# Development Management Committee

Members of the Development Management Committee:

<table>
<thead>
<tr>
<th>Conservatives</th>
<th>Liberal Democrats</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mr V Thomson (Chairman)</td>
<td>Dr M Gray</td>
</tr>
<tr>
<td>Mrs L Neal (Vice-Chairman)</td>
<td></td>
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<tr>
<td>Mr P Broome</td>
<td></td>
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<tr>
<td>Mrs F Ellis</td>
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<tr>
<td>Mr C Gould</td>
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<tr>
<td>Dr C Kemp</td>
<td></td>
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<tr>
<td>Mr G Minshull</td>
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<tr>
<td>Mr J Mooney</td>
<td></td>
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<tr>
<td>Mr B Stone</td>
<td></td>
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<tr>
<td>Mrs A Thomas</td>
<td></td>
</tr>
</tbody>
</table>

**Pool of Substitutes**

| Mrs Y Bendle | Mrs V Bell |
| Mr L Dale | Mr C Foulger |
| Mr J Hornby | Dr N Legg |
| Mr G Wheatley | |

**Pre-Committee Members’ Question Time**

9.00 am  Blomefield Room

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**Agenda**

**Date**

Wednesday 22 June 2016

**Time**

10.00 am

**Place**

*Colman and Cavell Rooms*

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

**Contact**

Sue Elliott tel (01508) 533685

South Norfolk House
Cygnet Court
Long Stratton Norwich
NR15 2XE

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

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**Please Note:** Change of Room

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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.

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.

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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

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14/06/2016
SOUTH NORFOLK COUNCIL – DEVELOPMENT MANAGEMENT COMMITTEE

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. 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. The Long Stratton Area Action Plan is submitted for examination and so the weight to be afforded to emerging policies and allocations is assessed on a case-by-case basis. 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.
A G E N D A

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 25 May 2016 (attached – page 9)

5. Planning Applications and Other Development Control Matters;
    (attached – page 17)
    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>2015/2484/F</td>
<td>HEDENHAM</td>
<td>Willow Farm Earsham Road Hedenham Norfolk NR35 2DF</td>
<td>17</td>
</tr>
<tr>
<td>2</td>
<td>2016/0060/H</td>
<td>REDENHALL WITH HARLESTON</td>
<td>Treetops 40 The Common Harleston Norfolk IP20 9JT</td>
<td>24</td>
</tr>
<tr>
<td>3</td>
<td>2016/0362/F</td>
<td>STOKE HOLY CROSS</td>
<td>Land West Of Whiteford Lodge Chandler Road Stoke Holy Cross Norfolk</td>
<td>27</td>
</tr>
<tr>
<td>4</td>
<td>2016/0761/F</td>
<td>SAXLINGHAM NETHERGATE</td>
<td>Land West Of Tudor Cottage Church Hill Saxlingham Nethergate Norfolk</td>
<td>37</td>
</tr>
<tr>
<td>5</td>
<td>2016/1295/F</td>
<td>LONG STRATTON</td>
<td>Cygnet House Swan Lane Long Stratton Norfolk</td>
<td>43</td>
</tr>
</tbody>
</table>

6. Sites Sub-Committee;
   Please note that the Sub-Committee will only meet if a site visit is agreed by the Committee with the date and membership to be confirmed.

7. Planning Appeals (for information) (attached – page 47)

8. Date of next scheduled meeting – Wednesday 20 July 2016
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

| CNDP | Cringleford Neighbourhood Development Plan |
| J.C.S | Joint Core Strategy |
| LSAAP | Long Stratton Area Action Plan – Pre Submission |
| N.P.P.F | National Planning Policy Framework |
| P.D. | Permitted Development – buildings and works which do not normally require planning permission. (The effect of the condition is to require planning permission for the buildings and works specified) |
| S.N.L.P | South Norfolk Local Plan 2015 |
| Site Specific Allocations and Policies Document |
| Development Management Policies Document |
| WAAP | Wymondham Area Action Plan |
DECLARATIONS OF INTEREST AT MEETINGS

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

Have you declared the interest in the register of interests as a pecuniary interest? If Yes, you will need to withdraw from the room when it is discussed.

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

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

Please refer to the guidance given on declaring pecuniary interests in the register of interest forms. If you have a pecuniary interest, you will need to inform the meeting and then withdraw from the room when it is discussed. If it has not been previously declared, you will also need to notify the Monitoring Officer within 28 days.

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

If yes, you need to inform the meeting. When it is discussed, you will have the right to make representations to the meeting as a member of the public, but must then withdraw from the meeting.

Is the interest not related to any of the above? If so, it is likely to be an other interest. You will need to declare the interest, but may participate in discussion and voting on the item.

Have you made any statements or undertaken any actions that would indicate that you have a closed mind on a matter under discussion? If so, you may be predetermined on the issue; you will need to inform the meeting, and when it is discussed, you will have the right to make representations to the meeting as a member of the public, but must then withdraw from the meeting.

FOR GUIDANCE REFER TO THE FLOWCHART OVERLEAF.
PLEASE REFER ANY QUERIES TO THE MONITORING OFFICER IN THE FIRST INSTANCE
DECLARING INTERESTS FLOWCHART – QUESTIONS TO ASK YOURSELF

What matters are being discussed at the meeting?

Do any relate to an interest I have?

A  Have I declared it as a pecuniary interest?

OR

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

YES

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

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

NO

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

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

YES

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

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 25 May 2016 at 10.00 am.

Committee Members Present: Councillors: V Thomson (Chairman), L Neal (Vice-Chairman), P Broome, F Ellis, C Gould, G Minshull, M Gray, G Minshull, B Stone and A Thomas

Apologies: Councillors: C Kemp and J Mooney

Substitute Members: Councillors: G Wheatley (for C Kemp) and N Legg (for J Mooney)

Officers in Attendance: The Development Manager (H Mellors), the Planning Decisions Team Leader (C Trett), the Senior Planning Officers (T Lincoln, E Thomas, S Marjoram), and the Landscape Officer (R Taylor)

(The press and 62 members of the public were in attendance)

268. 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>2015/2927/O</td>
<td>COSTESSEY</td>
<td>ALL</td>
<td>Local Planning Code of Practice Lobbied by Objectors</td>
</tr>
<tr>
<td>(Item 1)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2016/0495/O</td>
<td>TASBURGH</td>
<td>ALL</td>
<td>Local Planning Code of Practice Lobbied by Tasburgh Parish Council</td>
</tr>
<tr>
<td>(Item 2)</td>
<td></td>
<td></td>
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</tbody>
</table>

269. MINUTES

The minutes of the Development Management Committee meeting dated 27 April 2016 were confirmed as a correct record and signed by the Chairman.
270. 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>2015/2927/O</td>
<td>COSTESSEY</td>
<td>Mrs H Elias – Costessey Town Council</td>
</tr>
<tr>
<td>(Item 1)</td>
<td></td>
<td>Mr S Codman – Objector</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Mr S Willsher – Agent for the Applicant</td>
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<tr>
<td></td>
<td></td>
<td>Mr B Coe – Agent for the Applicant</td>
</tr>
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<td></td>
<td></td>
<td>Cllr A Pond – Local Member</td>
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<tr>
<td></td>
<td></td>
<td>Cllr V Bell – Local Member</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Cllr T East – County Councillor</td>
</tr>
<tr>
<td>2016/0495/O</td>
<td>TASBURGH</td>
<td>Mrs S Barnes – Applicant</td>
</tr>
<tr>
<td>(Item 2)</td>
<td></td>
<td>Mr G Barnes - Applicant</td>
</tr>
<tr>
<td>2016/0776/F</td>
<td>TACOLNESTON</td>
<td>Mrs A Baker – Objector</td>
</tr>
<tr>
<td>(Item 3)</td>
<td></td>
<td>Mr C Parsons – Agent for the Applicant</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Cllr B Duffin – Local Member</td>
</tr>
</tbody>
</table>

The Committee made the decisions indicated in the Appendix to these minutes, conditions of approval or reasons for refusal of planning permission as determined by the Committee being in summary form only and subject to the final determination of the Director of Growth and Localism.

