Austin  
Site Address: Land To The East Of 5 High Street Ketteringham Norfolk  
Proposal: Development of three self-build bungalows (phased development)

Recommendation: Members advise how the application should be determined

1. **Planning Policies**

1.1 **National Planning Policy Framework**  
NPPF 06: Delivering a wide choice of high quality home  
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

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  
Policy 16: Other 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  
DM1.4: Environmental Quality and local distinctiveness  
DM3.1: Meeting Housing requirements and needs  
DM3.8: Design Principles applying to all development  
DM3.10: Promotion of sustainable transport  
DM3.11: Road safety and the free flow of traffic  
DM3.12: Provision of vehicle parking  
DM3.13: Amenity, noise, quality of life  
DM3.14: Pollution, health and safety  
DM4.2: Sustainable drainage and water management  
DM4.5: 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**  
South Norfolk Place Making Guide 2012

**Statutory duties relating to Listed Buildings and setting of Listed Buildings**  
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 2016/2134 Development of three bungalows (Phased development) Refused

2.2 2015/0075 Use of land for equine and residential purposes, including a concrete pad for standing one residential caravan, erection of day room, and retention of existing gates. Refused and Dismissed at Appeal

2.3 1989/1027 Erection of 3 or 4 dwellings Refused

2.4 1986/1035 Residential Development Refused

2.5 1981/1854 Erection of Loose Box Range for Horses (Application To Relax 'Temporary' Condition) Approved

2.6 1980/3524 2 Stables and Tack Room and Adjoining 3 Hay Stores Approved

3. Consultations

3.1 Parish Council To the original submission
Refuse:
The reasons for the parish council's opinion were provided in a response to the original application which remain unchanged and are copied below: -
The South Norfolk local plan adopted in October 2015 shows Ketteringham as an "other village" and states
"... will have a defined development boundary within which very limited infill development can occur without affecting the form and character of the village. However, settlements identified in this policy that are also within the Norwich Policy Area may be considered for additional development, if necessary, to help deliver the 'smaller sites in the NPA' allowance. No such suitable sites have been identified in Ketteringham."

The proposed development is outside of the development boundary which The South Norfolk local plan states:
"has been drawn to include the main built form of the settlement. Due to the setting of the village in open countryside and limited service and facilities available, the boundary has been defined to allow only very limited infill development."

The planning inspector stated in an appeal against refusal of a previous application:
"The character of Ketteringham High Street is that of a quiet rural village with a linear development of traditional dwellings of generally modest scale with shallow front gardens. The appeal site forms part of an important gap in development along the High Street opposite the Village Hall."

The planning inspector's opinion is consistent with Policy 16 of the Joint Core Strategy (JCS), which states:
"The setting of the village within open countryside is made apparent by the significant breaks in the built-up area to the north of The Street around the War Memorial and between 'Cytringa' and
'Thatched Cottage' to the south of Low Road. These afford views over the surrounding countryside."

The proposed development would have a detrimental effect on the war memorial.

Any reason to go against the local plan would need to have economic, social and environmental benefits however in this case the application would have very few benefits and these would be outweighed by the negative impact on the local community. The loss of amenity and the loss of the important gap in development opposite the village hall and behind the war memorial would significantly outweigh any benefits.

To the Listing of the War Memorial and indicative plans:
Refuse
In addition to the above:
Further amendment with driveway will have a direct adverse impact on the War Memorial

3.2 District Councillor To be determined by Committee
- Outside development boundary
- Previously considered by DMC

3.3 SNC Senior Conservation and Design Officer
No objections as I consider that the development will not result in harm to the setting of the War Memorial

3.4 SNC Water Management Officer No objections subject to conditions

3.5 SNC Community Services - Environmental Quality Team No objections subject to conditions

3.6 NCC Highways Comments have not changed from the last application
The Local Highway Authority does not object to the residential development of this site, but considers the site to be poorly located in terms of transport sustainability, 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.
If minded to approve request conditions

3.7 Other Representations
To original submission
12 letters of objection expressing following concerns:

- 2016 2134 application and appeal rejected
- This is the very same application
- Inspectors decision included the fact the site lies outside the development boundary as well as referring to the important gap in the village as stated in the Site Specific Allocation Document
- Disregard to comply with SNDC Enforcement Notice to remove caravan
- NCC issued Enforcement Notice to have the ditches re-instated
- Looking to build a small housing estate on the site reference to 10 or more houses by the agent is concerning
• Only one drive way, which supports the view that it is an entrance to an estate
• Space between the bungalows would allow for infill to occur
• Backland development
• Noise disturbance
• Light disturbance
• Loss of privacy
• Highway safety issues from proposed access
• Application made to Historic England for War Memorial to be listed, listed monument would be compromised by any development of the adjacent land and is currently a non-designated heritage asset
• The domestic use and noise of the dwellings will have a harmful impact on visitor’s ability to come stand and quietly reflect on the losses of all who fought
• Part the rural community of Norfolk played in the Great war is historic and cultural importance to the County and should be protected
• An enforcement notice in place from the previous appeal decision that should mean that the fence and gates have to be removed
• Out of character and not in keeping with the streetscape
• Infrastructure in village is inadequate including drainage, water supply and electricity
• Loss of view
• Flooding a huge issue, further troubled by unauthorised works, infilling drainage ditches, levelling land and driveway
• Road flooding is clearly a traffic hazard and inconvenience
• No mains drainage and building of these bungalows will aggravate the existing flooding problem
• Road used as an access road to Council Waste Disposal Site
• No street lights
• No footpaths
• No village school, shop or pub
• The village hall opposite is a 1917 wooden scout hut
• Greenfield site and approval of the development will create a precedent not only for Ketteringham but villages defined by the JCS as ‘Other Village’
• Erosion of verges
• Weight limits done little to reduce heavy traffic
• No gas supply
• It is probably true to say that Norfolk has more war memorials than any other county in the UK, many of which are related to the involvement of the US 8th Army Airforce during WWII and these are visited regularly by the families of those servicemen wishing to see where they were based
• Contrary to DM1.4
• Land designated for equestrian purposes
• SNC have failed to protect the trees and hedgerow
• Important gap in Ketteringham directly behind War Memorial and in front of village hall
• Significant break in the built-up area is what makes the setting of the village and should be preserved
• War memorial is a sacred object
• Ketteringham has no public transport and nearest schools, shops and surgery are in Hethersett
• Not entirely clear whether the lack of 5-year land supply still exists
Development Management Committee 21 June 2017

- Inadequate drainage solution
- Not a sustainable location
- Erosion of the open countryside
- Development out of character with local area
- All hedgerows have been removed
- If approved War Memorial will be in someone’s front garden
- No social benefits or economic benefits
- War Memorial is now totally exposed and removed from its original rural tranquil and respectful setting
- Water supply is not via the main pipe that runs down the High Street but via an old one inch pipe that runs under the gardens of 5 properties

Letter of objection from Ketteringham Village Hall Committee
- DMC should refuse the application on the same basis as its twin 2016 2134
- Interesting to see how planners are able to support or reject this identical application when it has not yet been subject to the appeal process that has been invoked
- Question the integrity of any move to approve an application that has been refused on moral grounds i.e. the significance of the war memorial to the village

Letter of objection from Ketteringham Residents Group
- Question why this repeat application was accepted by the Council
- This monument stands as symbolic reminder of the part played by the village of Ketteringham in WW 1 and as such is held in regard by the residents of Ketteringham and maintained with respect
- It should be and always has been a place of quiet contemplation where people can reflect upon the massive loss of life in a peaceful setting
- Like many other local village war memorials, it was located in what was then the centre of the village, opposite the Village Hall of 1914 and near the school
- It was surrounded by its own hedge, and backed by pasture which is now owned by the applicant and subject of the current and previous two applications
- The previous refusal took into account the significance of the memorial and the lack of detail about how its setting would be affected by the proposed development
- Strongly oppose this application where the planners have not taken account of the special aesthetic value of the memorial
- Important gap in the village and DMC agreed with the Inspector
- Three bungalows will have an extremely minimal impact upon any lack of land supply
- Development will have a serious impact upon the amenity of the immediate next door and the reverence of the war memorial
- No social benefits
- No economic benefits
- Self-build means that there is no likelihood of any local benefitting from the development
- In terms of the environmental harm however, the impact has already been massive - ancient hedgerows have been removed and impact on the war memorial
- Concern that at last meeting officers made reference to an informal proposal for at least 6 houses on neighbouring paddock
• Backland not linear
• Not small infill and if approved would increase the urbanisation of this part of Ketteringham

Letter from Ketteringham and East Carleton History Group
• The rural setting of the War Memorial has remained for the last one hundred years
• It, and the field behind it, form an important gap between housing which contributes to Ketteringham’s quiet rural feel
• The gap reflects Ketteringham’s heritage as an estate village
• To lose this would not only be a loss to the community of Ketteringham but to the population of South Norfolk
• Believe that this planning application would be detrimental to Ketteringham’s historical heritage and culture and should therefore be rejected

To additional information and Listing of the War Memorial
5 letters of objection reiterating the objections set out above:
• In despair by the Senior Conservation and Design Officers comments – clearly not read the case files and contradicts points of view
• Concerned how it would be conditions to stop recreational use at the front
• Concern at the amount of vehicles that will be serving the new dwellings

Letter from Ketteringham Residents Group in response to the Senior Conservation and design Officers comments
• Consider the comments are counter intuitive as, houses and people surrounding the memorial are going to enclose it and will cause far more distraction and disturbance.
• To say that the rural setting does not contribute to the significance of the memorial is subjective and somewhat dismissive - Residents consider it to be distressing.
• Disagree that distractions caused by development behind a memorial can be mitigated. We would like to point out that the application is based, not upon having houses built directly behind the memorial, but in fact a through roadway serving three properties. This will create (on average) 24 new traffic movements per day excluding bin lorries, postmen, delivery drivers and horse boxes. This places the war memorial essentially upon an island with traffic movements all around it. Therefore, whether or not the development is based upon the majority of domestic activity behind the houses, there will be significant disturbance from people coming and going and new extra traffic movements. This does not make for quiet contemplation nor will it be quiet and peaceful with due respect to the war memorial.
• The comments in respect of the layout is in direct conflict with the decision of the national Planning Inspector who deemed this area to be the “important gap” in the village.
• The comments that sometimes developments “deviate” around existing features such as village greens - Residents consider that village greens etc. are there for play, noise, activity etc. and therefore totally incongruent with our particular feature which is a listed war memorial and not a playground or a pond with ducks to feed
Further letter of objection from Ketteringham Residents Group adding to the comments made above:

- Indicative plans solidify that the development is out of character and out of form with linear development of the village
- Drawings are only preliminary and only show the perspective of someone standing on the road, not from the Memorial
- How can conditions be imposed to ensure no recreational activities occur in the front gardens
- Expect that a programme of landscape enhancement would have been agreed before the hedge removal

4 Assessment

4.1 This application seeks outline consent with all matters reserved for the erection of 3 self-build bungalows.

4.2 The site is a field which is accessed from High Street. To the south and west are a number of residential properties. To the north is a railway line and beyond that is the A11 dual carriageway. To the east is agricultural land and beyond that there are further residential properties. The site is opposite the Village Hall and there is also a War memorial adjacent to the southern boundary of the site. A public right of way runs north-south adjacent to the eastern boundary of the site.

4.3 The site is outside the defined development boundary for the village but adjacent to it, the boundary includes 5 High Street and the Village Hall opposite. Ketteringham is an Other Village as defined by the JCS, which can accommodate infilling within its boundary.

4.4 Ketteringham is a small village which lies to the south of the new A11 and the Norwich-Ely railway line. The village has developed in a linear form along The Street and Low Road. The site lies within the D1: Wymondham settled plateau farmland where the landscape is described in the South Norfolk Place Making Guide as being composed of 'large expanse of flat landform with little variation over long distances with strong open horizons' with 'vernacular character partly eroded by modern estate type development'. The character area includes more recent infrastructure and the guide refers to the A11 as 'cutting across the plateau and introduces an element of noise and movement into the landscape resulting in marginalised land in the corridor.' Outside the more built up areas, the general grain and pattern comprises of widely dispersed individual dwellings and farm buildings of mixed character set in an arable landscape context. The narrow lane, hedgerows and trees, together with agricultural activity, creates a very rural feel.

4.5 The previous application 2016/2134 was refused by Members at the 1st February 2017 DM Committee meeting for the following reasons:

1) The War Memorial at the front of the site is proposed to be listed, but is currently a non-designated heritage asset. The open, undeveloped nature of the site provides a quiet rural setting for the Memorial, detached from the developed area of the village. The proposed development would erode this setting to the detriment of the character and function of the Memorial for quiet contemplation. Consequently the proposed development does not accord with Section 12 of the National Planning Policy Framework.

2) The village of Ketteringham is a small village which has developed in a linear form along The Street and Low Road. The site itself forms part of a significant gap in the built up frontage, which contributes to the open nature and rural characteristics of this area. The general grain and pattern of the landscape in the area, comprises widely dispersed individual dwellings and farm buildings of mixed character set in an arable landscape context. The proposed dwellings would erode the open
nature/character of the landscape setting of the village and would also be
demonstrably harmful to the defining characteristics of this part of South Norfolk.
The proposal is therefore contrary to Policy 2 of the Joint Core Strategy and DM4.5

3) Despite the lack of a 5 year housing land supply, the identified harms set out above,
outweigh the benefits of development, approval would therefore conflict with
Paragraph 8 and 14 of the NPPF.

Updates since the last application

4.6 This application when submitted only provided additional written information regarding the
War Memorial. During the processing of the application however indicative drawings have
been submitted with the aim to demonstrate how a development could be provided around
the War Memorial, however it is important to note that the application still remains as an
outline with all matters reserved.

4.7 The listing of the War Memorial has been confirmed in May 2017.

4.8 In March 2017, the hedge to either side of the War Memorial was removed to enable the re-
instatement of the ditches as required by the Notice served under Section 25 of the Land
Drainage Act 1991 and agreed by Norfolk County Council’s, Flood Risk officer, Lead Flood
Authority. For information Regulation 6 of the Hedgerows Regulations 1997 states that
"The removal of any hedgerow to which these Regulations apply is permitted for carrying
out work, pursuant to, or under, the Land Drainage Act 1991". Therefore the Council had no
control over the removal of the hedgerow.

4.9 The main issues in this case are: the principle of the development in this location; the
character and appearance of the area; highway safety, drainage, impact on the War
Memorial and residential amenity.

Principle of development

4.10 The site falls outside of any development boundaries. Policy DM1.3 states that permission
for development outside of development boundaries will only be granted where specific
Development Management Policies allow for development outside of development
boundaries or where development otherwise demonstrates overriding benefits in terms of
economic, social and environmental dimensions as set out in Policy DM1.1.

4.11 The Council is currently unable to demonstrate a 5-year housing land supply within the
Norwich Policy Area where this site is located (with a 4.7 year supply being identified at
March 2016). Consequently, the land supply policies within the Local Plan are out-of-date.
Criteria (d) of Policy DM1.1 applies in line with paragraph 14 of the National Planning Policy
Framework, which states that new development should be permitted unless the
development would result in adverse impacts that significantly and demonstrably outweigh
the benefits.

4.12 In February of this year, the Supreme Court heard the appeal from the landmark decision of
the Court of Appeal in the case of Suffolk Coastal D.C. v Hopkins Homes and Richborough
Estates Partnership LLP v Cheshire East Borough Council with the decisions published in
May 2017 dismissing both Council's appeals. These appeals relate to the proper
interpretation of Para 49 of NPPF. Paragraph 14 of the Framework deals with the
"presumption in favour of sustainable development", and includes the 'tilted balance'
provision: that where the development plan is silent or policies out-of-date, permission
should be granted unless "any adverse impacts of doing so would significantly and
demonstrably outweigh the benefits, when assessed against the policies in this Framework
taken as a whole". Paragraph 49 adds that: "Relevant policies for the supply of housing
should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites".

4.13 The ruling found that the phrase “policies for the supply of housing” in para 49 should be given a ‘narrow’ meaning, so that it only applies to policies directly allocating land for housing and not to all policies that can merely have an influence on housing land supply. Consequently, the ruling means that local policies that may have an impact on housing supply, but also serve other planning purposes, could still be given substantial weight, regardless of whether the area can demonstrate a five-year housing land supply or not. It is for the decision maker to decide whether any reduced weight should be given to relevant policies due to the housing land supply situation. Less than full weight (to a policy) might still mean significant weight, and each case must be judged on its own merits. This judgement is a material consideration in the determination of this planning application.

4.14 The Supreme Court ruling has implications for the application of policy DM1.3 which, among other things, seeks to locate development within Development Boundaries unless there are overriding benefits. The Court ruling means that although this policy can have the effect of restricting housing land supply, it is not rendered automatically out of date by para 49. However, the lack of a 5 year housing land supply is still a material consideration which must be weighed against the policy. It is a matter of judgement for the decision maker whether this material consideration outweighs policy DM1.3. In making this planning balance judgement it is relevant to consider whether the development outside the Development Boundary (in conflict with DM1.3) would cause harm that would significantly and demonstrably outweigh the benefits of the development (as referred to in para 14 of the NPPF). This principle can apply to any policy having relevance to the supply of housing land.

Economic Role

4.15 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."

4.16 The construction of 3 dwellings in a location adjacent to an Other Village would help enhance the economic viability through local spending from future occupants of the dwellings.

4.17 In addition to the above, the scheme would also provide some short term economic benefits from construction of the dwellings.

Social Role

4.18 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."

4.19 The social benefit of the scheme is that it provides housing within a location where a 5-year housing land supply cannot be demonstrated, which is enhanced as the properties are self-build.

Environmental Role

4.20 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."
4.21 The development would result in an infringement into open countryside. The level of harm needs to be weighed against the benefits detailed above. Due regard has been given in the assessment of this application of the recent appeal decision dated 11 August 2016 for the Caravan, High Street, Ketteringham. A copy of the decision is attached as Appendix 2 for information.

4.22 The site is currently bounded by a residential property to the west, the development boundary is adjacent to the site again to the west. Village Hall lies opposite the site together with existing residential properties. The land is a field which is accessed from Ketteringham High Street. The railway line is located to the north, separated from the land subject of this application by land owned by the applicant. Public footpath to the east. War Memorial to the south. The Appeal Inspector who dealt with the unauthorised caravan on the site commented that the appeal site forms part of an important gap in development along the High Street opposite the Village Hall. The appeal site extended behind existing residential properties fronting the High Street and this is where the residential caravan had been sited, the Inspector therefore considered that it was in contrast to the established gain and character of the High Street, the caravan comprises backland development (that is development located behind existing development without road frontage, also often referred to as tandem development). This location he considered to be an incongruous form of development both by its nature and its location, not assisted by the 2m close boarded fence along the highway. Equally due to the caravan's location it gives rise to a detriment to the living conditions of the neighbouring properties. It was the above identified harms which outweighed the benefits of the provision of 1 residential unit (a copy of the Inspector's decision letter is attached to this report).

4.23 The proposal is for 3 bungalow plots with road frontage except for the War Memorial which occupies part of the frontage. The plots cannot be considered to be backland development like the appeal caravan and would be consistent with the general grain and character of the existing frontage development. The proposals are single storey and can be designed so as to not give rise to detriment to the amenities of the neighbouring properties. As with the previous application (2016/2134), in view of the above, the remaining issue is the important gap in development along the High Street. Members considered that the development would have an unacceptable impact as set out in the Reason for Refusal 2 above.

4.24 Your Officer’s view, which remains unchanged, is that although the application site forms part of a significant gap in the linear form of the village, when assessing how much harm would arise from the loss of this part of the gap, it is relevant to consider to what extent the gap is essential to the character of the area and what impact three bungalows on the site would have. It is considered, on balance, that three single storey properties can be designed so as to not create a detrimental impact to an unacceptable degree. While the proposed development would still follow the linear pattern of the village, the bungalows could be set back slightly from the road (respecting the setting of the Memorial) which would maintain the sense of rural spaciousness which the site currently provides. When assessing the planning balance, it is concluded that the degree of harm caused by the development would not be so great as to outweigh the benefits of the scheme.

4.25 Concerns have been raised by local residents and the County Highway Authority that the site is remote from local services and public transport. The closest bus stops are on Norwich Road, 1.8km from the site. Other facilities, such as the Infants and Junior School in Hethersett are approximately 2.6km away. The Highway Authority considers that the proposed occupiers would be reliant on transport by private motor car, contrary to the provisions of the National Planning Policy Framework and Local Transport Plan. Whilst it is recognised that there are very limited services within the village itself, the site is well related to the existing built up area of the village which has been designated as suitable for infill and small scale residential development within the JCS. In addition, the town of Hethersett and city of Norwich are both within relatively close proximity and contain a number of services. For these reasons, I consider it would be difficult to substantiate a reason for refusal on the above grounds.
In respect of self-build, this is a material consideration in the determination of the application and has been given due consideration, however it is not itself an overriding factor if the application was to be considered to otherwise represent unsustainable development.

It remains your Officer’s view that, having due regard to the above assessment made in the context of not being able to demonstrate a 5 year housing land supply, it is considered that the benefits of providing additional housing is sufficiently high that the concerns regarding encroachment into the countryside are outweighed by the benefits as it is not considered that the visual impact would cause such harm as to significantly and demonstrably outweigh the benefits.

Design, layout and impact on the character of the area

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.

The application has only indicative details as it is an outline with all matters reserved, however, it is my opinion that the site can accommodate the development without unacceptably impacting on the character and appearance of the street scene and surrounding area. The site is of sufficient size to accommodate the 3 bungalows, parking and turning, together with associated curtilages and would not be overdevelopment. The principle of the development therefore accords with policy 2 of the JCS and NPPF.

Highway Safety

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.

The application originally indicated access via the existing access, the indicative layout now shows how the site could be accessed, either side of the War Memorial. Concerns have been raised by local residents as set out above, at the impact the proposal will have on highway safety. The site is of sufficient size to accommodate on site parking and turning for the new dwellings and safe access. Equally, the Highways Authority have assessed the proposal and raised no objections to the residential development on highway safety grounds subject to the imposition of conditions, as such, it is considered that the scheme would accord with Policies DM3.11 and DM3.12.

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.

Local residents have raised concerns regarding light pollution, loss of privacy, noise and disturbance as set out above. I fully appreciate the concerns raised, however, the proposal is for single storey properties and with careful consideration in terms of the siting and design, together with appropriate conditions, I do not consider the application can be refused on the grounds raised. As such, the scheme would accord with the requirements of Policy DM3.13.

Listed War Memorial

The Members considered that the previous application did not accord with the NPPF as set out in Reason for Refusal 1 above (Para 4.5). The application has provided indicative drawings with the aim to address the previous concern.
4.35 The War Memorial is now grade II listed as part of the nationwide thematic programme to list war memorials for the centenary of WWI. The setting of listed buildings requires consideration under the development management policies and S66(1) Listed Buildings Act 1990, which requires local planning authorities 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. Consequently, any planning determination needs to have special regard to the desirability of preserving the setting of the Memorial and assessment of degree of harm, if any, on the setting of the heritage asset under para 132 of the NPPF and DM 4.10 of SNLP.

4.36 The list description gives some advice on the significance of the listed structure, the principal reasons for listing are:

- Historic interest: as an eloquent witness to the tragic impact of world events on the local community, and the sacrifices it made in the First World War;
- Design interest: as an accomplished and well-realised Memorial, which takes the form of a Celtic wheel-head cross.

4.37 With regard to setting, the significance of the structure needs to be understood, and how the setting contributes to that significance.

4.38 With regard to Ketteringham War Memorial, an important aspect of the setting is how the War Memorial can be 'experienced' as a heritage asset and how it is valued. Commemorating sacrifice and communal access are important to the significance of the asset. In design terms the cross needs to remain a significant feature within the streetscene and remain easily visible. When experienced in the very immediate context it should be possible to allow quiet contemplation without distractions and for the memorial it is considered that this can also include noise as well as visual distractions. At present the hedge currently allows for the memorial to be experienced in a very 'enclosed' setting, and screens out distractions from the surrounding context, and the field means that there is little in the way of human activity to the north of the memorial. In planning terms anything which would unduly detract from this experience should be avoided.

4.39 Being a communal structure, war memorials by nature tend to be located centrally in a community where they can provide a focus. As such, they are usually surrounded in the wider context by development. Therefore, it is not considered that rural setting/field contributes to the significance of the asset in visual terms.

4.40 In assessing any development at the rear of the War Memorial consideration needs to be given to whether it is still possible to partake in quiet contemplation without noise or visual distractions. Indicative drawings that have been submitted show how the site could be developed by taking these considerations into account. The location and design of the bungalows has therefore been kept to a low height with simple unobtrusive low pitched roofs. Private space (where people may partake in recreational activities creating noise) will be at the rear of the properties, whereas the area immediately behind the memorial will be a landscaped space providing visual break between the front of the properties and the memorial rather than recreational amenity. Any potential harm to the setting of the asset has been therefore considered in the design parameters submitted with the outline and mitigated against. It will be important that a high hedge is maintained around the memorial.

4.41 In view of the above, the Senior Conservation and Design officer has raised no objection to the scheme on the grounds that the development will not result in harm to the setting of the War Memorial. As such, it is considered that the scheme would accord with section 12 of the NPPF, Policy DM4.10 of the SNLP. Equally in consideration of the Council’s duties under the Act it is considered that, for the reasons set out above, the proposal would not adversely affect the setting of the Memorial as a proposed Listed Building.
Drainage

4.42 Concerns have been raised as set out above regarding drainage, and it is fully appreciated that there are known drainage problems and flooding in the village. With this in mind when the previous application was submitted concerns were raised by the Water Management Officer.

4.43 Following discussions and a meeting, additional drainage information was provided and the Water Management Officer confirmed that she is satisfied that based on the information submitted in the BHA Consulting Ltd, Drainage Summary Report dated 6 December 2016, Version 2, a satisfactory means of surface water and foul drainage disposal can be achieved. This is subject to the following information being submitted as part of the Reserved Matters application:

- Location specific percolation test results to demonstrate that an adequate foul drainage field can be achieved for each plot.
- Location specific percolation test results to demonstrate that an adequate means of surface water drainage can be achieved for each plot.
- The drainage strategy shall be carried out in accordance with the BHA Consulting Ltd Drainage Summary Report dated 6 December 2016 Version 2.

4.44 The same drainage information has been submitted and the Water Management Officer has raised no objections to the resubmission. In view of the above, whilst I fully appreciate the concerns raised by local residents, I do not consider the proposal can be refused on the drainage issues raised.

4.45 In respect of the flooding off site affecting the highway, works have been carried out by the applicant under the direction of Norfolk County Council, following a Notice served under Section 25 of the Land Drainage Act 1991.

4.46 The local residents have raised other issues and concerns not addressed above. The application is only for 3 dwellings, the agent provided for information a copy of a Paid Enquiry for the land adjacent to the application site, by a different landowner for the provision of 6 self-build properties, this is a paid enquiry which has no bearing on this application, notwithstanding that the informal advice is that the development of this site would in principle be acceptable. This application has no bearing or effect the requirements of the Enforcement Notice and decision made by the Inspector.

4.47 Under Section 143 of the Localism Act the council is required to consider the impact on local finances. This can be a material consideration but in the instance of this application the other material planning considerations detailed above are of greater significance.

4.48 This development would be liable for Community Infrastructure Levy (CIL) because they are new dwellings, but exemption could be claimed if delivered by self-build.