271. ENFORCEMENT REPORTS

Members authorised that enforcement action be undertaken to cease the residential use of the land at Station Farm, High Road, Wortwell (2004/0254) and to secure the removal of the caravan, with a compliance period of one year. It was agreed that checks would be undertaken after six and nine months to ensure that the resident was seeking alternative accommodation.

272. PLANNING APPEALS

The Committee noted the planning appeals.

(The meeting closed at 1.00 pm)

_____________________
Chairman
Development Management Committee  
25 May 2016  
Minute No 270

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.

1 Appl. No: 2015/2927/O  
Parish: COSTESSEY

Applicants Name: Mrs Katrina Kozersky  
Site Address: Land North Of Farmland Road Costessey Norfolk

Proposal: Outline application with all matters reserved except for access for 83 dwellings (including 27 affordable dwellings) with areas of public open space, sustainable drainage systems and associated infrastructure.

Decision: Members voted 8 - 2 for Refusal (contrary to officer recommendation which was lost 6-5)

Refused

Reasons for Overturning Officer Recommendation

The proposal would result in a significant and demonstrable visual impact on the river valley and surrounding landscape by virtue of its encroachment towards the valley of the River Tud.

The development fails to represent a sustainable form of development as fails to comply with the environmental role by virtue of the identified harm to the landscape and visual impact of the proposal which is considered to significantly and demonstrably outweigh the benefits of the proposal.

Updates to officer report

Additional grounds of objection raised by local residents:

- British geological survey report received which states that the area has ground instability
- There has been subsidence from a number of local residents on Farmland Road due to leakage and waterflow from a burst waterpipe
- Query whether geology been properly considered for the access road?
- Query whether geology and ground conditions been properly considered for the proposed drainage strategy?
- Approving this scheme would contradict the High Court Judgement Mactaggart & Mickel Homes v SoS (Chard, Somerset) which concluded that the local plan should be given time to succeed and to refuse development that could have a prejudicial effect
- Concern that the proposed amenity area in the river area and proposed footpaths would increase flooding offsite.
- Request condition imposed to physically restrict access to the river woodland area outside of daylight hours due to increased risk of anti-social behaviour, crime and health and safety of users
- Opening up the river area for public access is not essential in the public interest and is just a tactic to get planning permission on an unsuitable site
- The site is in a groundwater protection Zone 3 which means three levels of treatment are required before infiltration discharge to groundwater. The EA has confirmed this. Currently the application suggests two levels of treatment to ground water.
• Horses and livestock are kept on adjacent land to the east of the site. Concern raised regarding impact of construction noise and disturbance from the proposed development and also that of noise from the development as built on the livestock/horses.

• Concern that the officer has not viewed the site from rear gardens/land on West Road and as such has not appreciated the relationship the site has with these properties/land.

• The NPPF is not supposed to be to the detriment of neighbouring property owners. Adjacent land will now potentially flood.

Officer comments in relation to land instability and subsidence:
The National Planning Practice Guidance has guidance on land stability. This requires local authorities to consider if the site is potentially affected by land or slope stability, whether it lies in a high risk area in a coalfield area, and then appropriate level of assessment for the site including preliminary assessment and desk top surveys to identify the risks. The contamination report submitted with the application notes that there is a moderate potential for compressible ground on the site and low potential for ground dissolution and running sand. Offsite it was noted that there is a high potential for ground dissolution. The report submitted indicates that they are not aware of any dissolution feature events nearby and the risk to the site is considered to be low.

The site is not within a defined Development high Risk Area within a coalfield area. Conditions could be imposed if there was a need for further site investigation to assess ground stability or a scheme to mitigate known land instability. It is acknowledged that local residents have advised that there are properties in the road that have subsided and comments of residents of issues in the road opening up with holes are noted, however as far as the LPA is aware, this is not linked to a widespread issue of significant land instability. Based on the information available it would appear that this is localised and it is considered that the site is at a low risk of subsidence and planning conditions must be reasonable and proportionate. It is not considered that a planning condition requiring further investigation prior to the determination of the application is therefore proportionate or reasonable given the preliminary assessment submitted with the application. However, due to concerns raised and in acknowledgement of the low risks a precautionary condition is suggested to be imposed to require that in the event that during construction it is found that the land suffers from land instability, the developer should cease work until information and mitigation works are agreed to address land stability in relation to the site and any land it may affect. It should also be noted that the Building Regulations sit alongside this process and this ensures that any development is structurally sound.

LLFA comments in relation to land instability and the impact this has on the ability to deliver a SuDs drainage strategy on the site: No objection – a SuDs strategy can be designed to address and accommodate any issues of ground conditions. Offer the following comments:

The applicant has supplied the results of infiltration testing at three locations across the site in accordance with BRE365 (i.e. three tests in each location). The results demonstrate that the geology beneath the site is generally favourable for the use of infiltration. The application is currently at outline stage, and the drainage strategy promotes the use of rainwater harvesting, private property level soakaways, permeable paving, swales and infiltration basins. Issues regarding the suitability of housing on a particular geology are for a suitably qualified structural engineer to consider during the design of housing in a particular location. The LLFA are also not aware of any widespread subsidence issues in this area as there are in some parts of Norwich City. We would not generally consider in detail the impact of a proposed surface water drainage system on the ground stability on the site due to potential solution features unless we are aware of particular issues in the area. We acknowledge that there are anecdotal records of localised subsidence within some of the highways in Costessey; however, these have not been attributed to such solution features that this development has the potential to increase the risk of occurrence.

We highlight that Section 25.2.3 of the CIRIA SuDS Manual (C753, 2015) states that, “the potential risk of adverse effects from infiltrating water will depend on the volume of water being discharged along with the depth and plan area of the infiltration system. The smaller the
"area of the system in relation to the drained area, the greater the risk." The features currently proposed that have the potential to cause the greatest impact where the geology is susceptible to solution features are the private dwelling soakaways.

Our recommended condition, as submitted, requires the applicant to undertake further infiltration testing on the site in the location of proposed surface water drainage infrastructure.

There is consequently the potential for the applicant to undertake a more detailed investigation of the potential for solution features as part of this ground investigation prior to detailed design. This could be required through a modification to the wording of our suggested condition. The SuDS Manual further states that, "A geotechnical investigation is likely to be required to ensure that the ground conditions are suitable and to check the likely performance of the infiltration component."

We would highlight that the appropriate SuDS proposals are still suitable in areas of potential subsidence; however these need to be proportionate to the level of risk. For instance, permeable paving can and has been proposed in areas of known subsidence and close to properties. This is because permeable paving infiltration is shallow, infiltrates over a wide area and replicates runoff processes in a similar way as it would prior to development. We would hence encourage any developer to identify the risk of subsidence and propose suitable SuDS features considering the level of risk during detailed design. The applicant may therefore, during detailed design, need to exclude private soakaways from the surface water drainage strategy in favour of planar infiltration systems such as permeable paving, wide swales and shallow infiltration basins. This could be reflected in a condition if the LPA have serious concerns this issue has not been addressed.

We feel that the applicant has submitted sufficient information to demonstrate at a high level that the proposed drainage strategy is appropriate. We also consider that the suggested condition provides an adequate level of protection to ensure that the development will be safe from flooding over its lifetime, will not increase the risk of flooding elsewhere, and will not contribute towards adverse effects by unacceptable levels of water pollution in line with Paragraphs 103 and 109 of the National Planning Policy Framework (NPPF).

Officers therefore suggest that additional wording is included in the LLFA suggested surface water drainage condition to require that the detailed SuDS design includes geotechnical investigation to ensure ground conditions are suitable and to confirm the likely performance of the infiltration component.

Officer comments on appeal decisions in relation to 5 year land supply

Chard:

This decision is made in relation to a very specific set of circumstances and is distinguishable from this application. Members have previously been made aware of this appeal decision. The South Somerset Local Plan identifies Chard as the location of a strategic, mixed-use growth location which is intended to deliver significant infrastructure, including two primary schools and a link road, plus regeneration of the area. In order to deliver the infrastructure the development is being phased and already extends beyond the Local Plan period (which runs to 2028) and implementation is likely to require the use of CPO powers. The Inspector in this appeal was concerned that (a) the appeal sites were proposing to use some of the allocated employment land for residential and (b) that the remaining land was additional to that already allocated and was on relatively unconstrained greenfield sites. The Inspector’s principle concern was that the housing market in Chard is not very strong and that the appeal sites would get developed before the allocated sites therefore pushing the allocated sites back even further, undermining the phasing, delivery of infrastructure and regeneration of the area. Consequently, time should be allowed to get those more difficult allocated sites off the ground. There is no evidence to suggest that permitting this site would undermine the delivery of other, recently adopted Local plan allocations.