5 Conclusion

5.1 Officers conclude that although the proposal is outside the Development Boundary, the degree of harm caused is outweighed by the benefits of additional housing in an area where a 5-year supply of housing land cannot be demonstrated. The refusal of the previous application (2016/2134) is a material consideration and Members of the committee are entitled to make their own judgement as to the weight to be given to all the material considerations as identified in this report.
Appeal Decisions

Hearing held on 12 July 2016
Site visit made on 12 July 2016

by A R Hammond  MSc MA CEng MIET MRTPi

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

Decision date: 11 August 2016

Appeal A Ref: APP/L2630/C/15/3138527
Land North of High Street, Ketteringham, Norfolk NR18 9RU

- The appeal is made under section 174 of the Town and Country Planning Act 1990 as amended by the Planning and Compensation Act 1991.
- The appeal is made by Mr Michael Austin against an enforcement notice issued by South Norfolk District Council.
- The enforcement notice, numbered 2014/8301, was issued on 10 November 2015.
- The breach of planning control as alleged in the notice is without planning permission the change of use of the land from land used for equestrian purposes to land used for the standing and occupation of a residential caravan together with the storage and standing of ancillary residential items including a portable toilet.
- The requirements of the notice are remove all residential caravans together with all ancillary residential items from the land.
- The period for compliance with the requirements is six months from the date the notice takes effect.
- The appeal is proceeding on the grounds set out in section 174(2)(a), (b), (c), (e), (f) and (g) of the Town and Country Planning Act 1990 as amended.

Appeal B Ref: APP/L2630/W/15/3130520
The Caravan, Ketteringham High Street, Ketteringham, Norfolk NR18 9RU

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission.
- The appeal is made by Mr Michael Austin against the decision of South Norfolk District Council.
- The application, Ref 2015/0075, is dated 11 January 2015.
- The development proposed is described as retention of existing gates and associated access and additional works including change of use.

Decision Appeal A

1. The enforcement notice is corrected by the deletion from the allegation of the words "the change of use of the land from land used for equestrian purposes to land used for the standing and occupation of a residential caravan together with the storage and standing of ancillary residential items including a portable toilet," and the substitution of the words "the change of use from equestrian to a mixed use of equestrian and use as a residential caravan site.""; and the deletion of the requirements of the notice and the substitution of the words "Cease the use of the land as a residential caravan site and remove from the land all residential caravans and return the land to its condition before the breach took place."

www.planningportal.gov.uk/planning/inspectorate
2. Subject to these corrections the appeal is dismissed and the enforcement notice is upheld, and planning permission is refused on the application deemed to have been made under section 177(5) of the 1990 Act as amended.

Decision Appeal B

3. The appeal is dismissed and planning permission for change of use of the land from equestrian to a mixed use of equestrian and use as a residential caravan site and associated works including concrete pad for standing one residential caravan, erection of day room and gates is refused.

Procedural Matter Appeal A

4. During the Hearing the appellant announced that he would not be pursuing Appeal A on grounds (b), (c), (e), and (f). No further action was taken on those grounds and the appeal has been considered on grounds (a) and (g).

Procedural Matter Appeal B

5. The application describes the development as retention of existing gates and associated access and additional works including change of use. "Retention" is not development as defined by the Town and Country Planning Act as amended. I have determined the appeal in respect of works already carried out in, in accordance with section 73A of the Act.

6. The draft Statement of Common Ground provided by the appellant more fully describes the development as (change of) "use of land for equine and residential purposes, including a concrete pad for standing one residential caravan, erection of day room and [retention of] existing gates". I have determined the appeal on that basis.

Point of Clarification Both Appeals

7. Whilst the appellant claims to be an ethnic Romany Gypsy he accepts that he does not meet the definition of a Gypsy or Traveller in Annex 1 of Planning Policy for Traveller Sites (PPTS) in that he has not previously led, nor does he currently lead, a nomadic habit of life. The appeals therefore fail to be determined on the basis that the proposed/existing use is as a residential caravan site and not as a traveller site. The terms and policies of PPTS do not, therefore, apply in the determination of the appeal.

The Enforcement Notice

8. The enforcement notice alleges the change of use of the land from land used for equestrian purposes to land used for the standing and occupation of a residential caravan together with the storage and standing of ancillary residential items including a portable toilet. The correct allegation should be "Without planning permission the change of use from equestrian to a mixed use of equestrian and use as a residential caravan site." The requirements of the notice should therefore be "Cease the use of the land as a residential caravan site and remove from the land all residential caravans and return the land to its condition before the breach took place." Both main parties agreed at the Hearing that no injustice would be caused to either party by correcting the enforcement notice in these respects.
Application for costs

9. At the Hearing an application for costs was made by Mr Michael Austin against South Norfolk District Council. This application [is]/[will be] the subject of a separate Decision.

Appeal A Ground (a) and Appeal B

Main Issues

10. The main issues in these appeals are the effect of the development on the character and appearance of High Street, Ketteringham and the effect on the living conditions of the occupiers of neighbouring properties with particular regard to loss of privacy and to noise and disturbance.

Reasons

11. The character of Ketteringham High Street is that of a quiet rural village with a linear development of traditional dwellings of generally modest scale with shallow front gardens. The appeal site forms part of an important gap in development along the High Street opposite the Village Hall. Along the frontage a roadside hedge has been substantially removed and a 2m close boarded fence has been erected. The fence continues along the eastern boundary alongside a public footpath. At a central point on the road frontage stands the Village War Memorial to the rear and sides of which there remains a mature hedge.

12. The appeal site extends behind residential properties fronting the High Street and the residential caravan has been sited upon this part of the site alongside an existing stable building and in close proximity to those residential properties.

13. In contrast to the established grain and character of the High Street, the caravan comprises backland development and, although there are other examples of caravans located within residential curtilages, it constitutes an incongruous form of development both by its nature and its location. The 2m close boarded fence along the highway, which partially screens the caravan from public view, adds substantially to the incongruous appearance of the appeal site.

14. By virtue of its location to the rear of residential properties the occupation of the caravan results in detriment to the living conditions of the occupiers of those properties due to loss of privacy, particularly with regard to the private rear gardens, and disturbance from general domestic noise, external lighting and from traffic movements along the site access.

15. Whilst the caravan could potentially be removed to another part of the appeal site, so as to reduce the detriment to the living conditions of neighbouring residents, relocating it to an otherwise more open part of the site would substantially increase the harmful impact on the character and appearance of the High Street.

16. The use of the appeal site as a residential caravan site is, therefore, detrimental to the character and appearance of Ketteringham High Street and to the living conditions of the occupiers of neighbouring properties, with particular regard to loss of privacy and to noise and disturbance. The use is
therefore in conflict with Policy DM1.4 of the South Norfolk Local Plan (LP),
which seeks to maintain and improve environmental quality and local
distinctiveness.

Other matters

17. The putative reasons for refusal included that insufficient information had been
received to demonstrate that a sustainable form of foul water drainage could
be achieved. This, together with concerns regarding surface water drainage
and the adequacy of water supplies, was reflected in various submissions by
local residents. These are matters which could be dealt with by way of a
suitably worded condition requiring details of a scheme to be submitted,
approved and implemented; and that should that not be the case, the use as a
caravan site would cease. This matter has therefore been given little weight in
the determination of the appeals.

18. The Council acknowledge that there is not a demonstrable 5 year supply of
housing land. Therefore relevant policies for the supply of housing should not
be considered up to date and the National Planning Policy Framework states
that planning permission should be granted unless any adverse impacts of
doing so would significantly and demonstrably outweigh the benefits, when
assessed against the policies in the Framework taken as a whole.

19. Whilst the lack of a 5 year supply therefore adds considerable weight in favour
of the appeal, the harm described above is sufficient to outweigh the benefits
arising from the provision of one housing unit.

Overall Conclusion on Appeal A ground (a) and Appeal B

20. For the reasons given above and taking account of all material planning
considerations raised, the appeals fail.

Appeal A ground (g)

21. Under ground (g) the appellant argues that the period for compliance should be
extended as the Council have failed to make any provision for ‘non-migratory’
gypsies in its Local Plan.

22. However the appellant has provided no justification for an extended period of
12 months, the imposition of which would merely remove the urgency of
arranging alternative accommodation.

23. Appeal A on ground (g) therefore fails.

Overall Conclusion

24. For all the above reasons Appeal A and Appeal B are dismissed.

Andrew Hammond
Inspector
4. **Appl. No**: 2017/0770/F  
**Parish**: REDENHALL WITH HARLESTON

Applicants Name: Mr John Calladine  
Site Address: 50 Redenhall Road Harleston IP20 9HE  
Proposal: Part demolition of existing commercial premises with residential first floor flat. Conversion to three residential dwellings.

Recommendation: Approval with conditions

1. Full Planning permission time limit  
2. In accord with submitted drawings  
3. Obscure glazing  
4. External materials to be agreed  
5. Contaminated land - submit scheme  
6. Implement of approved remediation  
7. Reporting of unexpected contamination  
8. No PD for Classes ABCDE & G  
9. Provision of parking, service  
10. New Water Efficiency  
11. Landscaping

1. **Planning Policies**

1.1 National Planning Policy Framework  
NPPF 06: Delivering a wide choice of high quality home  
NPPF 07: Requiring good design  
NPPF 01: Building a strong competitive economy  
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 3: Energy and water  
Policy 4: Housing delivery  
Policy 13: Main Towns

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  
DM2.2: Protection of employment sites  
DM3.4: Residential extensions and conversions within Settlements  
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  
DM4.9: Incorporating landscape into design  
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 No relevant planning history

3. Consultations

3.1 Town Council Approve

3.2 District Councillor To be determined by committee unless refused
   • Appears to be over development of a site leading to very cramped living conditions.

3.3 NCC Highways Support with conditions

3.4 NHSCCG No comments received

3.5 SNC Water Management Officer Advisory comments
   • The application site lies within a surface water flood flow path with the site including the proposed building located within an area at low risk from surface water flooding.
   • The high to medium risk surface water flood flow path lies to the north-west of the proposed development affecting the access to the site and Redenhall Road.
   • Whilst the risk to the development is currently considered low the applicant should be aware that the impacts of climate change may increase this risk in the future.
   • The applicant should consider this risk and how it can be avoided, managed and / or mitigated to ensure the building and its users remain safe for the lifetime of the development.
   • Advisory comments on soakaways

3.6 SNC Community Services - Environmental Quality Team Support with conditions on contamination

3.7 Other Representations Two letter of support
   • We support the proposed plan in principle on the basis that our adjoining boundary wall is maintained as currently stands.
   • Conversions will improve the ascetic of Redenhall Road and neighbouring properties.
   • Looks good in either 2 or 3 dwelling format
   • Will tidy the place up
   • Please build it as quick as possible for the neighbour’s sake

One letter of objection
   • Concerned about overlooking and privacy of gardens
4 Assessment

4.1 The application relates to the existing one and two storeys building on Redenhall Road which is set back from the road. The ground floor has a commercial use and has been used as workshop, there is flat on the first floor. The building is currently empty. The site is within the development limit for Harleston.

4.2 It is proposed to demolish the single storey element of the building and convert the two storey element of the building to 3 dwellings, with associated car parking.

4.3 The site is within the development boundary where the principle of the development is acceptable subject to compliance with the development plan policies.

4.4 The site lies in the Rural Policy area which in respect of housing supply has a 39.6 years supply. As such the Council's policies for the supply of housing can be considered up to date and applications should be determined in accordance with the Development Plan unless material considerations indicate otherwise.

4.5 Policy DM2.2 in the Development Management policies seeks to protect employment uses which requires the possibility of development of the site for a range of commercial uses has been fully explored or there are over-riding economic, environmental or community benefits which outweigh the benefits of the current lawful use continuing.

4.6 The building currently fills the full width of the site and is surrounded by residential properties. Given the close proximity of the buildings, the continued use would be likely to result in conflict between the residential and commercial uses. The building is also in a poor state of repair and detracts from the visual amenity of the area and the setting of the adjacent listed buildings. As a result it is considered that the benefits of the conversion to residential outweigh the retention of the commercial use on the ground floor.

4.7 Policy DM3.4 of the Development Management policies permits conversion of buildings to residential within the development limit as along as it incorporates good quality design and maintains and enhances the character and appearance of the building, street scene and surroundings and does not adversely affect the residential amenity of the neighbouring properties. There should be suitable amenity space, access and car parking.

4.8 The building is currently a mix of brick and render with a pantile roof, it is proposed to render the building which will improve its appearance which currently detracts from the visual amenity of the area.

4.9 S66(1) Planning (Listed Buildings and Conservation Areas) 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.” The row of terrace properties located to the north are listed buildings. The proposed conversion would enhance the setting of the listed buildings as required by S66, section 12 of the NNPF, Policy 1 of the JCS and policy DM4.10 of the Development Management policies.
4.10 In terms of residential amenity, there is currently an unoccupied flat on the first floor which has windows on all elevations. It is proposed to reduce the number of windows on the north-east elevation and obscure glaze these. As a result, it is not considered that the over-looking is any worse than the current situation. The window openings on the south west elevation will also be reduced and although there would be some overlooking, again this would be reduced from the current situation. The site is at a much lower level than the houses to the south east. As a result, the windows in that elevation will not overlook the properties in that direction. It is proposed to condition obscured glazing to the bathroom window to the north-west elevation to avoid any over-looking. The overlooking from the proposed dwellings would not be any worse than the existing situation if the flat was occupied. This is an existing building so it would not result in any additional over shadowing than currently exists. As a result, it is considered that the proposal complies with policy DM3.13 of the Development Management policies which seeks to protect residential amenity.

4.11 It is proposed to use the existing access and provide 5 car parking spaces. This is one space below the parking standard which requires 2 spaces for 2 bedroom dwellings, however given the location close to the town centre, the car parking provided is considered acceptable. The Highway Officer supports the application subject to conditions.

4.12 Concern has been raised that the proposal is over-development and would result in cramped living conditions. The level of internal accommodation is considered acceptable and although the units will have small amenity areas, given the location within the town it is considered acceptable in this instance. In addition, the proposal would result in a reduction in built form on the site.

4.13 The site is at low risk from surface water drainage flooding and the road and access are at high and medium risk of surface water flooding. Given increased risk with climate change the applicant should be aware of the need to consider how these risks can be avoided, managed and/or mitigated to ensure the building remains safe for the lifetime of the development. However, given the level of risk this is not a reason to withhold permission or require specific mitigation conditions.

4.14 It is proposed to deal with surface water via soakaways which is in line with the advice in the Planning Policy Guidance.

4.15 Para 49 of the NPPF requires housing applications to be considered in the context of the presumption in favour of sustainable development.

4.16 The proposal is in the settlement boundary with access to facilities and services; it will enhance the appearance of the building and setting of heritage assets and is not considered to result in any significant loss in amenity. The proposal is considered to represent a sustainable development.

4.17 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.

4.18 This application is not liable for Community Infrastructure Levy (CIL). As the existing floorspace has been in use for a minimum period of at least 6 months in the last 36 months and as a result it can be discounted.
5  Conclusion

5.1 The conversion of the building would result in environmental benefits and remove the conflict between the residential and commercial uses, whilst enhancing the appearance of the building and the setting of the listed building and whilst not increasing the existing over-looking or adversely affecting highway safety.

Contact Officer, Telephone Number  Helen Bowman 01508 533833
and E-mail:  hbowman@s-norfolk.gov.uk
Development Management Committee
21 June 2017

2017/0770
Appendix 1

Not Set

Scale 1:1,250
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South Norfolk Council, Cygnet Court, Long Stratton, Norwich, NR15 2XE Tel (01508) 533633
5. **Appl. No**: 2017/0848/F  
**Parish**: MUNDHAM

Applicants Name: Mr & Mrs Phillip Jeans  
Site Address: Mundham House Thwaite Road Mundham NR14 6FD  
Proposal: Revised House and Landscape proposals in place of consented NPPF Para 55 Dwelling (Reference 2013/1362)

**Recommendation**: Refusal  
1. Does not satisfy the requirements of para 55  
2. Harm the defining characteristics of the local area  
3. Not sustainable development

1. **Planning Policies**

1.1 **National Planning Policy Framework**  
NPPF 06: Delivering a wide choice of high quality home  
NPPF 07: Requiring good design  
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 3: Energy and water  
Policy 4: Housing delivery  
Policy 6: Access and Transportation  
Policy 17: Small rural communities and the countryside

1.3 **South Norfolk Local Plan: Development Management Policies**  
DM1.3: The sustainable location of new development  
DM1.4: Environmental Quality and local distinctiveness  
DM3.1: Meeting Housing requirements and needs  
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  
DM4.2: Sustainable drainage and water management  
DM4.5: Landscape Character Areas and River Valleys  
DM4.9: Incorporating landscape into design  
DM4.10: Heritage Assets

1.4 **Supplementary Planning Document**  
South Norfolk Place Making Guide 2012

**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.”
S72 Listed Buildings Act 1990 provides: “In the exercise, with respect to any buildings or other land in a conservation area, of any functions under or by [the Planning Acts], special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.”

2. Most recent Planning History

2.1 2013/0586 Screening Opinion for the erection of a new dwelling and retention of Mendham House as an annexe EIA Not Required

2.2 2013/1362 Demolition of existing outbuildings and the erection of a new country house single family dwelling with Mendham House retained as a power house with the same occupation. Erection of an associated grounds maintenance store, internal and external improvements and restoration of Mendham House along with replacement of the single storey extension, erection of car port, gate house and associated landscaping work. Approved

2.3 2013/1363 Alterations to Mendham House comprising replacement of single storey rear projection, new openings and alterations to fenestration, replacement dormers, minor interior works and repairs to structure and fabric. Alterations to the Cottage (former stables) including removal of modern extensions. Approved

2.4 2015/2204 Discharge of conditions 4 and 5 of listed building consent 2013/1363/LB - (4) detailed drawings and written specification for works due, (5) extent of rebuilding of brickwork and a method statement Approved

2.5 2015/2457 Discharge of condition 4 of planning permission 2013/1362/F - detailed drawings and written specification for works due. Approved

2.6 2016/0875 Discharge of Condition 3, 6, 10, 11, 12 and 13 of planning consents 2013/1362 (New dwelling) - Materials, Surface Water, Landscaping and Planting, Tree Protection, Access and Ground Levels Approved

2.7 2016/0877 Discharge of Condition 3 of listed building consent 2013/1363 - Materials Approved

2.8 2016/1699 Renovation and extension, new rear drive/repositioned front drive and landscape/garden proposals Approved

2.9 2016/1700 Renovation and extension Approved
2.10 2016/1725 Discharge of condition 3 - materials of permission 2013/1362/F (Demolition of existing outbuildings and the erection of a new country house single family dwelling with Mendham House retained as a power house with the same occupation. Erection of an associated grounds maintenance store, internal and external improvements and restoration of Mendham House along with replacement of the single storey extension, erection of car port, gate house and associated landscaping work) Approved

2.11 2016/1726 Discharge of condition 3 - materials of permission 2013/1363/LB (Demolition of existing outbuildings and the erection of a new country house single family dwelling with Mendham House retained as a power house with the same occupation. Erection of an associated grounds maintenance store, internal and external improvements and restoration of Mendham House along with replacement of the single storey extension, erection of car port, gate house and associated landscaping work) Approved

2.12 2016/1812 Remove side access door to grounds maintenance store on east elevation and add two small access doors symmetrical on the north elevation. Approved

2.13 2016/2727 Discharge of condition 4 following 2016/1700 - materials Approved

2.14 2016/2990 Internal Amendments following application 2016/1700 Approved

2.15 2017/0216 Amended design for Garage Roof Space and for Provision of Plant Room, Gym, Shower and Sauna Approved

2.16 2017/0217 Amended design for Garage Roof Space and for Provision of Plant Room, Gym, Shower and Sauna Approved

3. Consultations

3.1 Town / Parish Council No comments received

3.2 District Councillor A Para 55 dwelling that is capable of being approved cannot be delegated so, on that basis, should be sent to committee for determination

3.3 NCC Ecologist No objections subject to conditions

3.4 NCC Highways No objections subject to conditions
3.5 SNC Landscape Architect  
The current scheme aligns the dwelling with the exiting contours and as such it faces the ‘valley’. In contrast to the previous scheme, a section of the eastern boundary is kept clear of vegetation (the boundary formed from a ha-ha instead) so that the building will be positively glimpsed from the Mundham Road.

Considering paragraph 55 (para 55) of the NPPF, I am particularly concerned about two of the four criteria that need to be met; namely that the landscape design should:

- significantly enhance its immediate setting; and
- be sensitive to the defining characteristics of the local area.

The site is within the B5 Chet Tributary Landscape Character Area. I have reviewed the Sensitivities and Vulnerabilities, Landscape Strategy and Development Considerations of the published Landscape Character Assessment for this and conclude that the proposed landscaping for the development is not incompatible with these.

However, I have some detailed concerns in respect of the landscape proposals, but these can be dealt with via conditions.

3.6 SNC Conservation and Design  
Does not satisfy the requirements of para 55 in respect of being sensitive to the defining characteristics of the local area.

3.7 Norfolk Fire Service  
No objections subject to the provision of a fire hydrant

3.8 SNC Water Management Officer  
No objections subject to conditions

3.9 SNC Community Services - Environmental Quality Team  
No objections subject to conditions

3.10 Historic Environment Service  
No objections

3.11 Other Representations  
No comments received

4 Assessment

4.1 This proposal is for a new Country House to replace the existing extant permission for a Para 55 house that has already been commenced, at Mendham House, Thwaite Road, Mundham. Although still taking a traditional rather than contemporary design approach, the new design is wholly different to the previous permission, so therefore has been considered afresh and on its individual merits.

4.2 The site lies within the B5: Chet Tributary Farmland where the landscape is described in the South Norfolk Place Making Guide as being composed of 'land rising gently from the Broads and is cut through by the River Chet and its tributaries; flat to gently undulating landscape; dispersed settlement across the character area; areas of parkland; moated
sites; distinctive and extensive areas of common land and smaller village greens; Norman round-towered churches are a distinctive character of the landscape...forming very visible features on the highest ground, generally built of chequered red brick and flint; most villages have a distinctive village core comprising red brick and timber framed houses; and large farm buildings and farm processing units occur throughout the landscape with older farm buildings being characteristically red brick and tiled'.

4.3 The plot is part of the wider setting of Grade II C18 Mundham House which is currently undergoing refurbishment and alterations with extensions, and also the setting of the separate cottage/former stables which is separately listed at Grade II. The character of Mundham House, which is Grade II listed, is a simple Georgian Style symmetrical C18 larger farmhouse/manor house built in red brick with black glazed pantiles. It is typical of the Norfolk Georgian Manor House/Rectory/Farmhouse with a classically balanced and proportioned front elevation and the use of locally available materials. To the east of the existing house is an existing converted stables which is listed separately, but has been significantly altered since its listing in its conversion to residential.

4.4 The new house will sit on high ground to the south east of the existing listed buildings. It will be viewed in the wider context of the valley, with the hamlet of Mundham to the Northwest. The house will be visible in long distance views within quite a wide landscape, although it will be viewed amongst new planting, and views will be more in the nature of glimpsed views through new and existing planting rather than direct views. The more natural 'picturesque' planting scheme is an important element of the new proposal.

4.5 The site is outside the development boundaries for any of the surrounding villages as defined by the South Norfolk Local Plan Site Specific allocations 2015.

4.6 The main issues in this case are the principle of development in this location and design; setting of listed buildings; residential amenity and highway safety.

Principle of development

4.7 Section 38(6) of the Planning and Compulsory Purchase Act (PCPA) (2004) states in that 'regard is to be had to the development plan for the purpose of any determination to be made under any planning act the determination must be made in accordance with the plan unless material consideration indicates otherwise'.

4.8 As set out in this report there are no material considerations to outweigh, override or change the statutory status of the development plan as the starting point for decision making in accordance with paragraph 12 of the NPPF. This is reinforced by paragraph 17 bullet point one of the NPPF in that the planning system/process should 'be genuinely plan-led'.

4.9 The site lies in the Rural Policy Area, which in respect of housing supply has a 39.6 years supply, as such the Council's policies for the supply of housing can be considered up-to-date and applications should be determined in accordance with the Development Plan unless material consideration indicates otherwise.

4.10 The site falls outside of the development boundary where there is a presumption against new residential dwellings under policy DM1.3. The proposal is considered to conflict with DM1.3, which requires all new development to be located on allocated sites or within development boundaries, unless specific DM policies allow for it or there are overriding benefits.
An exception to the site being in a sustainable location is Para 55 of the NPPF which states that local planning authorities should avoid allowing new isolated homes in the countryside unless there are special circumstances such as the exceptional quality or because of the innovative nature of the design. Such a design should:

- Be truly outstanding or innovative, helping to raise standards of design more generally in rural area
- Reflect the highest standards in architecture
- Significantly enhance its immediate setting; and
- Be sensitive to the defining characteristics of the local area

I will comment on each of these in turn.

**Be truly outstanding or innovative, helping to raise standards of design more generally in rural areas**

The design of the house is by an architectural practice led by Francis Terry who has extensive experience working in the established practice of Quinlan and Francis Terry, and has now established his own practice. He is well trained and has a background of experience in designing buildings in the classical tradition. From the information submitted it is considered that the design of the house and garage/stable block will be an outstanding example of its type, being well referenced to the classical tradition, well balanced, well-proportioned and well detailed.

Part of achieving a truly outstanding design for a traditionally designed high status building will be the quality of materials and craftsmanship. Although this will to some extent be subject to conditions and later agreement, it is considered that from works to the existing listed house and new buildings that level of quality can be achieved in construction.

With regard to raising the standard of design across the wider rural area, the design approach is to build a house of some status and architectural pretention. The design is a bespoke one, and intentionally not one that can or should be copied at the local level, and should be considered more at the regional/national level alongside other similarly built houses of this scale and design approach. At the local level the building should be viewed amongst the highest status of properties for example Langley, Raveningham and Ditchingham.

It is also worth mentioning the landscape approach in this regard. Extensive consideration has been given to how the landscaping of the immediate setting responds to and interacts with wide area of landscaping. This approach could be considered of some benefit locally within the district in demonstrating how careful landscaping can assist in more seamlessly integrating a new dwelling into the open countryside. It is considered that the application does meet this criterion.

**Reflect the highest standard of architecture**

In view of the comments set out above it is considered that the application does meet this criterion.

**Significantly enhance its immediate setting**

A lot of emphasis has been put into designing a parkland setting with drive for the house, and designed a more formal garden to be associated with the existing Mundham House. The landscape designer won an award for a completed landscaping scheme for a similar sized house, Bergh Apton Hall, in 2015. It is considered that the wider landscaping scheme is an enhancement to the immediate setting and the application does meet this criterion.
Be sensitive to the defining characteristics of the local area.

4.18 Of the four tests, it is the concern of how the design of the new building will meet this test, that raises issues. The NPPF para 58 states that planning policies and decisions should aim to ensure that developments "respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation." Para 60 of the NPPF also states "Planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is, however, proper to seek to promote or reinforce local distinctiveness." DM policy 3.8 (1) states "protect and enhance the environment and existing locally distinctive character and encourage innovation."

4.19 The Council's South Norfolk Place Making Guide (SNPMG) also sets out good practice in local distinctiveness and includes a section on local materials, which does not include stone (except flint). The second identified purpose of the SNPMG and why it was adopted as policy is on page 8 "To ensure a proper understanding of the local context and distinctive character of South Norfolk, including the identification of existing features of importance to enable design proposals to be compatible with their surroundings, create a strong sense of place and reinforce local identity." Page 8 states "These indigenous materials provide a sense of place, permanence and continuity and make a significant contribution towards defining the distinctive character of the district."

4.20 The applicants have chosen a Palladian style of design with full stone ashlar facings and ornamentation. Within Norfolk, limestone is known as an 'imported' material i.e. it was brought in from elsewhere in the country from some distance, in the Georgian period primarily by sea and rivers/waterways. Because historically transportation costs were very high, such material was very expensive to use, and was only used in modest amounts even in high status buildings built by the very rich such as larger country houses known across the county. The only fully stone country house identified is Houghton Hall built in 1720s for Sir Robert Walpole, which together with Holkham Hall is considered by Pevsner to be the 'two exceptional country houses in Norfolk". Both buildings are over 50 miles from the site.

4.21 Later in C18 Soane also used Portland stone in a modest amount for the Music House at Earsham Hall, and also designed nearby Shotesham Park in gault white brick with stone dressing (although some of the stone is reconstituted 'cement' coade stone.) There are also examples of stone being imitated with render or 'cement' and striking to indicate stone ashlar (as was the case at Brooke Hall and Rackheath) Later still in the C19 when railway transport much improved transportation costs, stone was used for commercial offices of banks and insurance companies in the towns and cities, but there are no examples of country houses being built entirely of stone. Instead, they continued to be built in local materials with stone dressings, as indicated by Sennowe Park built for Thomas Cook, the travel agent, designed by George Skipper, and completed in 1907, which is perhaps the best known last country house of any significant scale to be constructed in the county, again built in red brick with stone dressings.