Therefore in relation to the matter of policies for supply of housing being out of date in the absence of a 5 year supply, Officers would consider that the Chard High Court Judgement does not materially affect the balance the LPA makes generally on applications that relate to a 5 year supply, and is not sufficiently material to the planning balance made in this planning application.

Jaguar Road, Hethersett:

The Jaguar Road, Hethersett appeal has been referenced which members will be familiar, having refused this in February 2015. This was within the development boundary, however
given that it also lies in the Norwich Policy Area, consideration of the NPPF tests of the presumption in favour of sustainable development and tests of significant and demonstrable harm was also applied. Members should note that the Jaguar Road site is a designated area of Important Local Open Space under policy DM4.4 and the policy seeks to ensure that development protects the openness of the site. In this case the identified harm to the openness of the site and form and character of the area was considered to result in significant and demonstrable harm that outweighed the benefits.

Members should note that the application site now for consideration is not a designated site and so again is distinguishable from this appeal decision. NCC Highways – have confirmed the conditions they would require to be imposed in the event that planning permission is granted. These would be imposed in addition to the conditions set out on the main report. These include the following (summarised)

- No works shall commence on the site until such time as detailed plans of the roads, footways, foul and surface water drainage have been submitted to and approved
- No works shall be carried out on roads, footways, foul and surface water sewers otherwise than in accordance with the specifications of the Local Planning Authority
- Before any dwelling is first occupied the road(s) and footway(s) shall be constructed to binder course surfacing level from the dwelling to the adjoining County road in accordance with the details to be approved
- Development shall not commence until a scheme detailing provision for on-site parking for construction workers for the duration of the construction period has been submitted to and approved
- Prior to the commencement of any works a Construction Traffic Management Plan and Access Route which shall incorporate adequate provision for addressing any abnormal wear and tear to the highway shall be submitted to and approved in writing with the Local Planning Authority in consultation with Norfolk County Council Highway Authority together with proposals to control and manage construction traffic using the 'Construction Traffic Access Route' and to ensure no other local roads are used by construction traffic.

For the duration of the construction period all traffic associated with the construction of the development will comply with the Construction Traffic Management Plan and use only the 'Construction Traffic Access Route'

2

Appl. No : 2016/0495/O
Parish : TASBURGH

Applicants Name : Mr & Mrs Gerald & Sarah Barnes
Site Address : Land South East Of Low Road Tasburgh Norfolk
Proposal : Outline permission (with all matters reserved) for six houses with parking and gardens.

Decision : Members voted unanimously for Approval

Approved with conditions

1 Outline Permission Time Limit
2 Standard outline requiring RM
3 In accord with submitted drawings
4 Slab level to be agreed
5 Archaeological monitoring
6 External materials to be agreed
7 Surface Water details to be agreed
8 Foul drainage to main sewer
Updates to officer report

Parish Council:
Council wish to re-establish discussions with regards to the footpath being reinstated across the field to the Village Hall.
Officer: The foot path does not form part of this application, so cannot be given any material weight in this decision.
Affordable housing: The proposed number of dwellings is below the threshold set in the NPPF to provide affordable housing. The applicant has confirmed that they still wish to provide the proposed affordable housing so this remains a material consideration.

Appl. No : 2016/0776/F
Parish : TACOLNESTON
Applicants Name : Mr & Mrs Manning
Site Address : Land North Of 122 Norwich Road Tacolneston Norfolk
Proposal : Proposed dwelling and detached garage.

Decision : Members voted unanimously for Refusal

Refused

1. Principle of development is unacceptable.
2. The proposal would significantly and demonstrably harm the historic and architectural merit and setting of the area.
3. The proposal would harm public amenity.

Updates to officer report

Comments from the Arboriculturalist:
Removal of the two conifers and one apple will have little impact on the landscape and the replacement planting compensates for this. I consider that there is sufficient space between the proposed dwelling and retained trees although there may be future pressure for pruning / removal of trees due to issues such as shading, leaf litter etc. My main concern is the proximity of the proposed driveway to the retained Pear tree (T11). This is a large and old specimen as identified by A.T Coombes as being a BS5837:2012 category A tree (highest category). Although the no-dig driveway is acceptable I consider that the level of pruning required to achieve sufficient ground clearance will be detrimental to the appearance and health of the tree and as such is not acceptable. Alternative access should be sought avoiding the canopy of this tree.
4  Appl. No  :  2016/0771/RVC  
Parish      :  PORINGLAND  

Applicants Name  :  Mr Stuart Bizley  
Site Address     :  Land North Of Shotesham Road Poringland Norfolk  
Proposal        :  Variation of condition 2 of permission 2014/0393/D - various material changes  

Decision       :  Members voted unanimously for Approval  

Approved with conditions  

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

PLANNING APPLICATIONS AND OTHER DEVELOPMENT CONTROL MATTERS

Report of Director of Growth and Localism

Major applications

1. Appl. No : 2015/2484/F
Parish : HEDENHAM

Applicants Name : Mr David & Mrs Linda Buck
Site Address : Willow Farm Earsham Road Hedenham Norfolk NR35 2DF
Proposal : Erection of extension to the existing 12,000 bird free range egg production unit to accommodate additional 10,000 birds.

Recommendation : Refusal

1. Unacceptable impact upon neighbour amenity

1. Planning Policies

1.1 National Planning Policy Framework
NPPF 03 : Supporting a prosperous rural economy
NPPF 07 : Requiring good design
NPPF 12 : Conserving and enhancing the historic environment

1.2 Joint Core Strategy
Policy 1 : Addressing climate change and protecting environmental assets
Policy 5 : The Economy
Policy 16 : Other Villages

1.3 South Norfolk Local Plan
Development Management Policies
DM2.7 : Agricultural and forestry development
DM3.8 : Design Principles applying to all development
DM3.13 : Amenity, noise, quality of life
DM4.10 : Heritage Assets

1.4 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 2014/2276 Installation of an 50kW Ground Mounted Photovoltaic Array Approved

2.2 2008/0579 Proposed conversion of barn and former piggeries to residential use (4no units) Approved
2.3 2008/0580 Proposed conversion of barn and former piggeries to residential use (4no units) Approved
2.4 2007/0473 Conversion of agricultural building to residential Withdrawn
2.5 2007/0472 Conversion of agricultural building to residential Withdrawn
2.6 2002/2197 Conversion & extension of existing pig buildings to free range egg production unit Approved
2.7 2001/0714 Conversion of barn to form childrens nursery Approved
2.8 2001/0713 Conversion of barn to form childrens nursery Approved
2.9 2000/0103 Conversion of existing outbuildings to form a childrens nursery Approved
2.10 2000/0102 Conversion of existing outbuildings to form childrens nursery Approved
2.11 1998/1716 Removal of agricultural occupancy condition on Willow Farmhouse and demolition of Willow Farm Cottage Withdrawn
2.12 1998/1715 Removal of agricultural occupancy condition - imposed by planning permission 90/0936 Approved

3. Consultations

3.1 Parish Council Refuse
- Site screening
- Visual intrusion
- Diminish the rural gap
- Fly issue
- Deterioration of residential amenity

3.2 District Member Committee determination if to be approved
- Proximity to dwellings, Smell, noise, Health and safety, fly management
- Blot on landscape, positioned on brow of hill, close to the roads and dwellings
- Lack of any increase in employment
- lack of manure disposal plan

3.3 Civil Aviation Authority No comments received

3.4 SNC Community Services - Environmental Quality Team Refuse on the following grounds:
- The proposed extension to the existing free range egg production unit will exacerbate the existing serious issue with large numbers of flies affecting residential premises in the vicinity of the Willow Farm Free Range Poultry Unit. In particular:
- The proposed extension to the existing free range egg production unit will be of the same design as the existing unit.
• There has existed for a number of years a serious issue with large numbers of flies affecting a number residential premises in the vicinity of the existing Willow Farm Free Range Poultry Unit.
• This fly issue has continued despite a management agreement with the company that the best practicable means will be taken by the management of the Willow Farm Free Range Poultry Unit to control flies. In this case, the best practicable means for fly control detailed in the management agreement have been produced by an expert in the field from ADAS.
• The only year since August 2004 (I understand the existing poultry unit was brought into use in November 2003) when there has not been a serious issue with large numbers of flies affecting a number residential premises in the vicinity of the Willow Farm Free Range Poultry Unit was 2011, which coincided with the poultry unit being left empty.
• The extension will be of the same design as the existing free range egg production unit at Willow Farm which has a history of having difficulties in keeping the manure dry and has been unable to address this issue. We would expect this to be true of the proposed extension which will be of the same design resulting in an increased potential for fly breeding to take place and the resultant fly nuisance to near-by houses.
• Keeping the poultry litter dry is the first, and most important, line of defence in preventing fly breeding.
• Being unable to keep the poultry litter dry results in the unit being reliant on the second (and final) line of defence in preventing fly breeding – chemical controls.
• There are indications that resistant is building up in the fly population to these chemicals and thus they may become less effective.
• In the event of significant fly breeding occurring in the proposed extension:
  • It could take 6 to 8 weeks to resolve i.e. residents will be impacted for 6 to 8 weeks
  • There are over 40 dwellings within 500m who are likely to be affected.
  • We do not consider that there are any reasonably practicable further measures that can be put in place to address this concern.

3.5 SNC Water Management Officer To be reported if appropriate
3.6 NCC Ecologist No comments received
3.7 NCC Highways No objection
3.8 Other Representations 13 letters of objection
  • Fly nuisance
  • Visible within countryside
  • Detrimental impact on visual amenity of surrounding countryside
  • Adjacent Conservation area will not improve character and quality of area
  • Noise from fans
  • To close to residential properties and local restaurant
  • Will not result in extra employment
  • Closure of rural gap
4 Assessment

Proposal and site description

4.1 Willow Farm is a unit that comprises of approximately 45 acres of land used for arable and grazing. Part of the land is used as a ranging area for the flock of 12,000 free range laying hens that are accommodated in a building on the site. The building was originally/formerly used as a pig unit but was granted planning permission in 2003 to extend and convert the unit into a Free Range Egg Production Unit. This application is to extend the unit to house another 10,000 birds.

4.2 The main farmhouse is a Grade II listed building. The Hedenham Conservation Area is situated on the other side of Earsham Road some distance away from the proposed building. The site is in the open countryside outside any development limits.

Key Planning Issues

4.3 Policy DM2.7 in the Development Management Policy Document 2015 is directly applicable to this application insofar as it relates to Agricultural development. The policy states:

Agricultural and forestry development will be permitted where:
a) The proposed development is necessary for the purpose of agriculture and forestry or
b) In the case of development for an agricultural or forestry contractor serving a wider area, demonstrate that the site is well related to the area to be served and that there are no other alternative sites with existing buildings available; and

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

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

4.4 Given the proposed development is necessary for the purpose of agriculture, criterion a) is met.

4.5 On this basis the scheme must then satisfy criterion c) and d).

4.6 The matters covered by criterion c) are also reinforced by Policy DM3.13 of the South Norfolk Local Plan which considers the impacts of a development on amenity insofar as it states:

Development should ensure a reasonable standard of amenity reflecting the character of the local area. In all cases particular regard will be paid to avoiding:
a. Overlooking and loss of private residential amenity space
b. Loss of day light, overshadowing and overbearing impact
c. Introduction of incompatible neighbouring uses in terms of noise, odour, vibration, air, dusts, insects, artificial light pollution and other such nuisances. Planning permission will be refused where proposed development would lead to an excessive or unreasonable impact on existing neighbouring occupants and the amenity of the area or a poor level of amenity for new occupiers.

4.7 In terms of criterion c) of DM2.7 and criterion c) of DM3.13 there have been many concerns raised from both consultees and neighbours regarding the impact of the proposed extension, particularly given that the existing building is already causing nuisance to local residents by virtue of bringing an influx of flies to the area.

4.8 The Councils Environmental Protection Team have had a long involvement with the site, including undertaking previous investigations and commissioning investigations/reports by specialists with regard to the infestation of flies in the area.
4.9 The above investigations/assessments have identified that the existing unit is attracting the flies into the area seemingly as a direct consequence of its design, insofar as it does not allow adequate maintenance options for keeping the manure dry, and despite the employment of management procedures that exceed the industries best practice for fly control being applied within the existing unit, a serious problem still persists within the locality in terms of disturbance from flies.

4.10 Given that issues continue to persist, despite the Council’s and operators best endeavours, and with no probable solution available, it is inevitable that the extension, which is to be built of the same design, will not solve the existing problems, and potentially could exacerbate the existing problem. This view is led by the Council’s Environmental Protection Officer’s consultation response as set out in this report.

4.11 Given the above concerns, it is considered that criterion c) of both Policies DM2.7 and DM3.13 would not be fulfilled by this proposal.

4.12 In terms of other planning related issues, the existing and proposed buildings would not be clearly visible from Earsham Road. However due to the topography of the surrounding countryside, the building sits on the brow of a valley and can be seen for some distance to the north and north east of the site from Norwich Road. Although the proposal will be visible across the valley it would be viewed as an extension to an existing building constructed of similar material in an area that is predominantly agricultural in use, and therefore the new extension would not have a significant detrimental impact on the surrounding countryside.

4.13 The scale, form and appearance of the development has a satisfactory relationship with existing structures, spaces and routes within the site and a successful integration into its surroundings.

4.14 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. The site lies within the setting of a grade II listed building. Also the impact on Conservation Areas requires consideration under the development management policies and S72 Listed Buildings Act 1990 requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of Conservation Areas given the close proximity of a Conservation Area.

4.15 Due to its location in the context of the existing buildings on the site, I do not consider that the new building will have any harmful impact on the setting of the Listed Buildings or the listed outbuilding; and will not have any harmful impact on the character or appearance of the Conservation Area. 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 that the proposal would not adversely affect the setting of the Listed Building or the Conservation Area.

4.16 The Highway Authority (NCC) has been consulted and they have confirmed that they have no highway safety or traffic related concerns.

4.17 It is understood that the applicant has commenced work on their consented residential barn conversion scheme granted under 2008/0579 (with accompanying LB consent 2008/0580). It should be noted that condition no. 4 of 2008/0579 of this permission requires the demolition of a number of buildings, including that scheduled to be extended via the current application, prior to first occupation of any of the buildings scheduled to be converted. On this basis, whilst the demolition of the buildings is not a requirement triggered by commencement, it is evident that the building proposed to be extended under the present...
application would have to be removed if the applicant intended to progress the extant residential conversion scheme.

4.18 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.

4.19 This application is liable for Community Infrastructure Levy (CIL)

5 Conclusion

5.1 The proposal would be likely to exacerbate the existing serious issue with large numbers of flies affecting residential premises in the vicinity of the Willow Farm and as such the proposal is unacceptable by virtue of being contrary to Policies DM2.7 and DM3.13 of the South Norfolk Local Plan.

6 Reasons for Refusal

6.1 The proposal would be likely to exacerbate the existing serious issue with large numbers of flies affecting residential premises in the vicinity of the Willow Farm. Furthermore, the Council does not believe that the impacts can be effectively overcome by the employment of any management or control measures. For these reasons the proposal is considered to be contrary to Policies DM2.7 and DM3.13 of the South Norfolk Local Plan.

Contact Officer, Telephone Number and E-mail: Lynn Armes 01508 533960 and Chris Raine 01508 533841 larmes@s-norfolk.gov.uk craine@s-norfolk.gov.uk
Other applications

2. **Appl. No**: 2016/0060/H  
   **Parish**: REDENHALL WITH HARLESTON

   - **Applicants Name**: Mr Robert Mack
   - **Site Address**: Treetops 40 The Common Harleston Norfolk IP20 9JT
   - **Proposal**: Retention of a tree house.