4.22 Full consideration has been given to the applicant's suggestion that a stone building will appear 'lighter' in long distance views and not as strident as a red brick example. Also, it is noted that in the past if stone had been cheaper to 'import' into the county and more widely available, even if still expensive, it is likely to have been used by the landed classes in building palladium houses, especially as Houghton had set a precedent. Various country houses were throughout the C18 and C19 designed to emulate stone, particularly Holkham, which was originally intended to be built of stone. It is a valid point to raise that both lined render/cement and white gault bricks were both used to give an impression of stone when viewed in the wider landscape setting. With this point, in very long distance views the difference between this house and stone, and other houses using
other materials to emulate stone, may not be so easily differentiated to the casual observer. The difference will however become more apparent in closer proximity, and when seeing the new buildings within the setting of the exiting listed buildings.

4.23 It remains that a stone faced building will stand out as being 'different' through the extent of use of imported stone materials more than any other building except for Houghton. Within the local context of South Norfolk and area around Mundham in particular, the style adopted when the classical style became fashionable with the gentry in the early to mid C18 going on 'the grand tour' is demonstrated by neighbouring country houses at Langley, Raveningham and Ditchingham (as demonstrated on sheet 1 "Wider area and Historic Landscape" included in the February submission.) These existing country houses within the local context are all constructed with red brick with stone dressings, and it is recommended that a similar design approach should be taken here if the building is to be considered to be sensitive to the defining architectural and historical characteristics of such traditionally built houses in the local area.

4.24 It should also be noted that the houses already mentioned, and other larger country estates in Norfolk such as Houghton and Holkham, as well as Gunton and Wolterton, had much larger parkland settings. With the smaller country estates, sometimes closer views were possible. This should be noted because this house has relatively modest parkland compared to the larger country estates, and will be visible within a much wider quite open undulating landscape setting. Although tree planting and undulations of the land will often make these views glimpsed views. It is clear a lot of attention has been given to tying the landscape setting of the house with the character of the surrounding countryside.

4.25 The historic character of the traditional buildings both of modest houses and the grander country houses lends a sense of place to Norfolk which creates local distinctiveness. The objective of retaining local distinctiveness is now an important policy both in the local plan, guidance such as the South Norfolk Place Making Guide, as well as national planning policy. There is the exception of stone being used for Houghton Hall, but that house was an idiosyncratic building in Norfolk when built, and even more so now. It is therefore considered that whilst the principle of a well designed traditional building with a well designed landscape can meet some of the criteria of paragraph 55, that the application fails to meet this criterion.

Impact on the setting of the listed buildings

4.26 The setting of listed buildings requires consideration under the development management policies and S66(1) Listed Buildings Act 1990, which requires local planning authorities 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.

4.27 Both buildings are grade II listed buildings set within an isolated setting some distance from the small grouping of building in Mundham at the crossroads to the south. The house will be built within the immediate setting of both buildings and will have a direct impact on their setting. With regard to assessing the degree of harm to the setting of the listed buildings, it will be important to see how the two new buildings will fit harmoniously with the existing buildings.

4.28 Historically, it was common for isolated houses, which were often associated with large land holding/estate, to be replaced with more 'modern' and 'fashionable' houses, particularly if the existing owner increased their wealth and wanted to live in a fashionable and up-to-date residence. In such cases, existing houses were sometimes demolished, remodelled, or in some case retained and a new house of greater 'splendour' built within the grounds.
In terms of impact on the setting of the existing buildings, regard needs to be given to the juxtaposition between the new and the old houses. With regard to building a new house of some size, the normal rules of a new building being to some extent 'subservient' are reversed. A new house within the setting needs to be of sufficient grandeur to become the main building on the site and the existing house reduced to a secondary dwelling, for example a dower house.

In many respects providing a larger and more ornately decorated Palladian house provides more of a justification for the development as the house will be a significant improvement in status upon the existing house i.e. if both houses were similar in size and design, there would be less reasoning behind why a new dwelling should be constructed. The existing Mundham House very much has its focus on its west elevation, which will remain relatively unaffected by the new proposed buildings. The rear is far more utilitarian in its design, and although new buildings are to some extent enhancing the appearance of the building to the rear, the rear still very much appear as the 'back' of the house. Taking this into consideration, there are not rear elevations of the existing house and stables to 'compete' with, they are already very much secondary elevations and parts of the buildings which will not be seen out of place when viewed within the wider context of the new house and stable/garage block, which will draw the eye.

In view of the above it is considered that the development will not result in harm to the setting of the listed buildings. As such, it is considered that the scheme would accord with section 12 of the NPPF, Policy DM4.10 of the SNLP. Equally in consideration of the Council's duties under the Act it is considered that, for the reasons set out above, the proposal would not adversely affect the setting of the listed buildings.

Highway Safety

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.

The application shows access off Mundham Road and it has been demonstrated that the site can accommodate the required parking and safe access, equally the Highway Officer has raised no objections. In view of the above the proposal accords with Policies DM3.11 and DM3.12.

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.

Given the location of the dwelling and distances from the nearby by residential properties it is consider that a scheme would not adversely affect the amenities of the neighbouring properties to a material degree. As such, the scheme would accord with the requirements of Policy DM3.13.

Sustainable Development

Sustainable development has three dimensions, economic, social and environmental. It goes on to stress that these are not to be undertaken in isolation, because they are mutually dependent. The NPPF also sets out 13 themes for delivering sustainable development but considers its meaning of Sustainable Development to be taken as the NPPF as a whole. The following is an assessment of whether the scheme can be considered to represent sustainable development.
Economic Role

4.37 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."

4.38 The scheme would result in some short term economic benefits as part of any construction work, which may be done by small scale builders and in the longer term by local spending from the future occupants. It is therefore considered that the scheme would bring forward a small level of economic benefit.

Social Role

4.39 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."

4.40 As the Council has a significant housing supply in the rural area the provision of one dwellings is considered to have limited benefit which may be slightly enhanced if the property was self-build.

Environmental Role

4.41 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."

4.42 The proposed development would occupy a prominent, isolated, countryside location which would erode the largely undeveloped, local rural character and by virtue of its inappropriate stone cladding, would not be sensitive to the defining characteristics of the area. Consequently, the development would cause significant environmental harm.

Conclusion on sustainable development

4.43 Having due regard to the above assessment made in the context of having a five-year land supply, it is considered that the concerns regarding detrimental impact on the defining characteristics of the local area, is not outweighed by minor economic and social benefits, when considered as a whole, as a result the scheme does not represent sustainable development.

4.44 The Council considers that the development plan is not silent on self-build and the Council has a five-year land supply in the Rural Policy Area (RPA), as a result it is considered to be up to date. In addition, the proposed development would not result in sustainable development as a result paragraph 14 of the NPPF is not invoked and there is no need to carry out a paragraph 14 assessment.

4.45 However, for the avoidance of doubt the requirements of paragraph 14 of the NPPF in respect of the presumption in favour of development for decision-taking have been considered.
4.46 In the context of promoting sustainable development, Paragraph 14 advises this means: "Where the development is absent, silent or relevant policies are out of date, granting permission unless:
Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies of the Framework taken as a whole; or "Specific policies in this framework indicate development should be restricted."

4.47 In this instance, it is considered that the harm caused by development would significantly and demonstrably outweigh the very minor benefits to the local economy and by the provision of one house in a location where the Council has a significant land supply.

4.48 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.

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

5 Conclusion

5.1 In conclusion, the site is outside the development limit in a location where the Council has a significant housing land supply and the development plan is considered to be up to date. There is no overriding justification for departing from policies DM1.1 and DM1.3 in the Development Management Polices, which restricts development outside the development limit. Furthermore, for the reason outlined above the proposal does not meet the criteria of paragraph 55 of NPPF.

6. Reasons for Refusal

6.1 The site is located outside the development limit in an area where there is not an identified need for new dwellings. No overriding justification identified in the National Planning Policy Framework or the South Norfolk Development Management Policies 2015 has been shown for the development. As a result the proposed development in contrary to policy DM1.3 of the Development Management Policies. The proposal does not satisfy the requirements of paragraph 55 of the National Planning Policy Framework (NPPF), particularly in relation to being sensitive to the defining characteristics of the local area. In view of the above the proposal is contrary to the Joint Core Strategy Policy 2 and Policy DM1.3 and DM1.4. Because the proposal development conflicts with the Development Plan and there are no other material considerations that override it, including the criteria set out in paragraph 55 of the National Planning Policy Framework (NPPF), the proposal is refused in accordance with paragraph 12 of the NPPF.

6.2 A stone faced building will stand out as being 'different' through the extent of use of imported stone materials. Within the local context of South Norfolk and area around Mundham in particular, the existing country houses are all constructed with red brick with stone dressings. The proposal therefore would be demonstrably harmful to the defining characteristics of this part of South Norfolk. The proposal is therefore contrary to Policy 2 of the Joint Core Strategy and DM4.5 of the South Norfolk Local Plan Development Management Policies Document

6.3 The proposed development does not represent sustainable development, having regard to the three tests set out in the National Planning Policy Framework. The detriment to the defining characteristics of the local area, outweighs the modest social and economic benefit of one additional dwelling in the rural policy area where there is an existing significant housing land supply (39.6 years). For this reason the scheme is contrary to the aims of the NPPF to secure sustainable development, acknowledging the advice in paragraph 49.

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6. **Appl. No**: 2017/0999/F  
**Parish**: BUNWELL  
Applicants Name: Mr Craig Douglas  
Site Address: Tollgate Barn Tollgate Farm Barns The Turnpike Bunwell Norfolk  
Proposal: Change of use of land to domestic curtilage and erection of shed  
Recommendation: Refusal  
1 Unacceptable harm to the character and appearance of the undeveloped rural character countryside, contrary policy DM2.8  
Seek enforcement action for the removal of the non-agricultural equipment on the land.

1. **Planning Policies**

1.1 National Planning Policy Framework  
NPPF 01: Building a strong competitive economy  
NPPF 02: Ensuring the vitality of town centres

1.2 Joint Core Strategy  
Policy 2: Promoting good design  
Policy 17: Small rural communities and the countryside

1.3 South Norfolk Local Plan  
Development Management Policies  
DM2.8: Equestrian & other changes of use of agricultural land  
DM3.11: Road safety and the free flow of traffic  
DM3.12: Provision of vehicle parking  
DM3.13: Amenity, noise, quality of life

2. **Planning History**

2.1 No history for this parcel of land.

3. **Consultations**

3.1 Town / Parish Council: No views or comments

3.2 District Councillor: To be reported if appropriate.

3.3 NCC Highways: No objections

3.4 Other Representations: 1 letter of support. No comments made.

4. **Assessment**

4.1 The site forms an area of land which is located between the group of barns which have been converted to dwellings under a 2012 permission, and the adjacent property (Tollgate Cottage) which is set within a group of trees and forms the south boundary of the site. The front of the site which abuts the highway benefits from a post and rail fence and hedging. This boundary has recently been planted with additional Laurel hedging also along the frontage of the site. A trampoline is already located on the site adjacent to the access road which serves the barn to the rear of the site. The site rises gently from The Turnpike to the west boundary of the site. An existing post and rail fence and a hedge forms the boundary of the site to the north which separates the application site from the access road serving No 2 Tollgate Barn.
4.2 The proposal is assessed against policy DM2.8 which permits the change of use of agricultural land to other uses subject to meeting certain criteria. The policy is set out below for ease of reference.

Policy DM 2.8 Equestrian and other changes of use of agricultural land
(1) The change of use of land or erection of buildings and equipment for equestrian uses or other small scale rural land based uses in the Countryside shall be permitted if:

a) The scale, design, materials and siting of proposed buildings and equipment is designed to avoid serious adverse impact on the natural and local environment and the appearance of the locality, integrate the proposals with existing features, and respect and enhance the character of the surrounding landscape / area; and

b) It is sensitively sited to protect the amenity of the locality; any muck pad / storage is sited not to adversely impact on the natural and local environment or the residential amenities of local residents and other occupiers.

(2) Proposals to change the use of agricultural land to land ancillary to residential dwellings will be permitted subject to:

c) No significant Adverse impact on the character and visual appearance of the Countryside or availability of productive agricultural land;

d) No significant Adverse impact on public rights of way or the areas of urban / rural transition that provides the setting of Settlements in the Countryside; and

e) appropriate boundary treatment that is in keeping with the rural character of the locality.

(3) In all cases the Council will consider the possible cumulative impact of many separate individual changes in an area and may impose appropriate planning conditions.

4.3 The proposal is not for Equestrian use therefore Section 1 criteria (a) and (b) are not relevant.

4.4 The scheme for the change of use of the land to residential is assessed against Section 2 of the above policy.

4.5 The land is currently grass, and while it has already been planted with a variety of trees and additional hedging, this does not domesticate the appearance of the site.

4.6 The scheme proposed is not only for the change of use of the land, but also includes the construction of a ‘shed/leisure building’ which has been designed to include a lean-to section on the south elevation, large double glazed doors in the west elevation and will also include close board fencing joining the north elevation of the building to the north boundary of the site and a section of fencing on the south boundary into the site. The location of the building is positioned some distance away from the highway on the elevated section of the site and will therefore be very visible from the highway.

4.7 The site proposed for the building is adjacent to an existing garage/car port which is associated with No 2 Tollgate Barn, this was the subject of a separate application for the construction of the cart lodge under reference number 2015/1237 as Permitted Development Rights were removed when the original consent for the conversion of the barns to dwellings in 2008 was granted. The land on which the cart lodge is located did form part of the original garden curtilage under the 2008 barn conversion application. The area of land forming the subject of that application was located to the rear of the site,
and seen in context with the remainder of the barn conversion complex, it also formed the natural boundary between the barn conversions and the adjacent open countryside (the subject of this application).