   **Recommendation**: Refusal

   - 1. Unacceptable loss of privacy to neighbouring properties contrary to policy DM3.13
   - 2. Unacceptable impact within the context of location

   Authorise Enforcement Action to secure removal of the treehouse

1. **Planning Policies**

   1.1 National Planning Policy Framework  
      NPPF 07 : Requiring good design

   1.2 Joint Core Strategy  
      Policy 2 : Promoting good design  
      Policy 13 : Main Towns

   1.3 South Norfolk Local Plan  
      Development Management Policies  
      DM3.8 : Design Principles applying to all development  
      DM3.13 : Amenity, noise, quality of life

2. **Planning History**

   2.1 1993/0733 Erection of conservatory to dwelling Approved

3. **Consultations**

   3.1 Town Council No comments received

   3.2 District Member No comments received

   3.3 Other Representations 1 letter of support

4. **Assessment**

   4.1 The main property is a detached two storey dwelling. The adjacent property is also two storey with the remainder of properties being a mix of sizes and ages forming the general mixed character of The Common.

   4.2 The proposal seeks the retention of a tree house which has been constructed in a tree on the West boundary in the rear garden of No 40 The Common Harleston. The site borders open farm land to the West, residential gardens to the South West and East and Archbishop High School playing field to the north. A public Footpath runs along the West boundary of the site. The site is within the Development Boundary of Harleston but outside the Conservation Area.
4.3 A letter submitted with the application from a qualified Arborist who has recently reduced the height of the tree confirms the tree is a Cupresssus x leylandii and is a strong tree in good health.

4.4 The construction includes the access ladder which leads to a door in the East elevation where there is also a window. Other windows overlook farm land on the West elevation of the tree house.

4.5 The concern relates to the loss of residential privacy to the adjacent neighbouring properties on the East of the site due to the position of the door and windows in the East elevation. At the time of the report only one comment has been received and this is in support to retain the treehouse from No 45 to the South West of the site. Any other comments received will be reported to Committee on the update sheet.

4.6 Notwithstanding the result of the consultation process, I have concern that if retained, the actual and perceived loss of privacy to the neighbouring properties from the windows and door of the treehouse and to some degree from the access ladder, would be in conflict with the principles of policy DM3.13. It could be argued the treehouse could be adapted and block the window, however, the access door and ladder would remain which would not overcome the loss of privacy to neighbouring properties, it is for this reason the application cannot be supported.

4.7 The second issue to assess relates to the scale and design of the tree house in context of street scene and location. While the tree house is not visible from The Common, it is easily visible from the footpath on the west of the site. The height of the tree has been significantly reduced resulting in a treehouse that appears to 'sit on the top' of the tree rather than within the tree. I consider the overall scale and design is not appropriate for this location and is out of character with the locality. The application is therefore considered to be in conflict with policy DM3.7 of the SNLP 2015. It is for these reasons the application cannot be supported.

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

5 Conclusion and reason for refusal

5.1 The retention of the tree house would result in unacceptable loss of residential amenities and privacy to the adjacent neighbouring properties and therefore the retention of the treehouse would be in conflict with the principles of policy DM3.13 of the SNLP 2015.

5.2 The scale and design of the tree house is considered to have an adverse impact on the character of the area and is therefore in conflict with policy Dm3.7 of the SNLP 2015.

5.3 Given the tree house is already in situ, and the recommendation of refusal, authorisation is sought to take Enforcement Action to secure the removal of the treehouse, to ensure the privacy and residential amenities of the neighbouring properties is restored and retained.

Contact Officer, Telephone Number and E-mail: Jacqui Jackson 01508 533837 jjackson@s-norfolk.gov.uk
3. **Appl. No**: 2016/0362/F  
**Parish**: STOKE HOLY CROSS

**Applicants Name**: Mr G Harvey  
**Site Address**: Land West Of Whiteford Lodge Chandler Road Stoke Holy Cross  
Norfolk

**Proposal**: Proposed erection of new dwelling.

**Recommendation**: Approval with conditions

1. Full Planning permission time limit  
2. In accord with submitted drawings  
3. External materials to be agreed  
4. Slab level to be agreed  
5. Retention of trees and hedge  
6. Provision of parking, service  
7. No PD for Classes ABCDE & G  
8. No PD for fences, walls etc  
9. Archaeology  
10. New Water Efficiency  
11. Surface Water  
12. Foul drainage package treatment plant

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

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 15: Service Villages  
Policy 17: Small rural communities and the countryside

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  
DM3.8: Design Principles applying to all development  
DM3.11: Road safety and the free flow of traffic  
DM3.13: Amenity, noise, quality of life  
DM4.2: Sustainable drainage and water management

1.4 Supplementary Planning Document  
South Norfolk Place Making Guide 2012

1.5 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 2015/2945
Reserved Matters from 2013/0211/O, details of access, appearance, landscaping, layout, scale and details of an archaeological watching brief. Withdrawn

2.2 2013/0211
Outline permission for the development of a detached, 3 bedroom bungalow with garage and garden Allowed at appeal

3. Consultations

3.1 Parish Council
Amended proposal
- Consider Inspector’s decision should be adhered to
Original proposal
- Refuse
    - Not conform with Inspector’s decision for a bungalow
    - Consideration needs to be given to neighbours views

3.2 District Member
To be determined by committee
- Impact on adjoining properties

3.3 NCC Highways
Support with conditions
- The visibility from the access is just about satisfactory to provide an additional dwelling
- Bus stops is just over 1 km a way and lack of foot paths means occupiers are likely to be reliant on the private car
- Local shop and services are 2.8 km away, although it shorter using footpaths across the fields
- Note previous application was allowed at appeal and Inspector did not consider there to be a sustainability issues

3.4 Historic Environment Service
To be reported

3.5 Other Representations
Amended proposal
Two letters of objection
- The revised plans are an improvement in scale and massing
- Proposed dwelling still too big for plot
- Two storey property not appropriate
- A bungalow or worse one and half storey property would be more appropriate.
- Still windows overlooking my house and garden
- Any window overlooking should be obscure glazed
- If permission is granted PD need to be removed for new windows
- Remaining tree should be protected by TPO
- Boundary hedges should not be reduced
- Confirmation required for plans for sewage treatment plant and drainage, existing ditch only just copes in wetter months

Original proposal
Five letters of objection from four households
- Accept that with Inspector’s decision that a single storey property would be built here.
- Site can only accommodate single storey dwelling two storey would be over development
- Mass is too great
- Dwelling extends beyond my property
- Over shadowing loss of light
- Windows will overlooking garden and dwelling
- Trees have been felled on site exacerbates waterlogging
- Important to protect trees and hedges around the site
- Drainage will not be by mains sewer as there is not one; effluent will need to cross my land.
- Access will need to be improved which I will need to be consulted on
- Perspective drawings are misleading
- Design principle and material are an improvement on previous scheme
- Surface water drainage can be a problem in the area
- Neighbouring property inaccurately drawn on plans

4 Assessment

4.1 The application relates to a piece of land to the west of land in Whiteford Lodge on the South side of Chandler Road in Stoke Holy Cross. The Old Barn is located to the south west of the site. The site forms part of a small cluster of dwellings, which are detached and set in large plots. The site is bounded with hedges and there is a ditch running to the west of the site. The site is outside the development boundary for Stoke Holy Cross defined by the South Norfolk Site Specific Allocations.

4.2 The application is a full application for a four bedroom detached property and garage. Permission was granted at appeal for an outline permission for a three bedroom detached bungalow in 2013 application number 2013/0211. A reserved matters application was made earlier in the year for a two storey dwelling which was withdrawn because the outline description specifically referred to a bungalow.

4.3 Since the appeal decision the South Norfolk Development Management Polices have been adopted policy, DM1.3 seeks to direct development to sustainable locations within development boundaries and allocated sites. The Joint Core Strategy sets out the growth strategy for the area including designating Stoke Holy Cross as a Service Village. The Inspector gave significant weight in his decision to the fact that the Council did not have a five year land supply in the Norwich Policy Area and as such paragraph 49 in the NPPF makes it clear that in such circumstances the development plan policies cannot be considered up to date and housing applications should be considered in the context of the presumption in favour of sustainable development. This is still the case.

4.4 In terms of the presumption in favour of sustainable development under paragraph 49 of the NPPF, this confirms that 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.

As this is a new application an assessment has been made on the whether the proposal is sustainable. Considerable weight has been given to the Inspector's appeal decision and the extant outline permission in this assessment.

Economic Role

4.5 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.”
4.6 The proposed single dwelling will make a contribution to the delivery of the five year land supply and will make a small contribution to the economy through employment during the construction period and subsequent spending from the occupiers.

Social Role

4.7 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.”

4.8 The Inspector noted that the site is remote from services and that any occupiers would be largely dependent on the private car, but considered that traffic generated would not be significant enough to cause the proposal to conflict with of the NPPF objective to minimise the need to travel and maximise sustainable transport, and to a limited extent could help to enhance or maintain the vitality of nearby rural communities.

4.9 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.”

4.10 The site is outside the development limit and will result in an encroachment on the open countryside but the proposed dwelling would not significantly harm the character of the area or any heritage assets, the dwelling will be located in flood zone 1 (low risk) and there is not significant harm to biodiversity.

4.11 Giving considerable weight to the Inspector’s decision, although the proposed development is located outside the development limit and there is no direct pedestrian link to local services, there is no significant or demonstrable harm resulting from the development. Paragraph 14 in the NPPF makes it clear that where the development plan is absent, silent or relevant policies are out-of-date development should be assessed in the context of the presumption in favour of sustainable development, subject to any adverse impacts of doing so not significantly and demonstrably outweighing the benefits, when assessed against the policies in this Framework taken as a whole. In this instance there are no adverse impacts that would significantly and demonstrably outweigh the benefits and the development.

Design

4.12 Concern has been raised over the proposed design of the dwelling and in particular the principle of a two storey dwelling and the impact this would have on residential amenity and the character of the area. Given the redevelopment of Whiteford Lodge to a substantial two storeys property, it is considered that it would be difficult to resist the principle of a two storey dwelling on the site. The proposed dwelling is not a full two storeys and has a ridge height of approximately 7 metres and the eaves being just over 4 metres in height. The proposal has been amended which has deleted a large garage projecting from the front Elevation and now provides a detached garage, which has substantially reduced the bulk of the proposed dwelling. It is not considered to be over development of the site. The proposed design is a relatively simple contemporary dwelling taking influence from barn conversion within the area. The hedging around the site forms an important part of the rural character of the area as a result its retention has been conditioned. It is now considered that the proposed design of the dwelling is acceptable and would not result in significant or demonstrable harm to the visual appearance of the area. It is therefore considered that the proposed development accords with policy DM3.8 in the Development Management Policies, policy 2 of the JCS, section 7 of the NPPF and the South Norfolk Place Making Guide.
4.13 Concern has been raised regarding overlooking, dominance and overshadowing. Given the position in the site and orientation it is not considered that the proposal would be overly dominant or give rise to significant overshadowing. In terms of the overlooking the proposed dwelling does have rear facing windows but given the distance and existing vegetation it is not considered that the proposal would cause significant overlooking which would warrant refusal of the application. It is therefore considered that the proposal accords with policy DM3.13 of the South Norfolk Local Plan.

4.14 The dwelling opposite the site is a grade II listed building. 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.” It is not considered the proposed dwelling would significantly harm the setting of the listed building as required by section 66 of the Act and policy DM4.10 of the Development Management Policies.

4.15 The site is of archaeological interest and NCC Historic Environment Services has previously requested a condition for a programme of archaeological work, which has been conditioned.

4.16 Concern has been raised regarding the proposed drainage from the site, it was initially proposed to dispose of foul water via the main sewer. There is no mains drainage in Chandler Road so in accordance with the advice in the PPG preference is given to the drainage via package treatment plant; issues regarding any discharge point are a civil matter between the parties. Concern has also been raised regarding surface water drainage, details of surface water drainage have been conditioned.

4.17 Paragraph 50 of the National Planning Policy Framework (2012) requires Councils to plan for people wishing to build their own homes. This can be a material planning consideration for this application as self-build has been identified as the method of delivering the site. Whilst an indication of self-build has been given by the applicant it should also be noted that at this stage it cannot be certain that the method of delivering this site will be self-build. In the instance of this application the other material planning considerations detailed above are of greater significance.

4.18 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.

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

5 Conclusion

5.1 In the absence of a five year land supply the proposal has been considered in the context of sustainable development in accordance with paragraph 14 of the NPPF and it is not considered that there are any significant and demonstrable adverse effects that outweigh the benefits of the development. The amended design is now acceptable and would not adversely affect the character and appearance of the area, the amenity of surrounding residential properties or highway safety to a significant degree.

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

The Planning Inspectorate

Appeal Decision

Site visit made on 2 December 2013

by Stuart Hall BA(Hons) DipTP FRTPI MCIHT

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

Decision date: 18 December 2013

Appeal Ref: APP/L2630/A/13/2202187

Land north of Whiteford Hall Farm, Chandler Road, Stoke Holy Cross, Norfolk NR14 8RQ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
- The appeal is made by Mr Terry Humphrey against the decision of South Norfolk District Council.
- The application Ref 2013/0211/O, dated 1 February 2013, was refused by notice dated 28 March 2013.
- The development proposed is a detached three bedroom bungalow with garage and garden.

Application for Costs

1. An application for costs was made by the appellant against the Council. This application is the subject of a separate decision.

Decision

2. The appeal is allowed and planning permission is granted for a detached three bedroom bungalow with garage and garden at Land north of Whiteford Hall Farm, Chandler Road, Stoke Holy Cross, Norfolk NR14 8RQ in accordance with the terms of the application Ref 2013/0211/O, dated 1 February 2013, subject to the conditions in the Schedule attached to this decision.

Main Issues

3. The outline application reserves all matters of detail for future consideration. The main issues in this appeal are the effects that the principle of allowing a bungalow on the appeal site would have on the interests of sustainable development and the character and appearance of its surroundings, having regard to local and national policies in relation to the supply and location of housing.

Reasons

4. The open appeal site is within a small cluster of development, with dwellings on each side of a narrow rural lane, surrounded by undulating countryside. With reference to the Council’s reasons for refusal, saved Policy ENV 8 of the South Norfolk Local Plan, adopted in 2003, seeks to prevent development in locations such as this, subject to exception criteria that it is not contended apply to this.

www.planningportal.gov.uk/planninginspectorate
scheme. Policy 17 of the Joint Core Strategy for Broadland, Norwich and South Norfolk (CS) permits only affordable housing to meet a specific local need, and then only in locations adjacent to villages. The scheme conflicts with both these development plan policies.

5. However, the development plan does not identify sufficient deliverable land within the Norwich Policy Area to meet the requirement, set out in paragraph 47 of the National Planning Policy Framework (NPPF), to maintain a 5 year supply of housing land plus a minimum buffer of 5%. Whilst recent permissions on unallocated sites have reduced the shortfall, and its current size is disputed, it is common ground that it still exists. Accordingly, referring to NPPF paragraph 49, relevant policies for the supply of housing are not up to date.

6. Saved Policy ENV 8 and CS Policy 17 apply constraint to, and so form part of, the Council’s strategic approach to housing land supply. Therefore, I find that they too are relevant, and not up to date, in terms of paragraph 49. This weighs in favour of a decision other than in accordance with the development plan. In this context, whether or not the NPPF presumption in favour of sustainable development should apply as a starting point is not conclusive. In either event, it follows from the final bullet point of NPPF paragraph 14 that the appeal should be allowed unless adverse impacts would significantly and demonstrably outweigh the benefits when assessed against the NPPF as a whole, or unless specific NPPF policies (of which none appears relevant) indicate otherwise.

7. Unlit public footpaths across several hundred metres of undulating fields would not render occupants other than largely dependent on the private car to reach limited local services. Even so, the site would not generate the significant movements that would cause the scheme to conflict with the aim to minimise the need to travel and maximise the use of sustainable transport, as described in NPPF paragraph 34. In accordance with the first part of NPPF paragraph 55, to a very limited extent it could help to enhance or maintain the vitality of nearby rural communities. In terms of its location, and having regard to its scale, I conclude that the scheme would not have a significant impact on the interests of sustainability as expressed in the NPPF.

8. Given the local housing supply position, loss of countryside appears to be inevitable. Whilst in quantitative terms a single dwelling on this 0.08 hectare site would represent a disproportionate loss, more intensive development would have a greater visual impact. The site lies between an access to a group of buildings set back but clearly visible from the lane and a prominent dwelling that has been redeveloped recently. A single storey dwelling set back from the lane would be barely visible from it above dense boundary hedging. Walkers on the public footpath close to the western edge of the site will be well aware of the cluster of buildings whether or not this site is developed. It is large enough to ensure that the existing relationship of buildings to space within the cluster would not be unduly disturbed.