4.8 For the reasons set out above I am of the opinion that by virtue of the scale and position of the building together with the urban style fencing adjoining the proposed building, the development and change of use of the land will have an unacceptable impact on the undeveloped open countryside setting of the locality, and will conflict with criteria (2) c), and d) of policy DM2.8 of the SNLP 2015.

4.9 The trampoline which is already located on the land contributes to the domestication of the site and is considered inappropriate, it is for this reason that enforcement action is sought to secure its removal.

4.10 There is no change to the vehicular access to the site. This remains a shared access which serves the application site, and No 2 Tollgate Barn with a traditional gate from the access track into the field. The Highways Authority raises no objection to the proposal. The scheme accords with policies DM3.11 and DM3.12 of the SNLP 2015.

4.11 Consideration has also been given to the impact the proposal will have on the adjacent neighbouring properties. No objections have been received. I consider there will be some impact on the neighbours as the change of use of the land to residential will intensify the use and may give rise to some noise and disturbance, however, this is not so significant to justify refusal on impact to neighbouring residential properties. The scheme does therefore accord with policy DM3.13 of the SNLP 2015.

4.12 The proposed development would not be liable for Community Infrastructure Levy.

5. **Reason for refusal**

5.1 The proposal is outside the Development Limits of Bunwell and is set in a countryside location. The change of use of land and the erection of the building and associated domestic structures in the area proposed would result in an intrusion into the undeveloped rural character of the area and adversely affect the undeveloped character of the site, which forms a natural separation between the barn conversions and the adjacent property contrary to policy DM2.8 of the SNLP 2015.

Contact Officer, Telephone Number Jacqui Jackson 01508 533837
and E-mail: jjackson@s-norfolk.gov.uk
7. **Appl. No**: 2017/1012/RVC  
**Parish**: SAXLINGHAM NETHERGATE  

Applicants Name: Mr Adam Beckett  
Site Address: White Cottage The Street Saxlingham Nethergate Norfolk NR15 1AJ  
Proposal: Variation of Condition 11 (Glazed Window) of Application 2015/1517 - Proposed demolition of cottage and rebuilding to match existing

Recommendation: Approval with Conditions

1. **Planning Policies**

1.1 National Planning Policy Framework  
NPPF12 : Conserving and enhancing the historic environment

1.2 Joint Core Strategy  
Policy 1: addressing climate change and protecting environmental assets

1.3 South Norfolk Local Plan  
Development Management Policies  
DM3.13 : Amenity, noise, quality of life  
DM4.10 : Heritage assets

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

S72 Listed Buildings Act 1990 provides: “In the exercise, with respect to any buildings or other land in a conservation area, of any functions under or by virtue of [the Planning Acts], special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.”

2. **Planning History**

2.1 2016/2722 Non Material Amendment from 2015/1517/F - Remove weatherboard cladding from the north elevation.  
Approved

2.2 2015/2795 Discharge of conditions 3,4 & 5 of permission 2015/1517 - external materials, details of windows and doors and rooflights improvements to the existing dwelling  
Approved

2.3 2015/1517 Proposed demolition of cottage and rebuilding to match existing  
Approved

2.4 2014/2390 Proposed demolition of single storey rear extensions and erection of new two storey rear extension with alterations and  
Approved

2.5 2014/0651 Alterations & extension  
Refused
3. Consultations

3.1 Parish Council
Object
- Without obscured glass the neighbour’s privacy would be significantly adversely affected
- The condition was accepted by the applicant when the property was built and now that the building is up the need for obscure glass is even greater than envisaged at the planning stage

3.2 District Councillor
If recommended for approval should be determined by committee
- Residents were concerned when the application was first submitted about overlooking to their properties.
- Obscure glass as a condition was accepted and support would not have been given without it.
- Because of the condition I did not ask for it to brought to committee then

3.3 Other Representations
Two letters of objection
- The window looks into my lounge, conservatory and garden
- Policy IMP9 residential amenity state that the new property should not overlook habitable rooms of nearby dwellings,
- Without obscure glazing in place the property clearly does overlook my property and my neighbour
- Intrusion of privacy more than I originally imagined

One letter of support

4 Assessment

4.1 The application relates to White Cottage which is within the Conservation Area and the development limit for Saxlingham Nethergate. There are properties either side of the site and open fields to the rear.

4.2 Permission was granted to extend the dwelling in in 2014 (application number 2014/2390), unfortunately during these works, structural issues occurred which resulted in the need to rebuild the cottage. Planning permission was granted in 2015 (application number 2015/1517) for the property to be built to the same design as the original dwelling with the extension. A condition was placed on all the permissions to obscure glaze the first floor windows on the north elevation.

4.3 The dwelling has now been completed but not occupied and the landing window has not been obscured. This application seeks to vary the condition so the landing window on the north elevation can have clear glass in it. The bathroom window on the north elevation has been obscure glazed.

4.4 Policy DM3.13 of the Development Management policies seeks to protect the existing and proposed occupiers of the new property and the surrounding property from an unacceptable level of overlooking.

4.5 I have had the opportunity to visit the property and assess the level of over-looking to the neighbouring properties. The main over-looking from the landing window is to the area to the side of the adjacent dwelling which is an access route through the garage and not a particularly private area. The landing window is forward of the rear elevation of the adjacent dwelling so that views over the rear garden are partial and oblique. There is an existing window in the rear of Grays Cottage and windows to the south elevation of Meadow View at first floor level which already results in overlooking to the properties in
question. As a result I consider that the level of overlooking from the landing window on the north elevation is not significant and will not materially reduce privacy. As a result, it is considered that the existing level of overlooking is not at an unacceptable level and the variation of the condition complies with policy DM3.13 of the Development Management Policies.

4.6 The site is within the Conservation Area, S72 Listed Buildings Act 1990 provides: “In the exercise, with respect to any buildings or other land in a conservation area, of any functions under or by virtue of [the Planning Acts], special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.” Visually whether the glazing is obscured or not does not have any significant impact on the appearance of the dwelling or the Conservation Area.

4.7 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.

4.8 This application is not liable for Community Infrastructure Levy (CIL) as no additional floor space is being created.

5. Conclusion

5.1 In conclusion, having had the benefit of being able to assess the overlooking from the window actually in place and taking into consideration the layout of the dwellings and existing overlooking windows, the level of overlooking from the landing window is considered acceptable so that its obscured glazing is not necessary. The proposal to amend the condition should therefore be approved.

Contact Officer, Telephone Number: Helen Bowman 01508 533833
and E-mail: hbowman@s-norfolk.gov.uk
8. **App. No**: 2017/1116/RVC  
**Parish**: WHEATACRE

Applicants Name: Mr Roger Beaumont  
Site Address: Old Mill House Beccles Road Wheatacre Norfolk NR34 0BS  
Proposal: Variation of Condition 2 of planning permission 2014/1221/RVC - permitted hours of use to allow 8 minibuses to operate 7 days and 24 hours

Recommendation: Refusal

1. Detrimental to residential amenity, contrary to Policy DM3.13 of the SNLP and paragraph 123 of the NPPF

1. **Planning Policies**

1.1 National Planning Policy Framework  
NPPF 01: Building a strong competitive economy  
NPPF 03: Supporting a prosperous rural economy  
NPPF 11: Conserving and enhancing the natural environment

1.2 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

2. **Planning History**

2.1 2015/2413: Retrospective application for removal of 15ft high conifer hedge and erection of 8ft high timber fence with concrete posts to screen yard from adjacent dwellings. Approved

2.2 2014/1221: Variation of Conditions 2 and 3 of planning permission 2013/1602/RVC - permitted hours increased to 6.00am to 23.59pm Monday to Saturday inclusive and increase setting capacity of 2 buses from 33 to 41 seats. Approved

2.3 2013/1602: Variation of Condition 4 & 8 of planning permission 1995/0967/H - to increase permitted hours of use to 7.00am to 7.00pm Monday to Friday. Saturday hours to remain 7.30am to 5.00pm and increase number of minibuses from 3 to 15. Approved

2.4 1996/1117: Variation of condition to allow use of four minibuses Refused

2.5 1995/0967: Change of use to operating centre for 3 minibuses and Erection of building for storage and maintenance of mini-buses Approved
3. **Consultations**

3.1 **Wheatacre Parish Council**

Approve
- The Council has no objection to this application and consider it is reasonable and proportionate.
- Should objections be received from neighbours then consideration be given to grant the variation requested on a temporary basis so the impact on neighbours can be assessed.

3.2 **District Councillor**

To be reported if appropriate

3.3 **NCC Highways**

No highway objection

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

Object
- Some confusion of the use of the words minibuses and mini coaches.
- The access track to the site passes close to two dwellings which are in separate ownership
- Wheatacre is a relatively quiet area where there will not be raised levels of background noise which would help mask the noise of the additional vehicle movements
- It is a concern that this proposal would permit minibuses/mini-coaches to go to and from the site at night on weekdays along with any time on a Sunday and bank holidays.
- Consider the proposal will have an unacceptable impact on residents in the area that cannot be addressed by means of conditions.

3.5 **Other Representations**

One letter of objection
- Since application has been approved we have had to tolerate disturbance, inconvenience and intrusion from the business 18 hours a day 6 days a week
- Only one day a week that we can enjoy our home and garden
- Makes it difficult for our child to sleep
- Proposal would result in no periods of guaranteed peace and quiet
- Have submitted formal complaint to Environmental Protection Team
- Specialist monitoring equipment and the deployment of a Council Officer within our property were also deemed to be impractical
- Route is a narrow single width drive with loose gravel and pot holes
- Causes dust which affects enjoyment of garden
- Quick moving vehicles experience vibration through house
- Pedestrian and vehicular access open straight onto Mill Lane
- Have had near misses when existing our access
- Mirror was suggested but then was removed when fence was put up which now making exiting the property more difficult
- Concern about speed of vehicles CCTV footage has been shown to police and DVSA but as a private road unable to take any action.
- Concern for safety of their child
- If issues with storage facilities, there are alternatives storage facilities he could use
- Business needs to relocate to a more suitable or commercial location, from what is essentially a residential address.
4 Assessment

4.1 The application relates to Glebe Coaches which is an existing coach depot in Wheatacre. It is located off Mill Lane which is a private road off Beccles Road. There are two properties located along Mill Lane. There are also two properties adjacent to the site which are in the same ownership as the business. Aldeby Business Park is located to the south. The site is outside any development limit defined by the Site Specific Allocations.

4.2 The application is to vary Condition 2 of planning permission 2014/1221/RVC to allow 8 mini buses to operate from the site 24 hours a day 7 days a week.

4.3 Permission was initially granted in 1995 application number 1995/0967 to operate and maintain 3 mini-buses from the site between 7:30am and 5pm Monday to Saturday. Permission to increase the number of mini-buses to 4 in 1996 (application number 1996/1117) was refused.

4.4 A retrospective application was made in 2013/1602 to increase the permitted hours of use to 07:00am to 19:00 Monday to Friday and 07:30-17:00 on a Saturday. The number of buses operating from the site was increased to 15 with only 6 of these having a capacity of 23 passengers with a maximum of 33 seats on any coach.

4.5 A further retrospective application was made in 2014 (application number 2014/1221) which varied the conditions to further relax the restrictions. The main current restrictions are as follows:

- No movement or maintenance of vehicles between 06:00 and 23:59 hours Monday to Saturday and not at all on a Sunday or public holiday.
- Bus movements between 06:00 and 07:00 Monday to Saturday limited to 4 movements.
- Bus movements between 19:00 and 23.59 Monday to Saturday limited to 16 movements.
- There shall be a maximum of 15 buses operating from the site at any one time, with no more than 6 buses exceeding 23 seats and a maximum of capacity of any coach being 41 seats.

A copy of the decision notice for application 2014/1221 can be found in appendix 2.

4.6 The applicant has stated that the business primarily undertakes school transport largely for children with special needs which operates between 07:00 to 18:00 Monday to Friday. However, the company also carries out other private hire work including trips to airports and private hire for weddings. This work can result in vehicles coming to and leaving the depot out of the permitted hours because of breaks needed in driver’s hours and breakdowns. As a result, the company has been renting a parking area at Waveney Storage in Toft Monks to order to comply with the planning conditions.

4.7 The applicant has put the following reasons forward for the variation of the condition:

- The number of movements which have resulted in late returns has been 20 over the last year which have largely been between 00:15 and 01:30 hours, which makes the renting the facility at Toft Monks uneconomic and makes the movement of vehicles and drivers unnecessarily complicated.
- The use of the Toft Monks site increases the number of movements to and from the site six fold as vehicles have to be taken to collect the coaches.
- Health and safety concerns a Toft Monks site is isolated, there is risk that the vehicles could be tampered with. A local coach company was broken into last year and had break pipes cut. Which was discovered by CCTV. We have CCTV at depot. The Toft Monks site was broken into last year which makes us cautious.
- Vehicles cannot come back until 06:00 which leaves limited time to carry out safety check before leaving at 7:00.
4.8 Policy DM2.1 of the Development Management Policies which relates to the expansion of businesses requires any development to protect the amenities of neighbouring occupiers and policy DM3.13 of the Development Management policies seeks to protect residential amenity and part 2 of the policy specifically states “applications which may result in any increased in noise exposure account will be taken on the operational needs of the proposed and neighbouring businesses, the character and function of the area including back ground noise levels at different times of the day and night”. This supported in paragraph 123 of the NPPF.

4.9 As can be seen from the planning history there has been an expansion of the business in recent years which we have tried to accommodate using various conditions. You will note the objections from the neighbouring property. Given the close proximity of the access track to the residential properties the movement of vehicles over night and on Sundays and public holidays in an area where the background noise is very low particularly at night, would result in any unacceptable level of disturbance when people are trying to sleep and the operation on Sundays and public holidays would result to no break from the disturbance created by the bus and coach movements.

4.10 It is noted that the applicant states that the movements are in these hours are limited, but there is no way of effectively controlling this by way of enforceable conditions. The business’s website also promotes coach hire including for stag and hen parties and airport trips, which by their nature result in trips outside the hours of use.

4.11 The use of the storage facility at the Elms at Toft Monks is unauthorised.

4.12 It is considered that the business has expanded as much as it can on this site and alternative sites need to be looked at for further expansion of the business.

4.13 Concern has been raised about the speed of the coaches and safety exiting the neighbour’s property onto Mill Lane. It is difficult to control these matters on a private road, but extending the hours is unlikely to make that situation any worse. The proposal would not result in any significant issues to the public highway and the Highway Officer raises no objection to the application. As a result it is considered that the proposal complies with policy DM3.11 of the Development Management Policies.

4.14 Under Section 143 of the Localism Act the council is required to consider the impact on local finances. This can be a material consideration but in the instance of this application the other material planning considerations detailed above are of greater significance.

4.15 This application is not liable for Community Infrastructure Levy (CIL) as no new floor space is being created.

5. Conclusion

5.1 Although we try and support businesses wherever possible the proposed increase in operational hours would result in an unacceptable level of disturbance to adjacent residential properties contrary to paragraph 123 in the NPPF and policy DM3.13 of the Development Management Policies.

6. Reasons for Refusal

6.2 The 24 hour operation of the site would result in an unacceptable level of disturbance to the properties located along the access track which would be detrimental to their residential amenity contrary to paragraph 123 in the National Planning Policy Framework and policy DM3.13 in the South Norfolk Local Plan Development Management Polices Document 2015.

Contact Officer, Telephone Number Helen Bowman 01508 533833
and E-mail: hbowman@s-norfolk.gov.uk
Appendix 2

Growth & Localism

Swan Lane Long Stratton Norwich NR15 2XE
Tel: 01508 533633 Fax: 01508 533625
Minicom: 01508 533622 Answer phone: 01508 533649 Email: planning@s-norfolk.gov.uk
DX 130080 Long Stratton 2 Website www.south-norfolk.gov.uk

REMOVAL / VARIATION OF CONDITION

Ref: 2014/1221/RVC

Applicant
Mr Roger Beaumont
Old Mill House
Beccles Road
Wheatacre
Norfolk
NR34 0BS

Location: Old Mill House, Beccles Road, Wheatacre, Norfolk, NR34 0BS
Proposal: Variation of Conditions 2 and 3 of planning permission 2013/1602/RVC - permitted hours increased to 6.00am to 23.59pm Monday to Saturday inclusive and increase setting capacity of 2 buses from 33 to 41 seats.

Particulars of decision: The District Council hereby gives notice in pursuance of Section 73 of the Town and Country Planning Act 1990 that permission has been granted for the carrying out of development referred to above without compliance with condition(s) referred to above previously imposed in planning permission but in accordance with the application form and plans submitted subject to compliance with the following conditions:

1. The development shall be carried out in accordance with the submitted drawings ref: site location/ block plan submitted on 20th August 2013.
   
   Reason for the condition
   For the avoidance of doubt and to ensure the satisfactory development of the site in accordance with the specified approved plans, as required by the Spatial Vision and Spatial Planning Objectives of the Joint Core Strategy.

2. There shall be no movement of buses to and from site or repair or maintenance of vehicles other than between the hours of 06:00 and 23.59 Monday to Saturday. The use hereby permitted shall not take place on Sundays or public holidays.

The following restrictions also apply:

Between 06.00 and 07.00 Monday to Saturday there shall be no more than 4 bus movements to and from the site.

Between 19.00 and 23.59 Monday to Saturday there shall be no more than 16 bus movements to and from the site.

Reason for the condition
In the interests of the amenities of local residents in accordance with Policy IMP9 of the South Norfolk Local Plan 2003.
3. There shall be a maximum of 15 buses operating from the site at any one time, of which no more than 6 of these should have a capacity exceeding 23 passengers with a maximum of any bus being 41 passengers.

Reason for the condition
In the interests of the amenities of local residents and to ensure that there is adequate parking and turning area in accordance with policies IMP8 and IMP9 of the South Norfolk Local Plan.

4. At no time shall the common ownership between Old Mill House (dwelling) and the coach business be severed. The coach business shall not be used unless Old Mill House and the coach business are in common ownership.

Reason for condition
To enable the Local planning authority to retain control over a development where total independent use of the business would give rise to a situation detrimental to the amenities of the occupiers of the adjacent house and lead to a substandard layout in accordance with Policies 1 and 2 of the Joint Core strategy and policy IMP 9 of the South Norfolk Local Plan.

5. No external storage of raw material, or any other articles shall at any time take place outside the buildings on the application site, unless a plan showing full details of the position, nature of goods to be stored and maximum stored height (above ground level) have been submitted to and approved in writing with the local planning authority. The development shall thereafter be operated in accordance with the approved details unless otherwise approved in writing by the local planning authority.

Reason for the condition
In the interest of visual amenity and to allow sufficient space for parking in accordance with Policy 2 of the Joint Core Strategy and Policy IMP9 and IMP8 of the South Norfolk Local Plan 2003.

6. Unless otherwise agreed in writing with the local planning authority there shall be no repair or maintenance of the minibuses /coaches outside of the buildings.

Reason for the condition
In the interests of the amenities of local residents and to ensure that there is adequate parking and turning area in accordance with policies IMP8 and IMP9 of the South Norfolk Local Plan.

7. No repair or maintenance shall take place within the site of any mini buses or coaches operated elsewhere.

Reason for the condition
In the interests of the amenities of local residents in accordance with policies IMP9 of the South Norfolk Local Plan.

8. Within two months of the date of this permission a fence shall be erected along the eastern boundary of the access road with Rose Cottage and Fordley Cottage. The fence shall be no greater than 2 metres in height.

Reason
1. NOTE: The authority can confirm it has worked in a positive and proactive manner, based on seeking solutions to problems arising in relation to dealing with this planning application, in accordance with the National Planning Policy Framework.

This permission refers only to that required under the Town and Country Planning Act 1990 and does not include any consent or approval under any other enactment, bylaw, order or regulation and specifically any consent required under the Building Regulations 1991. The attached notes for applicants are also part of this decision notice.

On behalf of the Council

Date of Application: 13 June 2014
Date of Decision: 8 August 2014
Applications where South Norfolk Council wholly owns the Company (Big Sky Developments)

9. **Appl. No**: 2016/1968/A  
   **Parish**: LONG STRATTON

   **Applicants Name**: Mr S Burrell  
   **Site Address**: Maple Park Cygnet Court Long Stratton Norfolk  
   **Proposal**: Part retrospective application for non-illuminated signs. Retention of advertisements for main development boards, entrance direction boards, sales unit and sales information signs, visitor car parking signs, 2 x blue display flags and hoarding boards. Erection of 3x display flags.

   **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

1.2 Joint Core Strategy  
   Policy 5: The Economy

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

2. **Relevant Planning History**

2.1 2013/0265 Outline application for the demolition of Cygnet House and development of up to 50 residential units (class C3) and up to 800 square metres (class B1) floor space, together with associated highway works  
   **Approved**

2.2 2014/2278 Variation of conditions 2, 3, 7, 8, 10, 11, 12, 14, 15, 16, 17, 20, 22, 23, 28, 30, 31 of planning permission 2013/0265/O to enable demolition prior to commencement of development and variation of condition 29 to vary red line for alterations to access  
   **Approved**

2.3 2015/0385 Reserved Matters Application with full details of appearance, landscaping, layout and scale for 50 dwellings (Class C3), 800sq.m. of Office (Class B1(a)), together with the discharge of conditions 2, 3, 6, 7, 10, 11, 12, 13, 14, 15, 16, 17, 19, 20, 22, 23, 25, 26, 28 and 30 relating to outline consent 2015/2858  
   **Approved**

2.4 2015/1089 Proposed advertising hoarding boards.  
   **Approved**
2.5 2015/2858 Variation of condition 8 of planning permission 2014/2278/RVC - Amended from a pre-commencement to a pre-occupation condition to allow the commencement of the development on site  

Approved

2.6 2016/0019 Construction of a temporary access to show homes.  

Approved

3. Consultations

3.1 Parish Council No comments received

3.2 District Councillor Comments to be reported if appropriate

3.3 NCC Highways No highway objections

3.4 Other Representations No responses received

4 Assessment

4.1 The application is a part retrospective application for the erection of advertisement boards and flag poles on the frontage of an approved development site in Long Stratton. Works have commenced on the development site with two of the properties being used as the show homes and the proposed advertising is located in the area around these properties. This includes signs which are already attached to the dwelling and the adjacent garage, visitor parking signs attached to existing hoarding, a directional sign at the entrance to the site, three leader boards and two flag poles at the entrance to the entrance to the show homes. The submitted application also included the proposed erection of 3 more flag poles along the frontage of the site. The addition of three further flag poles was considered to be excessive and an amended plan has been submitted reducing the number down to one further flag.

Principle of development

4.2 The National Planning Policy Framework (NPPF) promotes the development of a prosperous economy whilst Policy DM3.9 of the South Norfolk Local Plan seeks to ensure that advertisements and other signs are well designed and are appropriate in scale for their purpose. Policy DM3.11 of the South Norfolk Plan seeks to protect the safe and free flow of traffic on the district's highway network.

4.3 Regulation 3 of the Advertisement Regulations 2007 requires that the Local Planning Authority controls the display of advertisements in the interests of amenity and public safety only, subject to material provisions within the development plan.

Amenity

4.4 There are dwellings on the opposite side of the highway. Due to the position of the signs and the designs being of a moderate height and size I do not consider there will be a significant effect on the residential amenities of these properties.

Visual Impact

4.5 Due to the location and design of the signs they do not have a significant adverse impact on the surrounding area.
Highway safety

4.6 The Highway Authority have advised there is no objection to the proposal. The proposal is therefore considered to have no adverse impact on highway safety.

4.7 This application is not liable for Community infrastructure Levy (CIL) as no new floor space has been created by the application.

4.8 Under Section 143 of the Localism Act the council is required to consider the impact on local finances. This can be a material consideration but in the instance of this application the other material planning considerations detailed above are of greater significance.

5. Conclusion

5.1 The erection of the signs and flags in this location are considered to accord with Local Plan Policies and more generally with the economic development principles of the JCS and the NPPF due to its direct relationship with the construction works on the site.

Contact Officer, Telephone Number and E-mail:

Lynn Armes 01508 533960
larmes@s-norfolk.gov.uk
Tracy Lincoln 01508 533814
tlincoln@s-norfolk.gov.uk
10. Appl. No : 2017/0881/RVC
Parish : PORINGLAND

Applicants Name : Mr Stuart Bizley
Site Address : Land North of Shotesham Road Poringland Norfolk
Proposal : Variation of condition 2 following 2016/0043 - Change of finish material to the access road from block paving to asphalt

Recommendation : Authorise Director of Growth and Localism to approve with conditions
1. Conditions on previous permission
2. In accord with submitted drawings
3. Reporting of unexpected contamination
4. No dig in root protection
5. Implement landscaping scheme
6. Retention trees and hedges
7. New Water Efficiency
8. Slab levels to accord
9. Restrict office use to B1 use
10. Provision of Bat and Bird boxes
11. Ecological management plan
12. Tree protection

Subject to comments from Highways being sought and any issues raised resolved.

1. Planning Policies

1.1 National Planning Policy Framework
NPPF 03 : Supporting a prosperous rural economy
NPPF 06 : Delivering a wide choice of high quality home
NPPF 07 : Requiring good design
NPPF 10 : Meeting the challenge of climate change, flooding and coastal change

1.2 Joint Core Strategy
Policy 2 : Promoting good design
Policy 3 : Energy and water
Policy 4 : Housing delivery
Policy 5 : The Economy

1.3 South Norfolk Local Plan
Development Management Policies
DM1.2 : Requirement for infrastructure through planning obligations
DM1.3 : The sustainable location of new development
DM1.4 : Environmental Quality and local distinctiveness
DM3.1 : Meeting Housing requirements and needs
DM3.2 : Meeting rural housing needs
DM3.8 : Design Principles applying to all development
DM3.10 : Promotion of sustainable transport
DM3.11 : Road safety and the free flow of traffic
DM3.12 : Provision of vehicle parking
DM3.13 : Amenity, noise, quality of life
DM3.14 : Pollution, health and safety
DM3.15 : Outdoor play facilities/recreational space
DM4.1 : Renewable Energy
DM4.2 : Sustainable drainage and water management
DM4.9 : Incorporating landscape into design
## 2. Planning History

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<thead>
<tr>
<th>Application No.</th>
<th>Date</th>
<th>Description</th>
<th>Status</th>
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<tbody>
<tr>
<td>2014/0319</td>
<td>2014/0319</td>
<td>Residential layout including all house details and landscaping for next phase following planning permission 2011/0476/O</td>
<td>Approved</td>
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<tr>
<td>2014/0393</td>
<td>2014/0393</td>
<td>Reserved Matters application for 57 dwellings and 3539m² (GIA) office accommodation, associated parking and green spaces</td>
<td>Approved</td>
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<tr>
<td>2014/0498</td>
<td>2014/0498</td>
<td>Variation of conditions 2 and 3 of planning permission 2011/0661/F- (Construction of Spine Road (Carr Lane to Shotesham Road), surface water lagoon and associated works) - construction in accordance with submitted drawings and construction of drainage lagoon</td>
<td>Approved</td>
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<tr>
<td>2015/0631</td>
<td>2015/0631</td>
<td>Variation of Condition 2 following planning application 2014/0393/D - Material change to windows and doors for the residential units and external changes to the materials for the commercial units</td>
<td>Approved</td>
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<tr>
<td>2015/0973</td>
<td>2015/0973</td>
<td>Display of advertisements to include main development board, entrance direction boards, show home external sign, visitors car parking, external sales office sign, flag poles</td>
<td>Approved</td>
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<tr>
<td>2015/2893</td>
<td>2015/2893</td>
<td>Variation of Condition 9 of planning permission 2011/0476 - Amend condition to require off-site highway works to be completed prior to occupation of 100th dwelling instead of 50th dwelling or within nine months of the completion of the Anglian Water works.</td>
<td>Approved</td>
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<td>2016/0043</td>
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<td>Variation of Condition 2 of permission 2014/0393/D - Revisions to plot house types, parking and materials</td>
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<td>2016/0771</td>
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<td>Variation of condition 2 of permission 2014/0393/D - various material changes</td>
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<td>2011/0661</td>
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<td>Construction of Spine Road (Carr Lane to Shotesham Road), surface water lagoon and associated works</td>
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<td>2011/0476</td>
<td>2011/0476</td>
<td>Residential &amp; Commercial (office) Development</td>
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## 3. Consultations

<table>
<thead>
<tr>
<th>Group</th>
<th>Issue</th>
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<tbody>
<tr>
<td>Parish Council</td>
<td>Objection regarding surface water drainage</td>
</tr>
<tr>
<td>District Councillor</td>
<td>Concerns regarding surface water drainage.</td>
</tr>
</tbody>
</table>
3.3 NCC Lead Local Flood Authority  No objection

3.4 NCC Highways  To be reported

3.5 Anglian Water Services Ltd  No comments received

3.6 Other Representations  2 letters of concern regarding surface water drainage

4 Assessment

4.1 This application is for the variation of Condition 2 of the reserved matters 2014/0393, previously varied under 2016/0043 and 2016/0771, submitted by South Norfolk Council for their part of the site given outline consent under 2011/0476, referred to as Area D to change the road surface from paving blocks to asphalt on the access road.