9. In this setting, taking account of other substantial but less visible dwellings nearby and subject to appropriate control of details, I conclude that the scheme would not have a significant impact on the character and appearance of its surroundings. Account is taken of submissions, including those from local residents, that the scheme could set a precedent for development that could have a cumulative harmful impact. However, no specific and fully comparable
sites at such risk are drawn to my attention. Further, the issue of precedence will not arise once the Council can demonstrate that an adequate supply of deliverable housing sites exists, as the final bullet point of NPPF paragraph 14 will then no longer apply. Therefore, those submissions carry little weight.

10. Other appeal decisions referred to in submissions are not fully comparable with the scheme before me, and so do not fetter my decision. Whilst other housing permissions at countryside locations have made a significant impact on the supply deficit, it seems likely that they also have a commensurate impact on that countryside. Those other decisions do not bear on whether any adverse impacts of the appeal scheme significantly and demonstrably outweigh its very limited benefit to the supply position when assessed against NPPF policies taken as a whole. The above considerations lead me to conclude that they do not. It follows that the appeal should succeed.

11. That being so, regard is had to conditions suggested by the Council, in addition to those relating to reserved matters, taking into account advice in Circular 11/95 The Use of Conditions in Planning Permissions. Further conditions requiring details of external materials, levels, access and related arrangements are not necessary in light of the encompassing nature of condition 1). The removal of any trees or hedges could occur unrelated to the development, and the consequences could be addressed in the consideration of landscaping proposals submitted pursuant to that condition. Conditions relating to sustainable design and archaeological investigation, whilst justified by the evidence, can be expressed more simply in accordance with published advice, bearing in mind the appellant’s awareness of the Council’s detailed requirements in each case.

Stuart Hall
INSPECTOR

Schedule of conditions

1) Details of the access, appearance, landscaping, layout, and scale, (hereinafter called “the reserved matters”) shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out as approved.

2) Application for approval of the reserved matters shall be made to the local planning authority not later than three years from the date of this permission.

3) The development hereby permitted shall begin not later than two years from the date of approval of the last of the reserved matters to be approved.

4) The development hereby permitted shall be carried out in accordance with the approved plans notated: Whiteford Hall Farm Location Plan Site 2 scale 1/1250, & Whiteford Hall Farm Site Plan Site 2 scale 1/500.
5) The dwelling hereby approved shall achieve Level 4 of the Code for Sustainable Homes in relation to water usage and shall not be occupied until a final Code Certificate has been issued for it certifying that Code Level 4 has been achieved in that respect. Water conservation measures identified in order to obtain that Certificate shall be permanently retained thereafter.

6) No development shall take place within the site until the implementation of a programme of archaeological work has been secured in accordance with a written scheme of investigation and reporting that shall be first submitted to and approved in writing by the local planning authority.

End of schedule of conditions.
4. **Appl. No**: 2016/0761/F  
**Parish**: SAXLINGHAM NETHERGATE

Applicants Name: Mr Basil Warne  
Site Address: Land West Of Tudor Cottage Church Hill Saxlingham Nethergate  
Norfolk  
Proposal: Conversion of former blacksmith shop to residential accommodation using land to west as a garden

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. Contaminated land - submit scheme  
6. Reporting of unexpected contamination  
7. Provision of parking, service  
8. Visibility splay, approved plan  
9. Access Gates - Configuration  
10. Tree protection  
11. PD rights removed for extensions, outbuildings etc  
12. PD rights removed for fencing, gates, walls etc  
13. Ecology mitigation

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 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 15: Service Villages

1.3 South Norfolk Local Plan  
Development Management Policies  
DM1.3: The sustainable location of new development  
DM1.4: Environmental Quality and local distinctiveness  
DM3.4: Residential extensions and conversions within Settlements  
DM3.8: Design Principles applying to all development  
DM3.10: Promotion of sustainable transport  
DM3.11: Road safety and the free flow of traffic  
DM3.12: Provision of vehicle parking  
DM3.13: Amenity, noise, quality of life  
DM3.14: Pollution, health and safety  
DM4.10: Heritage Assets

1.4 Supplementary Planning Document  
South Norfolk Place Making Guide 2012

1.5 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

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<tr>
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<td>Outline planning application (with all matters reserved) for one detached dwelling</td>
<td>Withdrawn</td>
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<tr>
<td>1992/1893</td>
<td>Conversion to dwelling</td>
<td>Approved</td>
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<td>1991/1617</td>
<td>Erection of two storey cottage style dwelling</td>
<td>Refused</td>
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<td>1991/0864</td>
<td>Erection of two storey cottage style dwelling</td>
<td>Refused</td>
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<td>1979/3822</td>
<td>Shop Sign</td>
<td>Approved</td>
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<td>1979/3315</td>
<td>Renewal of 1977/2629 for Craft Shop</td>
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Appeal History

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<tbody>
<tr>
<td>1997/1617</td>
<td>Erection of two storey cottage style dwelling</td>
<td>Dismissed</td>
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</table>

3. Consultations

3.1 Parish Council
   - Refuse
     - It is clear from local knowledge that access to and more importantly egress from
       the site would be onto a dangerous bend which regularly floods.
     - The proposed development would overlook the neighbouring properties affecting
       their privacy.

3.2 District Member
   - To be determined by committee
   - Due to neighbours' concerns regarding highway safety and loss of residential amenity

3.3 NCC Highways
   - No objections subject to conditions:
     - On the basis that both the building and the means of access onto Church Hill
       are existing, it is not considered that a highway objection to this proposed
       conversion is necessary

3.4 SNC Conservation And Design
   - No objections

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

3.6 SNC Water Management Officer
   - No objections
### 3.7 SNC Landscape Officer

No objections subject to conditions

### 3.8 NCC Ecologist

Request a basic Bat survey is submitted

Following receipt of Bat survey:
No objections subject to conditions

### 3.9 Other Representations

1 letter of comment

- Happy that the old rather dilapidated building should be smartened up using appropriate building materials, however concerned about gaining access a what the garage would look like

7 letters of objection

- Approval may lead to new buildings on the current garden
- Difficult for a car to exit safety at peak times
- Access may be existing but it is not used
- New use will bring greater use
- Access in flood zone
- A very dangerous bend, continually causing problems and to give recent examples of problems: a car hit the wall of a property at this corner; a residents car was lightly hit when they were turning into their drive; an elderly lady recently narrowly avoided being hit
- Previous neighbours had their car written off by cars coming down Church Hill too fast
- No continuous footpath here and pedestrians dangerously walk and cross on the road to access school, children's playground, social club, nursery school, village hall and bus stop
- Parking in front of sheds causing pedestrians to be in the road
- None of these sheds has been used for over 20 years
- Application refers to them as a Blacksmith Shop, they have only been sheds
- Commercial or usage demanding constant vehicular access has to be prior to motor vehicles, present road configuration and war memorial
- Two-storey conversion would overtake the corner in the centre of the village overpowering and out of proportion to the listed cottages adjacent
- Loss of privacy from overlooking
- Property not suited to residential use due to its size
- Significant impact on the conservation area
- Amazed Highways who have always seen fit to turn down an access for a potential housing plot, due to dangerous exit, have change their stance
- Highways have not objected due to it being an existing building with an existing access, consider this is the wrong approach

### 4 Assessment

#### 4.1

This application seeks full planning permission for the conversion of an existing building referred to as the Old Blacksmiths Shop, Church Hill, Saxlingham Nethergate to a residential unit. The existing building is sited in a prominent location within the centre of the village and the Conservation Area. Residential properties are located to the northeast and east of the existing building.
4.2 The main issues in this case are: the principle of the development; design; highway safety, flooding and residential amenity.

4.3 The site is within the Development Boundary for the village of Saxlingham Nethergate and identified as a Service Village in the JCS and as such, there is a principle in favour of residential development.