4.2 The application site is located off Shotesham Road which takes it access off The Street (B1332). Carr Lane is located to the east and Bellamy Way to the west. Part of the site was previously developed with prefabricated dwellings and the remainder of the site being agricultural. Works have commenced on site and a number of the dwellings occupied.

4.3 This application seeks to change the road surface materials only as approved on application 2016/0771.

The approved reserved matters application was for:
- 57 dwellings of which 14 are affordable dwelling
- 6 blocks of commercial units
- Children’s play space and open space
- Landscaping

4.4 The main consideration is the impact of the change of the materials on the overall design concept and if they are acceptable.

4.5 The proposed changes will not adversely affect the amenities of the neighbouring residential properties nor highway safety.

4.6 The change of paving blocks to Asphalt is considered acceptable and will not adversely impact on the overall design concept for the residential development in accordance with the NPPF and Policy 2 of JCS.

4.7 Concerns have been raised from the District Member, the Parish Council and a local resident with regard to the change of material increasing the risk of surface water flooding. The previous surface material of brick paving was proposed to be laid on a bed of Asphalt which made it a non-permeable surface with surface water being fed into gullies. The new surface will have no further impact on the surface water with it being dealt with similarly to the previously approved drainage system.

4.8 The Lead Local Flood Authority confirm no objection to the proposals given the approved and now proposed surface materials are both non-permeable. Whilst the comments from the Highway Authority are still outstanding informal discussions with them disclose that as the previously approved brick paving surface was non-permeable there will be no objections to the proposed asphalt surface. Final comments will be reported to the committee.
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)

5. Conclusion

5.1 The appearance, scale, landscaping and layout of the development are considered acceptable for its context and are of a high standard of design. The proposed variations will not adversely affect the character of the area and will not have an adverse impact on the amenities of the neighbouring properties, highway safety or flood risk. As such the proposed development accords with the NPPF, JCS and SNLP.

Contact Officer, Telephone Number and E-mail:
Lynn Armes 01508 533960 larmes@s-norfolk.gov.uk
Tracy Lincoln 01508 533814 tlincoln@s-norfolk.gov.uk
Enforcement Reports

1. **Enforcement Ref**: 2016/8299
   **Parish**: DISS

   **Site Address**: 33 Mere Street, Diss, Norfolk, IP22 4AD
   **Development**: Unauthorised uPVC window in listed building
   **Developer**: Mr Steven Lawrence

1. **Background**

   **1.1** It was brought to the Council’s attention in 2008 that uPVC windows had been added to the front and side of the shopfront bay window of this listed building. The window installed is a material alteration to the property which requires planning permission and listed building consent. The owner and tenants were invited to submit applications for both planning permission and listed building consent to regularise the situation. No applications were submitted.

   **1.2** The tenants were unhappy with this request as they stated they had sought advice from the Council over the telephone and were advised that permission was not required. The owner informed us that he was surprised by this advice so he contacted the Council and spoke to the officer who assured him that permission was not required for the window and the uPVC windows were installed on this advice.

   **1.3** There is no record of the officer’s advice that permission was not required prior to installation and there were several requests for retrospective applications following their installation. There was also a file note advising that a timber replacement would need to be of correct detailing.

   **1.4** Regrettably all correspondence requiring applications for a timber replacement ceased in 2009 and despite further visits to the site this was not picked up by officers.

   **1.5** In December 2016 the matter of the unauthorised window was brought to our attention and the owner was invited to submit the relevant applications. The owner has since written to the Council expressing his surprise as he was adamant the matter had been resolved and that no further action would be taken on the matter as a result of the advice he had received from officers. He advises that he was assured by the Development Control Manager at the time that the matter had been closed and that the Conservation Officer was aware of this.

2. **Planning Policies**

   2.1 National Planning Policy Framework
      Policy 12: Conserving and enhancing the historic environment

   2.2 Joint Core Strategy
      Policy 1: Addressing climate change and protecting environmental assets

   2.3 South Norfolk Local Plan
      Development Management Policies
      DM 4.10 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.”

S72 Listed Buildings Act 1990 provides: “In the exercise, with respect to any buildings or other land in a conservation area, of any functions under or by virtue of [the Planning Acts], special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.”

3. Relevant Planning History

<table>
<thead>
<tr>
<th>Reference</th>
<th>Description</th>
<th>Decision</th>
</tr>
</thead>
<tbody>
<tr>
<td>2014/1381</td>
<td>Alterations to existing decking</td>
<td>Approved</td>
</tr>
<tr>
<td>2015/0337</td>
<td>To put 2 advert signs and 1 trough lighting to the front of the property.</td>
<td>Approved</td>
</tr>
<tr>
<td>2015/0338</td>
<td>To put 2 advert signs and 1 trough lighting to the front of the property.</td>
<td>Approved</td>
</tr>
<tr>
<td>2010/1249</td>
<td>Proposed decking with balustrade at the front of the building</td>
<td>Approved</td>
</tr>
<tr>
<td>2010/0118</td>
<td>Removal of chimney and replace with new Kevington fast track chimney stack system.</td>
<td>Approved</td>
</tr>
<tr>
<td>2010/0117</td>
<td>Removal of chimney and replace with new Kevington faststack chimney stack system.</td>
<td>Approved</td>
</tr>
<tr>
<td>2009/2020</td>
<td>Removal of chimney to roof space</td>
<td></td>
</tr>
<tr>
<td>2009/1367</td>
<td>Retrospective application for construction of a disabled access and outside seating area to the front of premises.</td>
<td>Refused</td>
</tr>
<tr>
<td>2009/1236</td>
<td>Retrospective application for construction of a disabled access and outside seating area to the front of premises.</td>
<td>Refused</td>
</tr>
<tr>
<td>2008/2289</td>
<td>Change of use to A3 to A5 and mixed use to include cafe bar and hot food take away (fish &amp; chips) Install stainless steel flue and extraction unit. New sign to front elevation.</td>
<td>Approved</td>
</tr>
<tr>
<td>2008/2288</td>
<td>Change of use to A3 to A5 and mixed use to include cafe bar and hot food take away (fish &amp; chips) Install stainless steel flue and extraction unit.</td>
<td>Approved</td>
</tr>
<tr>
<td>2008/1639</td>
<td>Change of use to A3 Cafe</td>
<td>Approved</td>
</tr>
<tr>
<td>2008/1620</td>
<td>Retention of fascia sign</td>
<td>Approved</td>
</tr>
</tbody>
</table>
4. Enforcement History

4.1 2014/8020 Unauthorised Adverts CLOSED
4.2 2009/8173 Unauthorised Decking CLOSED
4.3 2010/8009 Unauthorised works (Chimney) CLOSED
4.4 2008/8207 Unauthorised Shopfront CLOSED

5. Consultations

5.1 Town Council Windows are not appropriate on a listed building in the conservation area. Should an application have been received the Town Council would have recommended refusal

5.2 District Members:
   Cllr Kiddie To be reported if appropriate
   Cllr Minshull To be reported if appropriate
   Cllr Palmer To be reported if appropriate

5.3 SNC Conservation & Design Officer Please see Appendix 2

6. Assessment

6.1 Paragraph 207 of The National Planning Policy Framework states that “Enforcement action is discretionary, and local planning authorities should act proportionately in responding to suspected breaches of planning control.”

6.2 It is an offence to carry out unauthorised works to a listed building. In deciding whether to pursue enforcement or prosecution action the merits/harm of the works carried out need to be assessed to determine whether it is proportionate/expedient to warrant further action.

6.3 The Senior Conservation Officers comments (Appendix 2) outline the impact of the window on both the conservation area and the listed building. He considers there is an impact on both but a greater impact on the building. Although he does comment that the impact is not so great that he would recommend immediate replacement.

6.4 It must be acknowledged that in 2008/09 the Council did not handle this well as the matter was not formally resolved in writing. The owner of the site is adamant that he and his tenant were given advice that permission was not required and that the Development Control Manager at the time had assured him that no further action would be taken on the matter. It is unfortunate and unsatisfactory that neither party has a written record of this.

6.5 The options open to the Council on this matter include:
   a) Prosecution.
   b) Serve an enforcement notice requiring replacement of the window.
   c) Take no further action.

6.6 Given that this matter has remained unresolved for so long and there is at least a suspicion that incorrect advice may have been given, I do not consider prosecution to be proportionate or reasonable at this time.
6.7 I consider that it is unlikely that planning permission or listed building consent would have been granted for the uPVC window had an application been made, but the degree of harm it causes is not so great as to justify requiring immediate replacement.

6.8 Further alteration or replacement of the windows in the property would require planning permission and listed building consent. I consider that no formal enforcement action should be taken, but that written notice should be given that no further alteration or replacement should take place without formal consent from the Local Planning Authority.

7. **Recommendation**

7.1 No formal enforcement action but written notice should be given that no further alterations should take place unless written consent is obtained.

7.2 Entry made in Land Charges Register to note upvc window is unauthorised although no Enforcement Notice served.

Contact Officer, Telephone Number and E-mail: Andy Baines, 01508 533840, abaines@s-norfolk.gov.uk
Dear Andy

Conservation and Design Comments

The building is listed as part of a group of 33-35 Mere Street, which dates from the early C19th, and is described in the list description as an 'unusual composition of great interest'. Listed in 1972. https://historicengland.org.uk/listing/the-list/list-entry/1049749 The list description also refers to the building forming a group with 25 to 27, so they form an important element in the streetscene in the conservation area.

The listed building is viewed in terms of its form and appearance as three separate parts, the middle section being three storey with an octagonal attic, and two pedimented wings. 33 is the left pedimented section. The middle section is most prominent, being three storey and the most unusual and striking in its design.

In terms of appearance the first floor and above are the most original elements of the building now visible. The previous shopfront pre- the uPVC is likely itself to be a replacement. With the symmetry of the top floor and attic storey with the middle being a defining focal point, it is highly likely that the ground floor was originally designed to also be symmetrical and to some extent 'mirrored' in its original architectural treatment on the ground floor as well as above. Whether or not this was originally one large house or three separate buildings is uncertain, however the existing door with fanlight quite far to the left may indicate that these were three separate houses with three entrances.

Discussion

Any works to a listed building should be sympathetic to its architectural and historic character and the significance attached to it. This includes using appropriate traditional materials in terms of repairing existing features such as windows and doors on a like for like basis, if they are in need of replacement or repair, and using sympathetic design and materials for new elements if those elements are considered sympathetic and do not detract from the overall character. It is important that any replacement feature is similar in terms of having architectural integrity in the use of materials and design detailing.

The window currently inserted is uPVC and is different in design to the bay shop front window it replaced. The material has a different appearance to painted timber. It is therefore an alteration which can be considered to harm the character of the listed building, and there is no justification as to why the bay could not be a design more in keeping with the character of the property.

However, it should be noted that the previous bay shopfront was also a later alteration and not original – as is the larger shopfront to the part of the building to the right.

In terms of the conservation area, the current bay window is a small element in the overall appearance of the building. The more original elements at first floor and above are still prominent and draw the eye, particularly the middle section. The original decorative fanlight also draws the eye to the left of the bay. Although the bay is a more modern design of window, it is relatively simple in its design.
I therefore consider that although the alteration will result in harm to the character of the listed building though its design and use of untraditional materials, it will not have a significant impact on street views in terms of the character and appearance of the conservation area, as other key (and original) aspects of the building character and appearance will remain prominent.

Recommendation

Although such an alteration can be considered to harm the character of the listed building, and would not be granted listed building consent as there is no reason why a matching timber style of bay window could be installed, it has a lesser harmful impact on the streetviews. Therefore the alteration can be considered unauthorised, but there is no immediate urgency to replace the window.

Regards
Chris

Chris Bennett
Senior C & D Officer
t 01508 533828 e cbennett@s-norfolk.gov.uk www.south-norfolk.gov.uk
## Planning Appeals
### Appeals received from 16 May 2017 to 13 June 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>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>
</tr>
</tbody>
</table>

## Planning Appeals
### Appeals decisions from 16 May 2017 to 13 June 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>
</tr>
</thead>
<tbody>
<tr>
<td>2016/2535</td>
<td>Chedgrave Land South Of Norwich Road Chedgrave Norfolk</td>
<td>Mr &amp; Mrs Frost</td>
<td>Erection of 1 no. 4 bedroom self-build dwelling and garage</td>
<td>Development Management Committee</td>
<td>Refusal</td>
<td>Appeal Allowed</td>
</tr>
<tr>
<td>2016/2666</td>
<td>Alpington Land north of 2 Gilbert Close, Church Road Alpington Norfolk</td>
<td>Mr Raymond Lincoln</td>
<td>Demolition of domestic double garage and the erection of a two storey dwelling</td>
<td>Delegated</td>
<td>Refusal</td>
<td>Appeal Dismissed</td>
</tr>
<tr>
<td>2016/2474</td>
<td>Diss 17 &amp; 19 (Furze Bank) Frenze Road Diss Norfolk</td>
<td>Miss R Rackham &amp; Mr M Wilby</td>
<td>Erection of four new single storey bungalows, creation of new access to Frenze Road.</td>
<td>Delegated</td>
<td>Refusal</td>
<td>Appeal Dismissed</td>
</tr>
</tbody>
</table>