Design and impact on the character of the area

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

4.5 The building is in a semi-derelict state, and does not in its present condition with later alterations contribute positively to the character and appearance of the conservation area in this very visible and prominent position at the centre of the village. The proposal will reuse the building in a sensitive manner, and will not appear incongruous within the setting of this part of the village, being considered an enhancement. The site is of sufficient size to comfortably accommodate the proposed conversion, curtilage, parking and turning and garage. On this basis, it is considered that the scheme would accord with Policy 2 of the JCS and Section 7 of the NPPF.

Highway Safety

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

4.7 Concerns have been raised by Parish Council and local residents as set out above, at the impact the proposal will have on highway safety. The Highways Authority have assessed the proposal and raised no objection due to there being an existing building and an existing access. Also concern has been raised at inconsistency of the Highway Officer's comments, in supporting this application but having objected to others. However it can be noted from the Planning History that a previous consent has been given for the building's conversion which followed two refusals on the site for the erection of a cottage style dwelling in the 90's due to highway safety; detriment to the Conservation Area and visual amenities. The second application 1991/1617 was dismissed at appeal, in which the Inspector's concern was that the proposed dwelling would increase the use of the existing access (acknowledging that the existing building was used as a garage/shop premises and used this access) and stated that 'such an increment in activity, would in my view, put at significantly increased hazard the safety of the highway.' In view of this I do not consider there is any inconsistency. As such the proposal would accord with Polices DM3.11 and DM3.12. The concerns raised by the Parish Council and local residents as set out above are fully appreciated, however, as the Highway officer has raised no objections to the proposal I do not consider the application can be refused on highway safety issues.

Residential amenity

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

4.9 Local residents have raised concerns regarding loss of privacy as set out above. I fully appreciate the concerns raised, however, the proposal is for single storey property with no first floor accommodation; it is located in front of the Tudor Cottages, therefore not overlooking these properties' rear private gardens; and separated from other nearby neighbours by the highway. As such, the scheme would accord with the requirements of Policy DM3.13.
Impact on the Conservation Area

4.10 The impact on Conservation Areas requires consideration under the development management policies and S72 Listed Buildings Act 1990 requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of Conservation Areas. The application has been assessed by the Senior Conservation and Design Officer who has raised no objection to the scheme. It is considered that the proposal will not have any harmful impact on the character or appearance of the Conservation Area. 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 that the proposal would not adversely affect the Conservation Area.

Flooding

4.11 The site is not located within flood zones 2 and 3 and the Council has no record of historical flooding on the site. It is fully appreciated however, that through the consultation process, local residents have raised concerns regarding flooding in the area. The Water Management officer has raised no objections to the conversion and in view of the above, I do not consider the application can be refused on flooding issues.

4.12 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.

4.13 This application is liable for Community Infrastructure Levy (CIL)

5 Conclusion

5.1 The appearance and layout of the development is considered acceptable for its context and will enhance the Conservation Area. It will not adversely affect the amenities of the neighbouring properties or highway safety. The proposal accords with the NPPF, JCS and SNLP policies.

Contact Officer, Telephone Number and E-mail: Claire Curtis 01508 533788 ccurtis@s-norfolk.gov.uk
### Applications submitted by South Norfolk Council

5. **Appl. No**: 2016/1295/F  
**Parish**: LONG STRATTON  

<table>
<thead>
<tr>
<th>Applicants Name</th>
<th>South Norfolk Council</th>
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<tr>
<td>Site Address</td>
<td>Cygnet House Swan Lane Long Stratton Norfolk</td>
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<tr>
<td>Proposal</td>
<td>Change of use of agricultural land to ancillary residential curtilage (Class C3) and potential future footpath link.</td>
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**Recommendation**: Approval with Conditions

1. The land shall be transferred to the relevant plots and made available as private amenity space prior to the first occupation of each plot in accordance with condition 2 of planning permission 2015/0385  
2. The boundary treatments shall be erected prior to the first occupation of the relevant plots.  
3. Scheme for the delivery of a footpath link in the area hatched on the approved plan to be submitted and timetable for implementation agreed.  
4. Details of the boundary treatment under the crown of the existing tree to be approved.

#### 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

1.2 Joint Core Strategy  
Policy 2 : Promoting good design  
Policy 4 : Housing delivery  
Policy 14 : Key Service Centres

1.3 South Norfolk Local Plan  
Development Management Policies  
DM1.1 : Ensuring Development Management contributes to achieving sustainable development in South Norfolk  
DM1.4 : Environmental Quality and local distinctiveness  
DM3.1 : Meeting Housing requirements and needs  
DM3.8 : Design Principles applying to all development  
DM4.9 : Incorporating landscape into design

1.4 Site Specific Allocations and Policies  
Long Stratton Area Action Plan  
LNGS1 : Land East, South East and North West of Long Stratton

1.5 Supplementary Planning Document  
South Norfolk Place Making Guide 2012

1.6 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 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 Comments awaited

3.2 District Members To be reported if appropriate

3.3 Other Representations To be reported

4 Assessment

4.1 This application relates to the wider development of the land now known as Maple Park, for 50 dwellings and 800sqm of office space. Condition 2 of the Reserved Matters approval for the wider development (reference 2015/0385 relating to Outline planning application reference 2015/2858) requires a full planning application to be submitted to secure the change of use of land north of plots 17, 18, 19, 20, 21 and 22 from agricultural land to ancillary residential curtilage (Class C3) and a potential future footpath link. The reason for this condition was to address the discrepancies between the proposed red and blue line of
the Reserved Matters application to provide adequate private amenity space for plots 17-22, and to avoid a strip of land between the approved development and the future development to the north being unmanaged and unmaintained.

4.2 The change of use of the land ensures that there is adequate rear gardens for those plots on the northern boundary of the site and also that the proposed footpath link to the land for future development under the LSAAP is also taken to the site boundary of the ownership of the applicant.

4.3 This will result in no intrusion into the landscape and follows the intention of the development at the reserved matters stage. A 1.8m fence is proposed along the northern boundary, again this is inline with the boundary treatments approved at the reserved matters stage. In the long term the land to the north will be developed with residential development in line with the Long Stratton Area Action Plan (LSAAP) and as such whilst this site currently backs on to a field, it will later back on to the new housing development.

4.4 A 1.8m close boarded fence is proposed along the western and northern boundary underneath the tree, however as the tree is at a low height and would need significant crown lifting in order to achieve this, an alternative means of boundary treatment underneath the crown of the tree is considered necessary and can be secured by condition.

4.5 The proposed change of use of the land to residential curtilage and location of the fencing along its boundary will result in no adverse impact on the amenities of existing dwellings on St Andrews close or St Michaels Road.

4.6 The proposal is therefore considered to comply with the development plan.

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).

5 Conclusion

5.1 The application responds to a condition on the reserved matters application to ensure that there is adequate amenity space for the plots on the northern boundary of the wider site and to avoid a strip of land between the approved development and the future development to the north being unmanaged and unmaintained.

5.2 The proposed change of use is considered to follow the intentions of the reserved matters application and results in no adverse impact on the landscape or neighbouring amenity and ensures that the reserved footpath link to the LSAAP land to the north is taken to the site boundary.

5.3 The proposal is considered to comply with the Development Plan and is recommended for approval subject to conditions.

Contact Officer, Telephone Number and E-mail: Tracy Lincoln 01508 533814 tlincoln@s-norfolk.gov.uk
### Planning Appeals
**Appeals received from 17/05/2016 to 13/06/2016**

<table>
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<th>Ref</th>
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<th>Appellant</th>
<th>Proposal</th>
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<tbody>
<tr>
<td>2015/2838</td>
<td>Wreningham Rectory Cottage</td>
<td>Mr &amp; Mrs Moore</td>
<td>Proposed new front dormer and first floor front extension including a gable roof and side and rear ground floor extension</td>
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<tr>
<td></td>
<td>Church Road Wreningham Norfolk NR16 1BA</td>
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### Planning Appeals
**Appeals decisions from 17/05/2016 to 13/06/2016**

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<th>Ref</th>
<th>Parish / Site</th>
<th>Appellant</th>
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<th>Decision Maker</th>
<th>Final Decision</th>
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<tbody>
<tr>
<td>2015/1427</td>
<td>Hethersett Land North Of Priory Road Hethersett Norfolk</td>
<td>Mr John Barrett</td>
<td>Erection of single new dwelling</td>
<td>Development Management Committee</td>
<td>Refusal</td>
<td>Appeal dismissed</td>
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